



LIVE OAK

ASSOCIATES, INC.

June 12, 2024

Katia Kamangar
Kamangar Consulting

SUBJECT: 4590 Patrick Henry site, Technical Memo regarding Riparian Mitigation based on the requirements of the Draft Mitigation and Monitoring Plan (April 18, 2024), Santa Clara, County or Santa Clara, California.

Dear Ms. Kamangar:

I have reviewed the Draft Mitigation and Monitoring Plan (April 18, 2024) for the proposed project at 4590 Patrick Henry in Santa Clara, California. My focus was on Impact Bio (C)-1 which requires compensatory riparian mitigation for proposed encroachment impacts by either establishing some “riparian” plantings within a 0.14 acres area on site (1:1 mitigation ratio) or provide suitable “riparian” plantings at an offsite location. An Alternative to providing compensatory offsite mitigation could potentially occur by purchasing suitable mitigation credits at an approved mitigation bank. Unfortunately, this latter option is not available for this project as no such mitigation bank exist that services northern Santa Clara County.

As for providing compensatory mitigation offsite, while that sounds logistically possible, it is in fact an extremely difficult challenge, particularly for such a small area (0.14 acres). The most difficult issue to overcome is finding a willing public or private landowner willing to accommodate such mitigation and encumber their property with such mitigation. While this can be an extremely difficult task, it is usually reserved for projects that have considerably larger mitigation needs, as there is an economy of scale with larger sites. The cost per unit area quickly exceeds any rational cost-benefit analysis when the need for offsite mitigation becomes exceedingly small, as in this case.

Therefore, in my professional opinion, offsite mitigation is not a feasible option unless the City has land suitable for such mitigation.

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We thank you for considering our firm. If you have any questions or concerns regarding this memo, please contact me at (408) 391-9433, at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to be 'R. Hopkins', followed by a horizontal line.

Rick Hopkins, Ph.D.
President
Senior Conservation Biologist

