

Staff Report

TO: Chair and Board Members
Yolo County Habitat JPA

FROM: Maria Wong
Executive Director

DATE: June 21, 2010

SUBJECT: Staff update on the Yolo Natural Heritage Program and approval of recommendations regarding the range of activities and covered species to be addressed in the HCP/NCCP

Requested Action:

1. Allow presentation of the update on the Yolo Natural Heritage Program
 2. Approve recommendations regarding the range of activities and covered species to be addressed in the HCP/NCCP
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REASON FOR REQUESTED ACTION:

Staff seeks confirmation on two milestone decisions prior to proceeding with analysis on the HCP/NCCP plan and the environmental document.

BACKGROUND

The Steering Advisory Committee, staff, and the wildlife agencies have reached agreement on a draft list of species to be addressed in the Yolo NHP. Ongoing discussions to refine details on the range of covered activities continue.

DISCUSSION

The number of species addressed in the HCP/NCCP and the range of activities for which regulatory permits will be issued work together to shape the scope, scale and outcomes of the HCP/NCCP. The following recommendations represent significant analysis and discussion by the Steering Advisory Committee and other interested parties. Recommendations regarding the species list and covered activities will be used in the preparation of the NOP/NOI for the EIS/EIR.

Species List

As reported previously, over 175 species were originally reviewed for inclusion in the Yolo NHP. The current list, based on input from the Steering Advisory Committee, local species experts, and wildlife agency scientists, is comprised of those species for which permits will be sought concurrent with approval of the HCP/NCCP (Covered Species) and a second list of species (Species of Local Concern) that are in decline, of local concern, and may be listed during the term of the HCP/NCCP. Division of the species into two categories will expedite the planning process while ensuring that the maximum practical regulatory benefit is achieved when the plan is adopted. Including species that are not yet, but may be listed during the life of the plan creates a more efficient path forward should those species become listed.

Covered Activities

Chapter 3 of the HCP/NCCP document outlines and describes the activities and actions for which incidental take coverage under the ESA and NCCPA will to be sought. The activities range from typical development projects to on-going operations and maintenance for sewer treatment plants. The Yolo NHP also proposes to cover on-going agricultural operations. The categories of covered activities in Attachment 2 are drawn from general plans, as well as projects (existing and proposed) that will be undertaken by other organizations, such as the Yolo County Flood Control and Water Conservation District. Staff and the wildlife agencies are in the process of reaching agreement on revisions to Chapter 3. However, these revisions are not expected to add to the recommended range of activities. Two categories of activities – large wind and solar energy projects– are not included in the recommendation because they are difficult to permit programmatically under an HCP/NCCP.

Attachments:

1. Species proposed for inclusion in the Yolo NHP
2. Covered Activities proposed for inclusion in the Yolo NHP

Attachment 1

| Table 2-2 Covered Species for the Yolo Natural Heritage Program and their Listing Status | | | |
|---|-------------------------------------|---|---|
| | Common Name | Scientific Name | Status Federal/State/Other¹ |
| Plants | | | |
| 1 | Alkali milk-vetch | <i>Astragalus tener</i> var. <i>tener</i> | -/-/1B.2 |
| 2 | Brittlescale | <i>Atriplex depressa</i> | -/-/1B.2 |
| 3 | San Joaquin spearscale | <i>Atriplex joaquiniana</i> | -/-/1B.2 |
| 4 | Palmate-bracted bird's-beak | <i>Cordylanthus palmatus</i> | FE/SE/1B.1 |
| 5 | Heckard's pepper-grass | <i>Lepidium latipes</i> var. <i>heckardii</i> | -/-/1B.2 |
| 6 | Baker's navarretia | <i>Navarretia leucocephala</i> ssp. <i>bakeri</i> | -/-/1B.1 |
| 7 | Colusa grass | <i>Neostapfia colusana</i> | FT/SE/1B.1 |
| 8 | Solano grass | <i>Tuctoria mucronata</i> | FE/SE/1B.1 |
| Invertebrates | | | |
| 9 | Conservancy fairy shrimp | <i>Branchinecta conservatio</i> | FE/-/- |
| 10 | Vernal pool fairy shrimp | <i>Branchinecta lynchi</i> | FT/-/- |
| 11 | Midvalley fairy shrimp | <i>Branchinecta mesovallensis</i> | -/-/- |
| 12 | California linderiella fairy shrimp | <i>Linderiella occidentalis</i> | -/-/- |
| 13 | Vernal pool tadpole shrimp | <i>Lepidurus packardii</i> | FE/-/- |
| 14 | Valley elderberry longhorn beetle | <i>Desmocerus californicus dimorphus</i> | FT/-/- |
| Amphibians | | | |
| 15 | California tiger salamander | <i>Ambystoma californiense</i> | FT/SC/- |
| 16 | Western spadefoot | <i>Scaphiopus hammondi</i> | BLMS/CSC/- |
| 17 | California red-legged frog | <i>Rana draytonii</i> | FT/CSC/- |
| 18 | Foothill yellow-legged frog | <i>Rana boylei</i> | BLMS/CSC/- |
| Reptiles | | | |
| 19 | Northwestern pond turtle | <i>Clemmys marmorata marmorata</i> | -/CSC/- |
| 20 | Giant garter snake | <i>Thamnophis gigas</i> | FT/ST/- |
| Birds | | | |
| 21 | White-tailed kite | <i>Elanus leucurus</i> | -/SFP/- |
| 22 | Northern harrier | <i>Circus cyaneus</i> | -/CSC/- |
| 23 | Swainson's Hawk | <i>Buteo swainsoni</i> | BCC/ST/- |
| 24 | Black tern | <i>Chlidonias niger</i> | -/CSC/- |
| 25 | Western yellow-billed cuckoo | <i>Coccyzus americanus</i> | FC, BCC/SE/- |
| 26 | Western burrowing owl | <i>Athene cunicularia</i> | BCC, BLMS/CSC/- |

¹ FE=Federally listed as Endangered, FT=Federally listed as Threatened, SE=State listed as Endangered, ST=State listed as Threatened, FC=Federal Candidate for listing as threatened or endangered, SC=State Candidate for listing as threatened or endangered, BCC=Federal Birds of Conservation Concern, CSC=California Species of Special Concern, SFP=State Fully Protected, FD = Federally Delisted due to recovery, SR= State Rare, BLMS=Bureau of Land Management Sensitive Species, 1B.1=Plants designated by California Native Plant Society (CNPS) as rare, threatened or endangered in California and elsewhere and are seriously endangered in California, 1B.2= Plants designated by CNPS as rare, threatened or endangered in California and elsewhere and are fairly endangered in California, 2.2=Plants designated by CNPS as rare, threatened, or endangered in California, but more common elsewhere and are fairly endangered in California, BLMS=Bureau of Land Management Sensitive

Table 2-2 Covered Species for the Yolo Natural Heritage Program and their Listing Status

| | Common Name | Scientific Name | Status Federal/State/Other¹ |
|----|----------------------|------------------------------|---|
| 27 | Least Bell's vireo | <i>Vireo belli pusilus</i> | FE/SE |
| 28 | Loggerhead shrike | <i>Lanius ludovicianus</i> | BCC/CSC/- |
| 29 | Bank swallow | <i>Riparia riparia</i> | -/ST/- |
| 30 | Purple martin | <i>Progne subis</i> | -/CSC/- |
| 31 | Yellow-breasted chat | <i>Icteria virens</i> | -/CSC/- |
| 32 | Grasshopper sparrow | <i>Ammodramus savannarum</i> | -/CSC/- |
| 33 | Tricolored blackbird | <i>Agelaius tricolor</i> | BCC, BLMS/CSC/- |

Mammals

| | | | |
|----|--------------------------|---|------------|
| 34 | Townsend's big-eared bat | <i>Corynorhinus townsendii townsendii</i> | BLMS/CSC/- |
|----|--------------------------|---|------------|

Table 2-3. Species of Local Concern for the Yolo Natural Heritage Program and their Listing Status

| | Common Name | Scientific Name | Status Federal/State/Other² |
|---------------|----------------------------|--|---|
| Plants | | | |
| 1 | Bent-flowered fiddleneck | <i>Amsinckia lunaris</i> | -/1B.2 |
| 2 | Ferris's milk-vetch | <i>Astragalus tener var. ferrisiae</i> | -/1B.1 |
| 3 | Jepson's milk-vetch | <i>Astragalus rattanii var. jepsonianus</i> | -/1B.2 |
| 4 | Heartscale | <i>Atriplex cordulata</i> | -/1B.2 |
| 5 | Vernal pool smallscale | <i>Atriplex persistens</i> | -/1B.2 |
| 6 | Round-leaf fillaree | <i>Erodium macrophyllum</i> | -/1B.2 |
| 7 | Hall's harmonia | <i>Harmonia hallii</i> | -/1B.2 |
| 8 | Drymaria-like western flax | <i>Hesperolinon drymarioides</i> | -/1B.2 |
| 9 | Rose mallow | <i>Hibiscus lasiocarpus</i> | -/2.2 |
| 10 | Delta tule pea | <i>Lathyrus jepsonii var. jepsonii</i> | -/1B.2 |
| 11 | Colusa layia | <i>Layia septentrionalis</i> | -/1B.2 |
| 12 | Mason's lilaeopsis | <i>Lilaeopsis masonii</i> | -/SR/1B.1 |
| 13 | Morrison's jewelflower | <i>Streptanthus morrisonii ssp. morrisonii</i> | -/1B.2 |

² FE=Federally listed as Endangered, FT=Federally listed as Threatened, SE=State listed as Endangered, ST=State listed as Threatened, FC=Federal Candidate for listing as threatened or endangered, SC=State Candidate for listing as threatened or endangered, BCC=Federal Birds of Conservation Concern, CSC=California Species of Special Concern, SFP=State Fully Protected, FD = Federally Delisted due to recovery, SR= State Rare, BLMS=Bureau of Land Management Sensitive Species, 1B.1=Plants designated by California Native Plant Society (CNPS) as rare, threatened or endangered in California and elsewhere and are seriously endangered in California, 1B.2= Plants designated by CNPS as rare, threatened or endangered in California and elsewhere and are fairly endangered in California, 2.2=Plants designated by CNPS as rare, threatened, or endangered in California, but more common elsewhere and are fairly endangered in California, BLMS=Bureau of Land Management Sensitive

Table 2-2 Covered Species for the Yolo Natural Heritage Program and their Listing Status

| | Common Name | Scientific Name | Status Federal/State/Other¹ |
|----------------------|--------------------------|--|---|
| Invertebrates | | | |
| 14 | Ancient ant | <i>Pyramica reliquia</i> | -/-/- |
| Birds | | | |
| 15 | Redhead | <i>Aythya americana</i> | -/CSC/- |
| 16 | Least bittern | <i>Ixobrychus exilis</i> | -/CSC/- |
| 17 | Bald eagle | <i>Haliaeetus leucocephalus</i> | FD/SE, SFP/- |
| 18 | Golden eagle | <i>Aquila chrysaetos</i> | BCC, BLMS/SFP/- |
| 19 | Prairie falcon | <i>Falco mexicanus</i> | BCC/-/- |
| 20 | California black rail | <i>Laterallus jamaicensis coturniculus</i> | BCC/ST, SFP/- |
| 21 | Mountain plover | <i>Charadrius montanus</i> | BCC, BLMS/CSC/- |
| 22 | Western snowy plover | <i>Charadrius alexandrinus nivosus</i> | FT, BCC/CSC/- |
| 23 | Long-eared owl | <i>Asio otus</i> | -/CSC/- |
| 24 | Short-eared Owl | <i>Asio flammeus</i> | -/CSC/- |
| 25 | Yellow-billed magpie | <i>Pica nuttali</i> | -/-/- |
| 26 | Yellow-headed blackbird | <i>Xanthocephalus xanthocephalus</i> | -/CSC/- |
| Mammals | | | |
| 27 | San Joaquin pocket mouse | <i>Perognathus inornatus inornatus</i> | -/-/- |
| 28 | Western red bat | <i>Lasiurus blossevillii</i> | -/CSC/- |
| 29 | Pallid bat | <i>Antrozous pallidus</i> | BLMS/CSC/- |
| 30 | American badger | <i>Taxidea taxus</i> | -/CSC/- |
| 31 | Ringtail | <i>Bassariscus astutus</i> | -/SFP/- |

Attachment 2

Proposed covered activities to be addressed in the Yolo NHP (by category)

The Natural Heritage Program (NHP) Plan is designed to provide regulatory coverage under the federal Endangered Species Act (ESA) and the Natural Community Conservation Planning Act (NCCPA) for a broad range of ongoing and anticipated public and private activities that occur within the Plan Area including:

- Residential, Industrial, and Commercial Development anticipated in the Yolo County, Winters, West Sacramento, Woodland, and Davis general plans
- Development of infrastructure and improvements related to public and private development, including: landscaping; leach fields, roads and bridges; trails and parks; lighting; underground and aerial utility and telecommunications lines; and stormwater, wastewater, and water collection, storage, treatment, and conveyance structures and facilities, including new water wells. Stormwater facilities include ponds and basins constructed to detain or retain stormwater; channels/canals, pipes, and culverts designed to route stormwater, including inflow and outflow structures; and facilities or structures constructed solely for the purpose of stormwater treatment or management. Wastewater facilities include pollution control facilities, effluent irrigation disposal and trunk lines. (Example projects: Port of Sacramento, Spring Lake Fire Station, Water Pollution Control Facility Expansion, Dunnigan new town)
- Specific rural infrastructure projects that may occur outside of the urban footprint areas
- Transportation and related projects as a component of the development of the Dunnigan Specific Plan
- Planned Roadway Improvements. Portions of roadway segments identified as needing spot improvements such as intersection control and lane configuration improvements, passing lanes, and wider travel lanes and shoulders.
- Planned Bicycle Facilities (i.e., Bicycle Master Plans)
- Specific projects such as Woodland Davis Alternative Transportation Corridor, Yolo County Airport Expansion., and Yolo County Fairgrounds Relocation.
- State Freeways and Highways that require local permitting
- Other Utilities Projects (i.e. new gas lines)
- Public and Private Infrastructure
- New Facilities Used in Agricultural Operations
- Recreational Facilities and Use
- Water Monitoring/Measuring Facilities
- Operations and maintenance and other on-going activities. These activities are generally related to existing agricultural operations and the operation of new and existing

infrastructure and other facilities, which includes maintenance, repair, and replacement of these facilities.

- Operations and Maintenance of Residential, Industrial, and Commercial Development Areas (includes inspection of property)
- Operations and Maintenance of Public and Private Infrastructure ([includes inspection of property)
- Agricultural Operations and Maintenance Activities
- Recreational Facilities Operations and Maintenance Activities
- Water-Related Operations and Maintenance Activities
- Settling Basin Operations and Maintenance Activities
- Mining Site Operations and Maintenance Activities (existing and proposed)
- Implementation of Yolo NHP conservation measures
- Emergency Activities (emergency activities necessary to prevent or minimize loss of human life or property, critical infrastructure, or sensitive natural resources.)