Appendix A

Glossary

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Definitions of Key Terms and Concepts

Adaptive management. A method for examining alternative strategies for meeting measurable biological goals and objectives, and then if necessary, adjusting future conservation management actions according to what is learned (65 Federal Register 106 35242–35257, June 1, 2000).

Anthropogenic. Caused or produced through human agency.

Bankfull. The incipient elevation on the bank where flooding begins. In many stream systems, the bankfull stage is associated with the flow that just fills the channel to the top of its banks and at a point where the water begins to overflow onto a floodplain (Leopold et al. 1964). The bankfull stage and its attendant discharge serve as consistent morphological indices which can be related to the formation, maintenance and dimensions of the channel as it exists under the modern climatic regime.

Baseline. The existing environmental state, which includes past and present impacts as well as the anticipated impacts of all permitted projects in the inventory area.

Biodiversity. The variety of organisms considered at all levels, from genetic variants of a single species through arrays of species to arrays of genera, families, and higher taxonomic levels; includes the variety of natural communities and ecosystems.

Biological opinion (BO). The document stating the opinion of the U.S. Fish and Wildlife Service and/or the National Oceanic and Atmospheric Administration's National Marine Fisheries Service as to whether or not a federal action is likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat (50 Code of Federal Regulations 402.02). A biological opinion is one of the decision documents of a consultation under Section 7 of the federal Endangered Species Act.

Biological goals. Guiding principles for conservation within the study area based on the conservation needs of the covered species and natural communities. The goals describe the vision for the covered species and natural communities to be achieved through implementation of a successful conservation program. Biological goals are typically qualitative rather than quantitative (65 Federal Register 106 35242–35257, June 1, 2000).

Biological objectives. Measurable targets that will be sought to achieve the biological goal. Biological objectives are typically quantitative or at least measurable (65 Federal Register 106 35242–35257, June 1, 2000).

Broad goals (or program goals). Broad guiding principles for the entire Plan. These goals represent a summary of the "project purpose and need" for the Plan and may be incorporated as a mission statement for the process and the plan. These are a different set of goals than the biological goals and objectives.

Building permit. A permit issued by a city or county under the applicable construction code (e.g., Uniform Building Code) that authorizes the construction of new or expanded structures. A building permit does not include permits issued under plumbing, electrical, mechanical or other regulations for construction work in new or expanded structures.

CEQA species. Plant and animal species that are considered endangered, threatened, or rare under the California Environmental Quality Act (CEQA) and thus must be considered in CEQA documents, but are not species covered by the Plan (670.2 or 670.5, Title 14, California Code of Regulations). See also *Endangered species* and *Threatened species*.

Changed circumstances. Changes in conditions or other circumstances affecting a covered species or the geographic area covered by the Plan that can reasonably be anticipated by the Permittees and that can reasonably be planned for in the Plan (e.g., new species listings, fire, or other reasonably foreseeable natural catastrophic events).

City limits. Official jurisdictional boundary of a city.

Coastal and valley freshwater marsh. Wetlands dominated by emergent herbaceous plants (reeds, sedges, grasses) with either intermittent flooded or perennially saturated soils. Freshwater marshes are found throughout the coastal drainages of California wherever water slows down and accumulates, even on a temporary or seasonal basis.

Compliance monitoring. Monitoring that tracks the status of plan implementation, ensuring that planned actions are executed, including reserve design and creation, implementation of management activities, and implementation of monitoring activities (Atkinson et al. 2004).

Conservation. According to the federal Endangered Species Act, *conserve*, *conserving*, and *conservation* are the methods and procedures necessary to bring any endangered or threatened species to the point at which the measures provided under the Act are no longer necessary. Such methods and procedures include, but are not limited to, activities associated with resource management such as research, census, law enforcement, habitat acquisition and maintenance, propagation, live trapping, and transportation (16 U.S. Government Code 1532 [3]). According to the Natural Community Conservation Planning Act, *conserve*, *conserving*, and *conservation* are the use of methods and procedures within the Plan area that are necessary "to bring any covered species to the point

at which the measures provided pursuant to [the California Endangered Species Act] … are not necessary, and for covered species that are not listed pursuant to [the California Endangered Species Act] …, to maintain or enhance the condition of a species so that listing pursuant to [the California Endangered Species Act] …will not become necessary." In other words, the Natural Community Conservation Planning Act defines *conservation* as the steps necessary to remove a species from the California threatened or endangered species list (California Fish and Game Code 2085[d]).

Conservation actions. Specific activities that will be carried out to meet the conservation needs of the covered species and natural communities in order to achieve the biological goals and objectives.

Conservation strategy. The Plan's overall and unified approach for achieving the biological goals and objectives. The conservation strategy is the collection of all conservation actions that will be implemented.

Construction monitoring. Monitoring by biologists of construction activities to ensure that conservation actions are implemented and impacts to biological resources are avoided or minimized in accordance with Plan requirements.

Contribute to recovery. Actions that measurably increase the baseline conditions necessary to support covered species and that contribute to the eventual delisting of a listed species or prevention of listing of a nonlisted species. A contribution to recovery does not include actions necessary to avoid, minimize, or mitigate impacts of covered activities.

Cover (also canopy cover, areal cover). The area of ground covered by vegetation of particular species or vegetation type, generally expressed as a percentage.

Covered activities. Those activities addressed in the Plan and for which the Permittees will seek a Natural Community Conservation Planning Act take permit pursuant to Section 2835 of the California Natural Community Conservation Planning Act, and an incidental take permit pursuant to Section 10 of the federal Endangered Species Act.

Covered species. Those species addressed in the Plan for which conservation actions will be implemented and for which the Permittees will seek authorization for take under Section 2835 of the California Natural Community Conservation Planning Act and Section 10 of the federal Endangered Species Act.

Creation. See *Habitat creation*.

Critical habitat. An area designated as critical habitat by the U.S. Fish and Wildlife Service or by the National Marine Fisheries Service pursuant to the federal Endangered Species Act. Critical habitat areas are specific geographic areas that may or may not be occupied by listed species or not, that are determined to be essential for the conservation and management of listed species, and that have been formally described and designated in the Federal Register (16 U.S. Government Code 1532 [5]).

Cumulative impacts. Result from the proposed actions' incremental impact when viewed together with past, present, and reasonably foreseeable future actions. Cumulative impacts are defined under both the ESA and NEPA. HCPs do not require a discussion of cumulative effects as analyzed under NEPA. However, as stated in the HCP handbook, "the applicant should help ensure that those considerations required of the Services by Section 7 have been addressed in the HCP" (U.S. Fish and Wildlife Service and National Marine Fisheries Service 1996:3–15). Accordingly, the Plan addresses the cumulative effects of public or private activities that could result from individually minor but collectively significant actions that take place over time. Cumulative effects of all projects with a federal nexus will be analyzed under NEPA and will not be addressed in the Plan in accordance with the ESA regulatory guidelines.

Direct impacts. Defined as activities or projects that remove or alter land cover types, or covered species habitat, populations, or occurrences (or portions of thereof). Direct impacts are caused by the project and occur at the time and place of project implementation (e.g., ground disturbance, inundation). Direct impacts can be either permanent or temporary (see definitions of permanent and temporary impacts immediately below).

Dominance. The extent to which a given species predominates a community by virtue of its size, abundance, or coverage.

Effectiveness monitoring. The measurement of variables that allow the program to assess the success of the Habitat Plan in meeting its stated biological objectives (Atkinson et al. 2004).

Ecological integrity. Ecosystems have *ecological integrity* when their native components are intact, including abiotic components, biodiversity, and ecosystem processes.

Ecosystem. A community of organisms and their physical environment interacting as an ecological unit.

Ecosystem function. The sum total of processes operating at the ecosystem level, such as the cycling of matter, energy, and nutrients.

Ecosystem restoration. The reestablishment of ecological functions within an area that historically supported those functions.

Ecosystem services. The benefits that people derive from ecosystems, including both commodities and regulating, supporting, and cultural services.

Endangered species. A native species, subspecies, variety of organism, or distinct population segment (DPS) which is in serious danger of becoming extinct throughout all or a significant portion of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease (16 U.S. Government Code 1532[6]; California Fish and Game Code Section 2062).

Endemic. A species, subspecies, or variety found only in the region defined.

Enhance. See *Habitat enhancement*.

Environmental gradient. A shift in physical and ecological parameters across a landscape, such as changes in topography, climate, land cover types, or natural communities.

Ephemeral stream. A stream that flows only in response to rain events and receives no groundwater input. As defined in the Habitat Plan, ephemeral streams will not include irrigation ditches, underground streams, or drainages and swales that have neither defined bed and bank nor evidence of scour or sediment transport. All other ephemeral drainages that qualify as streams will be considered under the Habitat Plan.

Exception. An allowance for reductions in mandated setback distances necessary to allow reasonable use and development of a property based on the variety of constraints and factors that may affect the property. Stream setback policies that apply to a large number of parcels with varying characteristics require a clear and practical set of setback exceptions. Exceptions will be used in a minority of cases where special circumstances apply that limit or restrict the ability of a landowner to fully apply the stream setback.

Extinct species. A species no longer in existence.

Extirpated species. A species no longer surviving in regions that were once part of its range.

Geographic Information Systems (GIS). Computer-based mapping technology that manipulates geographic data in digital layers and facilitates a wide array of environmental analyses.

Greenline. San José's urban growth boundary, beyond which urban development is prohibited (City of San José 2005).

Habitat. The environmental conditions that support occupancy of a given organism in a specified area (Hall et al. 1997). In scientific and lay publications, habitat is defined in many different ways and for many different purposes. For the purposes of the Plan, habitat is defined as the specific places where the environmental conditions (i.e., physical and biological conditions) are present that are required to support occupancy by individuals or populations of a given species. Habitat may be occupied (i.e., individuals or a population of the species are or have recently been present) or unoccupied. See also *Unoccupied habitat*.

Habitat creation. The manipulation of the physical, chemical, or biological characteristics present to develop a land cover type in an area that did not previously support it. Similar to restoration, creation results in establishment of new ecological function, value, ***and*** acreage of a natural community or land cover types.

Habitat enhancement. The manipulation of the physical, chemical, or biological characteristics of a land cover type to heighten, intensify, or improve one or more specific existing ecological function(s). Enhancement results in the gain of selected existing ecological function(s), but may also lead to a decline in other ecological function(s). Habitat enhancement implemented in the Reserve System will result in an increase or improvement in specific ecological function without a change in the amount of land cover types.

Habitat quality. The ability of the environment to provide conditions that support the persistence of individuals and populations (Hall et al. 1997). The precise meaning of habitat quality varies by species and depends on the subject species' specific needs in the context of a particular area. High-quality habitat for some species comprises only foraging and resting elements; for others it comprises foraging, resting, and nesting elements; for still others it may encompass all elements needed for the species to complete its lifecycle. Low-quality habitat would include only the minimal elements that support occurrence of the species. High-quality habitat tends to support larger numbers of species than low-quality habitat.

Habitat restoration. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a site that historically supported such functions, but no longer does because of the loss of one or more required ecological factors or as a result of past disturbance.

Harass. An intentional or negligent act or omission that creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering (50 Code of Federal Regulations 17.3). One component of the legal definition of "take" under the federal Endangered Species Act.

Harm. An act that kills or injures wildlife. Such an act may include significant habitat modification or degradation which results in injury of or death to wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering (50 Code of Federal Regulations 17.3). Harm is one component of the legal definition of "take" under the federal Endangered Species Act.

Hydrology. The movement of surface and subsurface water flows in a given area. The hydrology of an area is intimately connected with its precipitation, soils, and topography.

Impacts. Those actions affecting biological resources, specifically undeveloped land cover types and covered species, in the permit area. Impacts can be direct or indirect; they can also be cumulative.

Implementing Entity. The Implementing Entity is the agency or organization that will be responsible for fully implementing the Plan. The Implementing Entity will be identified later in the planning process.

In-stream. The stream bed and bank and the adjacent riparian corridor.

Incidental take. Any take otherwise prohibited, if such take is incidental to and not the purpose of the carrying out of an otherwise lawful activity (50 Code of Federal Regulations 17.3).

Intermittent stream. A stream that is supplied by both rainfall runoff and groundwater. Intermittent streams tend to be seasonal, with flow during the rainy season and into the late spring or early summer.

Indicator species. A species, the presence or absence of which is indicative of a particular habitat, community, or set of environmental conditions (Lincoln et al. 1998).

Indirect impacts. Defined by USFWS as "those that are caused by the proposed action and are later in time, but are still reasonably certain to occur" (50 CFR 402.02). Indirect impacts in the context of this Plan also include those impacts that occur at the time of the proposed action but beyond the footprint of a project or activity (i.e., beyond the area of land cover disturbance). While more difficult to detect and track, indirect impacts can undermine species viability or habitat quality, especially if multiple indirect or direct impacts work cumulatively to impair the species or to degrade the habitat.

Interim project. A project within the Plan study area that is proposed before adoption of the Plan and that has the potential to conflict with preliminary conservation objectives stated in the Planning Agreement.

Invasive species. A species that is non-native to the ecosystem and whose introduction causes or is likely to cause economic or environmental harm or harm to human health (Atkinson et al. 2004; Executive Order 13112).

In-kind/like-value creation. Establishing a vegetative community or habitat that would provide the same ecological values over time as the vegetation community or habitat affected. For example, creating an artificial vernal pool that supports species similar to those found in an affected vernal pool would be in-kind/like-value creation.

Intermittent stream. A stream that is supplied by both rainfall runoff and groundwater. Intermittent streams tend to be seasonal, with flow during the rainy season and into the late spring or early summer.

Keystone predator. The dominant predator, often the top predator in a given food web; a predator having a major influence on community structure, often in excess of that expected from its relative abundance (Lincoln et al. 1998).

Keystone species. A species whose impacts on its community or ecosystem are large, and much larger than would be expected from its abundance (Groom et al. 2006).

Land-cover type. The dominant feature of the land surface discernible from aerial photographs and defined by vegetation, water, or human uses.

Land-use designation. The designation, by parcel, in an adopted city or county General Plan of the allowable uses.

Local Partners. The jurisdictions preparing the Plan and applying as Permittees: the County of Santa Clara, Cities of Gilroy, Morgan Hill, and San José; Santa Clara Valley Water District; and the Santa Clara Valley Transportation Authority. Also referred to as *Local Agencies* in the Planning Agreement.

Metapopulation. A group of partially isolated populations belonging to the same species that are connected by pathways of immigration and emigration. Exchange of individuals occurs between such populations, enabling recolonization of sites from which the species has recently become extirpated (Lincoln et al. 1998).

Mitigation. Actions or project design features that reduce environmental impacts by avoiding, minimizing, or compensating for adverse effects (Fulton 1999).

Natural community. A collection of species that co-occur in the same habitat or area and interact through trophic and spatial relationships. Communities are typically characterized by reference to one or more dominant species.

Non-native species. A species that is not native to the ecosystem under consideration.

"No surprises assurances." Assurances to permit holders that if unforeseen circumstances arise, the U.S. Fish and Wildlife Service will not require more land, water, or money or additional restrictions on the use of land, water, or other natural resources beyond the level stated in the Habitat Plan without the consent of the Permittee (63 Federal Register 35, February 23, 1998). Applies as long as Permittee is implementing terms and conditions of the Habitat Plan properly. See also *Unforeseen circumstances*.

Occurrence, plant. A group of individuals of the same species or subspecies that are separated by at least 0.25 mile from other groups of individuals of the same species or subspecies.

Open water. Aquatic habitats such as lakes, reservoirs, water-treatment ponds, sloughs, and ponds (including percolation and stock ponds) that do not support emergent vegetation. Open water habitat in the study area is classified as pond or reservoir. Open water is used in the Plan to refer to land cover types collectively. Alternatively, ponds and reservoirs may be called out individually.

Out-of-kind/like-value creation. Establishing a similar, but not identical, vegetative community or habitat which over time, develops some of the same ecological functions and values as the affected vegetative community or habitat.

Participating special entity. A public agency such as a water, school, irrigation, transportation, or other special district that is not subject to the jurisdiction of the Permittees but requests and receives coverage under the Plan during implementation according to the terms of the Plan.

Perennial stream. A stream with year-round surface flow that is supplied by both rainfall runoff and groundwater, as well as by substantial dry-season inputs (e.g., runoff).

Perennial wetlands. These wetlands have permanent water sources during the dry season in an otherwise arid landscape and thus function as essential habitat for a wide variety of water-dependant wildlife.

Performance indicator. An environmental variable that is quantitatively measured over time to determine whether enhanced, created, or restored natural communities have successfully met Habitat Plan biological goals and objectives.

Performance objective. In monitoring, the optimal desired value for each performance indicator. Performance objectives establish a higher threshold for each indicator than that established for performance standards. Funding, design, and management objectives for enhanced, created, or restored natural communities are established at levels that are designed to ensure that the performance objectives are achieved. Failure to meet a performance objective would not constitute a changed circumstance or require remedial measures.

Performance period. In monitoring, the time over which performance standards must be met.

Performance standard. In monitoring, a minimum requirement necessary to achieve biological goals and objectives. Failure to achieve a performance standard could constitute a changed circumstance and require that remedial measures be implemented.

Permanent impacts. Direct impacts that permanently remove or alter a land cover, or that affect a land cover for more than one year during covered activity implementation and/or more than one year after completion of the covered activity (e.g., creating a new road through grassland). Permanent impacts also include indirect impacts to wetlands that result in a permanent (i.e., more than one year after completion of the covered activity) change to wetland functions (e.g., development around a wetland that reduces the surface water supply to a wetland that subsequently results in a reduction in the size of the wetland). Impacts that result in reduction of long-term viability of a plant occurrence are also considered permanent.

Permittees. The jurisdictions and agencies applying to the Wildlife Agencies for endangered species permits: the County of Santa Clara; Cities of Gilroy, Morgan Hill, and San José; Santa Clara Valley Water District; and the Santa Clara Valley Transportation Authority. See also *Local Partners*.

Permit Term. For the Habitat Plan, the length of time for which the incidental take permits are valid and during which Permittees (see also *Permittees*) may undertake activities covered by the permit. The permit term is also the time period in which all land acquisition, habitat restoration, and other mitigation and conservation actions must be accomplished. The permit term of the Habitat Plan is 50 years.

Planning Agreement. Document executed by the County of Santa Clara; Cities of Gilroy, Morgan Hill, and San José; Santa Clara Valley Water District; the Santa Clara Valley Transportation Authority; California Department of Fish and Game; and the U.S. Fish and Wildlife Service pursuant to the Natural Community Conservation Planning Act to guide the preparation of the Habitat Plan. It defines the parties' goals and obligations with regard to development of a legally sufficient and approvable Plan that will form the basis for take permits for covered activities and covered species.

Planning surveys. Surveys conducted by applicants for Habitat Plan coverage and used in the project-planning process to identify constraints and determine which Habitat Plan conservation actions are applicable. Planning surveys also include surveys conducted by the Implementing Entity on potential reserve lands to evaluate whether these lands will meet Plan requirements. See also *Implementing Entity*.

Ponds. Small (less than 20 acres) perennial or seasonal water bodies with little or no vegetation. If vegetation is present, it is typically submerged or floating. Ponds may occur naturally or may be created or expanded for livestock use (stock ponds). All ponds discernible on aerial photographs were mapped.

Population. A group of individuals of the same species inhabiting a given geographic area, among which mature individuals reproduce or are likely to reproduce. Ecological interactions and genetic exchange are more likely among individuals within a population than among individuals of separate populations of the same species.

Practicable. Referring to an action, available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purpose (45 Federal Register 85344, December 24, 1980: U.S. Environmental Protection Agency, Part 40 Code of Federal Regulations 230.3, Definitions).

Preconstruction surveys. Surveys conducted for certain biological resources immediately prior to construction, by applicants for Habitat Plan coverage, to ensure that species are adequately protected and that habitat avoidance and minimization measures can be effectively implemented during construction of covered projects or implementation of covered activities.

Preservation. Preventing changes in land use from a natural state by, for example, acquiring land or a conservation easement.

Protect habitat. To maintain existing or enhanced species habitat through acquisition of land or water bodies in fee title or with conservation easements, or other mechanisms for bringing unprotected sites under permanent protected status.

Reach. A section of a stream. Reaches are defined based on a specific need (e.g., monitoring) and do not necessarily reflect a standard set of characteristics.

Range. The geographic area a species is known or believed to occupy.

Recovery. The process by which the decline of an endangered or threatened species is arrested or reversed or threats to its survival neutralized so that its long-term survival in nature can be ensured. Recovery entails actions to achieve the conservation and survival of a species (U.S. Fish and Wildlife Service and National Marine Fisheries Service 1996), including actions to prevent any further erosion of a population's viability and genetic integrity, as well as actions to restore or establish environmental conditions that enable a species to persist (i.e., the long-term occurrence of a species through the full range of environmental variation).

Recovery plan. A document published by the U.S. Fish and Wildlife Service or by the National Marine Fisheries Service that lists the status of a listed species and the actions necessary to remove the species from the endangered species list.

Recovery goal. An established goal, usually quantitative, in a U.S. Fish and Wildlife Service or National Marine Fisheries Service recovery plan that identifies when a listed species is restored to a point at which the protections of the federal Endangered Species Act are no longer required.

Reserves. Discrete areas of conserved natural communities managed as single units under the Plan.

Reserve System. All Plan reserves considered collectively.

Reservoirs. Large open water bodies, greater than 20 acres that are highly managed for water storage, water supply, flood protection, or recreational uses.

Restore. See *Habitat Restoration.*

Restoration. See *Habitat Restoration*.

Riparian habitat or vegetation. Vegetation associated with river, stream, or lake banks and floodplains. Also defined by U.S. Fish and Wildlife Service (1997) as: Plant communities contiguous to and affected by surface and subsurface hydrologic features of perennial or intermittent lotic and lentic water bodies (i.e., rivers, streams, lakes, or drainage ways). Riparian areas have one or both of the following characteristics: 1) distinctively different vegetation than adjacent areas, 2) species similar to adjacent areas but exhibiting more vigorous or robust growth forms due to the greater availability of surface and subsurface water.

Ruderal. A species or plant community that occurs on a highly disturbed site.

Seasonal wetlands. Freshwater wetlands that support ponded or saturated soil conditions during winter and spring and are dry through the summer and fall until the first substantial rainfall.

Signature. Characteristic value, color, or texture on an aerial photograph that correlates to a particular land-cover type.

Special-status species. Plants and animals that are legally protected under the federal and State Endangered Species Acts, or other regulations, and species that are considered sufficiently rare by the scientific community to qualify for such listing.

Sphere of influence. Line determined by the Local Area Formation Committee (LAFCO) indicating the probable ultimate physical boundaries and service area of a local government agency.

Stream. A watercourse that flows at least periodically or intermittently through a bed or channel having banks. This may include watercourses having a surface or subsurface flow that supports or has supported riparian vegetation, fish or other aquatic life. In the context of the Habitat Plan, a watercourse must meet SCVWD "*Criteria to Verify or Identify a Watercourse as a Stream*" (Santa Clara Valley Water Resources Protection Collaborative 2006) to qualify as a stream.

Study area. Geographic area studied by the Plan.

Succession. The change in the composition and structure of a biological community over time. Successional patterns often shift dramatically following a major disturbance (e.g., fire, flood, anthropogenic clearing of land).

Suitable habitat. Habitat that exhibits the characteristics necessary to support a given species.

Take. According to the federal Endangered Species Act (16 U.S. Government Code 1532 [19]), *take* means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. According to California Fish and Game Code (California Fish and Game Code Section 86), *take* means to hunt, pursue, catch, capture, or kill, or to attempt to hunt, pursue, catch, capture, or kill.

Temporary impacts. Direct impacts that alter land cover for less than one year and that allow the disturbed area to recover to pre-project or ecologically improved[1] conditions within one year (e.g., prescribed burning, construction staging areas) of completing construction. For the purposes of this Plan, all impacts associated with covered activities that have a duration exceeding one year or that take more than one year to restore immediately following construction will be considered permanent[2].

Threatened species. A native species, subspecies, variety, or distinct population segment (DPS) of an organism that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future throughout all of a significant portion of its range (16 U.S. Government Code 1532 [5], California Fish and Game Code Section 2067).

[1] *Ecologically improved* means that the site functions ecologically better than the functions present on the site prior to ground disturbance.

[2] The Plan encourages on-site restoration by allowing project proponents to pay temporary impact fees when sites are restored to pre-project or ecologically improved conditions within 5 years of the end of the covered activity (see Chapter 9 for additional details).

Unoccupied habitat. Habitat that exhibits all the constituent elements necessary for a species, but which surveys have determined is not currently occupied by that species. The lack of individuals or populations in the habitat is assumed to be the result of reduced numbers or distribution of the species such that some habitat areas are unused. It is expected that these areas would be used if species numbers or distribution were greater. See also *suitable habitat*.

Unforeseen circumstances. Changes in circumstances affecting a covered species or geographic area covered by the Habitat Plan that could not reasonably have been anticipated by the plan developers, and that result in a substantial and adverse change in the status of a covered species. Under the state permit, this refers to changes affecting one or more species, habitat, natural community, or the geographic area covered by a conservation plan that could not reasonably have been anticipated at the time of plan development, and that result in a substantial adverse change in the status of one or more covered species.

Urban growth boundary (UGB). An officially adopted and mapped line dividing land to be developed from land to be protected for natural or rural uses, including agriculture. UGBs are regulatory tools, often designated for 20 or more years to provide greater certainty for both development and conservation goals.

Urban limit line (ULL). The line that separates current and future urban areas from rural areas. The urban line limit is a longer-term version of the urban growth boundary and is intended to reflect the City of Morgan Hill's long-term policy for growth, beyond the twenty-year timeframe of the urban growth boundary. The purpose of the urban limit line is to encourage more efficient growth patterns, minimize public costs, and protect environmental resources. Some, but not all, of the land outside the urban limit line has been identified as greenbelt. This line is defined as the limits of urban growth for Morgan Hill in the Habitat Plan.

Urban service area. The area within a city's sphere of influence where utilities such as gas, water, sewer, and electricity, and public services such as police, fire, schools, and parks and recreation are and will be provided.

Watercourse. A body of water that flows at least periodically or intermittently through a bed or channel having banks. This may include bodies of water having a surface or subsurface flow that supports or has supported riparian vegetation, fish or other aquatic life.

Wetland(s). Areas subject to seasonal or perennial flooding or ponding, or that possess saturated soil conditions and that support predominantly hydrophytic or "water-loving" herbaceous plant species. Within the plan area, wetland habitats are identified as coastal and valley freshwater marsh (i.e., perennial wetlands) or seasonal wetlands. The term wetland(s) is used to refer to all wetland types.

Wildland-urban interface. The area where structures and other human development meet or intermingle with undeveloped wildland (University of Wisconsin n.d.).

Wildlife Agencies. U.S. Fish and Wildlife Service and California Department of Fish and Game.

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