COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

ADMINISTRATION

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Michael J. Johnson
CDRA Director
By Loren Clark, Assistant Agency Director

DATE: **January 25, 2011**

SUBJECT: **PLACER COUNTY CONSERVATION PLAN – Program Update**

SUMMARY/ACTION REQUESTED: The Planning Services Division of the Community Development/Resource Agency is requesting authorization to submit the updated conservation strategy for review by the state/federal Wildlife Agencies (Department of Fish and Game, U.S. Fish and Wildlife Service and the National Marine Fisheries Service) and the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency and the California Regional Water Quality Control Board (collectively known as the Agencies). An Executive Summary of the Placer County Conservation Plan (PCCP) Conservation Strategy is attached to this report as Exhibit B. The complete report has been separately distributed to the Board. In addition, a hard copy is available at the Clerk of the Board Office and the document has been posted online.

In this report, staff will also provide information on the overall status of the Conservation Plan. Recommendations in this report include:

1. Direct staff to submit the revised conservation strategy to the Wildlife Agencies in response to their June 2005 letter.
2. Direct staff to continue to discuss PCCP conservation strategy alternatives with key stakeholders
3. Direct staff to initiate the preparation of the EIR/EIS, Finance Plan, and Implementation Agreement.
4. Authorize the Chairman to sign the attached cover/response letter (Exhibit C) addressed to the State/Federal Wildlife Agencies.

BACKGROUND: In June 2000, the Board of Supervisors directed staff to initiate the implementation of the Placer Legacy Program. One of the objectives of the program was to prepare a Natural Communities Conservation Plan and Habitat Conservation Plan in three phases. This effort, now known as the Placer County

Conservation Plan, is nearing completion for the first phase (Exhibit A). The PCCP will provide 50 years of compliance for the following state and federal regulations for Placer County, the City of Lincoln, and the Placer County Water Agency (PCWA):

1. Incidental Take Permit - Federal Endangered Species Act
2. Natural Communities Conservation Plan - California Endangered Species Act and Natural Communities Conservation Act
3. Section 404 and 401 of the Federal Clean Water Act related to wetlands and water quality
4. Section 1600 Fish and Game Code - Streambed Modification Agreements

Collectively, these permits represent all of the major wetland and endangered species act permits that are required for land development activity that may occur on public and private property. The regulatory coverage would account for the impacts associated with urban and rural residential development, and some associated public infrastructure projects and conservation activities in unincorporated western Placer and in the City of Lincoln. Over the 50-year permit term, potential future growth in the Plan area may convert up to 57,000 acres of land for urban, suburban, and rural residential development. The PCCP proposes to establish a Reserve System of 25,000 to 46,000 acres which will augment the 16,000 acres of existing reserve lands in western Placer to provide long term conservation for natural communities and covered species. Table 1 provides the current land use setting in the plan area. The variability of the reserve area is based upon the fact that we can't predict the exact character or amount of future development in Placer County.

Table 1
Existing Land Use in the Plan Area (Measured in Acres)

Existing Land Use in the Plan Area		
Land Use Type	**Area (ac)**	**Percentage of Total**
Urban and Suburban	17,639	8%
Rural Residential	30,526	14%
Agriculture - Cropland	25,840	12%
Agriculture - Rangleand	79,349	37%
Forest/Natural Land	53,504	25%
Open Water	5,075	2%
	211,933	100%

PARTICIPATING AGENCIES: The City of Lincoln, the Placer County Water Agency (PCWA), and Placer County continue to be the local agencies seeking regulatory coverage through the PCCP. In the past, the South Placer Regional Transportation Authority (SPRTA) also sought coverage through the PCCP for the Placer Parkway project. It is likely that SPRTA will no longer need coverage as a separate entity because the responsibility for the next phase of the Placer Parkway project, the preparation of the Tier 2 EIR/EIS, has shifted to the Placer County Department of Public

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Works. The final determination on who will carry out the project has yet to be determined and the PCCP governance information will be updated once those decisions are made. The Cities of Roseville, Rocklin and Auburn and the Town of Loomis have not asked for, nor are receiving coverage through the PCCP.

DISCUSSION: The PCCP work program is at an important milestone following a long period of time that was needed to resolve a number of interrelated issues related to growth projections, General Plan land use allocations, vegetative mapping, and the need to prepare a "hard-line" map that depicts a reserve acquisition area.

In early 2005, Placer County submitted an Agency-review draft conservation plan for review by the Wildlife Agencies. In June 2005, the Wildlife Agencies provided a written response to the draft plan (Exhibit E) and noted its deficiencies: the most notable of which was the absence of a reserve map that depicted where conservation activities would occur. In the summer of 2005, staff initiated the preparation of a range of reserve map alternatives for review by stakeholders, the City of Lincoln, and the Agencies. After a year and half of deliberations, no consensus was reached through this process.

In January 2007, it was determined that it would be appropriate to recognize an "Ad-Hoc Committee" comprised of two Council Members from the City of Lincoln and two members of the Board of Supervisors. The role of the Ad-Hoc Committee has been to review a large amount of data and alternatives in order to bring forward to the Board of Supervisors a PCCP reserve map around which the conservation strategy could be developed. The Ad Hoc Committee also discussed the overall approach to the conservation strategy for the County and City of Lincoln. All formal decision-making has been made by the Board of Supervisors.

PCWA has been consulted on a regular basis with their more focused issues related to water supply, treatment, and delivery but are not members of the Ad Hoc Committee. Conclusions reached on the reserve map and overall conservation strategy have been presented to both the Board of Supervisors and the City Council of Lincoln. Lastly, staff coordinated at length with SPRTA on the selection of the Placer Parkway alternative that would be the least environmentally damaging practicable alternative for impacts associated with wetlands. That process was completed over a year ago, and the County has now taken over the work program to prepare the Tier 2 EIR/EIS.

Collectively, these efforts led to the preparation of a reserve map alternative that received consensus between Ad-Hoc Committee members and also received support from the Board of Supervisors in December 2009. This map has served as the foundation around which the revised conservation strategy has been prepared. Basic information about this map is contained within a Frequently Asked Questions summary attached to this report as Exhibit D.

STAKEHOLDER REVIEW: When the PCCP work program was first initiated, the Board authorized the Planning Director to form a Biological Stakeholder Working Group (BWG). Such a stakeholder group is also required pursuant to the County's NCCP Planning Agreement executed by the Board of Supervisors in 2001. The BWG is

comprised of a range of interests including educational, environmental, agricultural, and landowner/developer concerns. The BWG has met on an as-needed basis throughout the course of the PCCP work program. The BWG provides input to County staff and consultants, and the BWG serves to stay informed on the status of the work program so that the group can communicate with other members of their particular area of interest.

Once the reserve map was selected, it was necessary to receive input from the BWG on the revised conservation strategy mapping and chapters. Recently, the BWG has been meeting to review the administrative draft chapters that have been prepared by the consultant team and County staff. The BWG has reviewed and provided comments on at least 90 percent of what the Board is considering at the January 25, 2011 hearing. The BWG will continue to be active in the preparation of the plan, including the review of chapter modifications, the draft finance plan, the selection of alternatives and supporting documents.

FISCAL IMPACTS: Implementation of the PCCP is predicted to entail costs associated with land conservation and restoration in order to achieve conservation objectives and mitigate impacts to endangered species and wetlands over the next 50-years. If early estimates hold firm, approximately 25,000 to 46,000 acres of land would be protected and restored; requiring investment of approximately $1.57 billion in land acquisition and restoration costs (these costs would be borne by property owners purchasing land and restoring land and/or paying fees for to purchase and restore land, within the reserve area.) Annual management costs to manage and monitor lands acquired and restored would be approximately $8.4 million/year (to be paid out of an ongoing reserve fund generated by investment – not the General Fund). A breakdown of these costs is depicted in Tables 2 and 3 below. As is typical for these types of plans, a combination of public and private resources will fund acquisition and management for conservation and mitigation. This could include state, federal, and local public sources, and private sources related to new urban and rural residential development receiving coverage under the plan. It is not possible to predict the exact amount of state/federal funding that can be obtained in that the majority of the funding is available through competive grant programs over the 50 years of permit implementation.

A draft financial alternatives analysis has also been prepared in order to identify the range of funding options for one-time costs and ongoing costs. A draft fiscal impact report describes the range of types of fiscal impacts for Placer County associated with plan implementation. (Both documents are incorporated into the PCCP appendices that are included with this report.) ***With the exception of potential funding associated with covered County activities, no direct County funding of plan operations is anticipated.***

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Table 2

Estimates of PCCP One-time Costs through 2060 (2008 dollars)		
	Local Mitigation	**State/Federal Conservation**
Land Acquisition	$1,283,000,000	TBD
Restoration	$151,000,000	TBD
Contingency (10%)	$143,000,000	TBD
Total One Time Costs	$1,577,000,000	TBD

Table 3

Estimates of PCCP Ongoing Costs through 2060 (2008 dollars)			
Cost Category	**2010**	**2035**	**2060**
Program Administration	$780,000	$626,000	$630,000
Land Management	$859,000	$3,084,000	$4,814,000
Restoration Management	$384,000	$632,000	$676,000
Monitoring, Research, and Adaptive Management	$582,000	$1,396,000	$2,041,000
Contingency (3%)	$78,000	$172,000	$245,000
TOTAL	$2,383,000	$5,910,000	$8,406,000

In terms of the cost to prepare the PCCP, the County has borne the majority of the costs associated with the preparation of the plan. The County has received grant support from the U.S. Fish and Wildlife Service,and the County has one outstanding grant pending review. The SPRTA Board has previously authorized a reimbursement payment to the County for the pro-rata share of costs incurred to date. The County has also executed a MOU with the City of Lincoln for reimbursement of costs incurred to date for the City's fair-share percentage of the coverage that is provided by the PCCP. A cost recovery agreement has not yet been executed with PCWA.

CLEAN WATER ACT: One key component of the PCCP is the preparation of a programmatic means of complying with Sections 401 and 404 of the Federal Clean Water Act (CWA) related to the discharge of fill into wetlands. As the Board is aware, to obtain a permit to fill wetlands can be a lengthy, complicated and expensive process that involves the U.S. Army Corps of Engineers (COE), the Regional Water Quality Control Board, the State Office of Historic Preservation and consultants specifically qualified to work with these programs. The PCCP work program is intended to streamline this process by providing a means through which Placer County will conduct the majority of the review that is necessary to issue permits. Some permits will actually be issued by Placer County, the City of Lincoln and PCWA. This effort is known as the County Aquatic Resources Program (CARP).

The County is proposing a two-tier program for compliance with the Federal Clean Water Act for wetland impacts. First, for smaller wetland fills (the acreage threshold has yet to be determined), permits for wetland fills would be locally processed and locally issued. The mitigation strategy is described in Chapter 6 of the PCCP Conservation Strategy, and a local ordinance will guide the regulatory program once adopted. The first tier permit issued to Placer County is referred to as a "programmatic general permit"

and is issued by the COE. In essence, the COE issues a general permit for the PCCP area that includes the requirements for mitigation that are detailed in the conservation strategy. This general permit would give local government the authority to issue permits on a project-by-project basis. Placer County would adopt a local ordinance that would contain the rules spelled out in the COE's general permit and would provide the regulatory process that implements the PCCP mitigation requirements. Permits would be processed concurrently with local entitlements and CEQA review.

For wetland fills over the first tier threshold, staff would apply a local procedure but the actual permit would be issued by the COE after a review of the mitigation strategy and the project description. The majority of the process time for 404 Permit review would be integrated into the County's own CEQA review procedures. Placer County, the City of Lincoln and PCWA will be authorized to process these larger projects through the development of "Letter of Permission Procedures". Once a project has been processed consistent with these procedures and the mitigation requirements of the PCCP have been identified, a Letter of Permission (LOP) is issued by the COE.

There are significant and groundbreaking issues being considered with the CARP effort. First, is the ability of the County to have the COE and the U.S. EPA to consider the PCCP reserve system map as the least environmentally damaging practicable alternative (LEDPA) under the Clean Water Act. This is a significant and positive step. Individual projects will be able to rely upon this LEDPA finding when considering their own project's impacts. If they mitigate consistent with the requirements of the PCCP they **will not** be required to: (1) provide a separate off-site alternatives analysis; (2) prove that their project location meets LEDPA requirements, or (3) prepare a rigorous on-site alternatives analysis.

Second, is the ability for local government to provide verifications of project delineations. Today this process can take one to two years. With permit process managed by local government, which will largely be based upon the requirement ot pay a mitigation fee, staff will be able cut that process to less than three months. Lastly, is clarification on avoidance. Today, a project proponent must typically avoid or minimize impacts within the project boundary. Mitigaiton measures are often required to be conducted within the project boundary. This results in patchy small wetlands that must be managed by a third party and must be monitored for a minimum of three to five years after the project is approved. Smaller or isolated wetlands will no longer have to be avoided because the avoidance will occur within the reserve area and along stream corridors. Avoidance is considered at the landscape scale through the conservation and restoration of lands within the reserve acquisition area and stream zone.

WILDLIFE AGENCY COMMENTS: As a part of the submittal of the revised Conservation Strategy, staff has prepared a cover letter to be signed by the Chairman on behalf of the Board of Supervisors (Exhibit C). The cover letter is intended to specifically respond to Wildlife Agency concerns raised during their review of the County's 2005 Agency Review Draft Conservation Strategy. The following discussion provides a background for the cover letter and also provides a background on the issues addressed in the revised conservation strategy.

1. **Agency Comment:** The general focus of the Agency Review Draft should be redirected from a mitigation strategy to a conservation strategy that contributes to recovery of covered species in the planning area.

   Discussion: The revised conservation strategy has been derived from the reserve mapping that was completed through the review and recommendations of the Ad-Hoc Committee and the approval of the Board of Supervisors on January 12, 2010. The reserve map and biological goals and objectives are directed at the conservation of essential elements of the western Placer County landscape for covered species and for overall ecological values. While the reserve map and strategy specifically seek to mitigate impacts on covered species, the map and strategy are intended to conserve the western Placer County landscape in such a way that landscape-level ecological functions and systems can exist in perpetuity and respond to changes in environmental conditions (e.g., climate change). Particularly when compared to status quo, the new reserve map and strategy will provide for the recovery of species by providing a plan that insures that a sufficient amount of land is conserved for the recovery of covered species and for overall ecological function. At the landscape scale, the plan will conserve large segments of the western County landscape, it will insure that mitigation and conservation activities are occurring before impacts occur and that there is a watershed level approach to conservation, particularly in the Bear River, Yankee Slough, and Coon Creek watershed.

   Even though implementation of the plan is based largely on mitigating the impacts of covered activities and on funding allocated proportional to those impacts , the plan that emerges after 50 years conserves the entirety of the western Placer County landscape; not just that land that is necessary to mitigate impacts on covered species.

   The previous Agency Review Draft primarily accounted for the strict relationship between the take of a sensitive species and the compensation for that loss through the application of a number of fixed ratios. That strategy failed to insure that the protected habitat provides essential ecosystem functions for the region's plants and animals. The new strategy will be able to measure success based upon known landscape conditions that exist on the ground today, and staff can predict to some degree how those conditions will change over time.

2. **Agency Comment:** The historic development pattern in the County carried forward in the [2005] Agency Review Draft is likely not compatible with a viable conservation strategy.

   Discussion: The Wildlife Agencies raised concerns about the degree to which the projected pattern of urbanization impacts sensitive species habitat. The area of greatest concern was directed at impacts to vernal pool grasslands. The amount of proposed take versus the amount of available land for conservation was potentially out of balance (i.e., there is an insufficient amount of land

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available for conservation based upon current growth projections unless a reserve area can be identified and conserved over the term of the permit).

In response to this concern, the PCCP incorporates a number of elements: 1) a reserve area has been identified which conserves vernal pool grasslands at a 1:1 ratio; 2) the reserve area includes a significant amount of restoration potential to reestablish vernal pool complexes over and above the 1:1 ratio; 3) vernal pool resources within stream corridors will be avoided; and 4) there is an 'in perpetuity' commitment to land conservation for vernal pool grassland that insures that post-2060 growth will not impede upon the viability of the conserved areas. In addition to what the plan provides, there is also the potential for out-of-county mitigation at agency-approved mitigation and conservation banks.

While the conservation strategy does not establish a build-out condition for western Placer County, it does insure that there is a clear demarcation between development and conservation in a manner that is permanent and not subject to future modification (as compared to urban limit lines and land use buffers).

3. **Agency Comment:** The conservation strategy should be further refined to include specific conservation measures, the location and specific acre objectives of conservation lands, and to focus on conservation of existing high value habitats.

   Discussion: Staff has gone through an extensive analytical process using GIS to identify a range of alternatives that seek to protect the highest value conservation lands. The results of this analysis have been shared with the Wildlife Agencies and a range of private sector stakeholder interests. The purpose for the analysis was to identify a means through which a suitable amount of high value areas can be set aside. The reserve map that is included in this current Agency Review Draft Conservation Strategy is the product of this analytical and stakeholder review process. While such mapping is not parcel specific, it does designate large areas of the County to be considered for future conservation. The actual amount of conservation will be partially connected to the amount of impact that is expected to occur between now and 2060. Additionally, the plan provides for the conservation of a suitable amount of land to insure ecological viability irrespective of the amount of take that is occurring on listed species.

4. **Agency Comment:** Proposed retention of 30 percent of the growth area in natural habitat as part of the conservation strategy may not be viable or feasible.

   Discussion: The chief concern of the wildlife agencies is the viability of large avoided areas of natural habitat within an urban environment. Such habitat areas are typically small, isolated/fragmented and include significant amount of "edge": a negative characteristic because edge areas are prone to degradation caused by adjacent urban land uses.

The revised PCCP conservation strategy has reduced the assumption about the amount of avoided land within the future urban environment. In fact, the revised strategy specifically discourages an avoidance-based strategy within the areas where development is expected to occur. The PCCP includes four standards for avoided areas: 1) the area must be a minimum of 200 acres in size and manageable in perpetuity for its conservation values; 2) the avoided area may be smaller than 200 acres if it is associated with a protected stream corridor; 3) the avoided area may be smaller than 200 acres in size if it is adjacent to an existing conserved property; and 4) the emphasis for conservation within the future urban environment is focused on the stream zone including the streambed/bank, riparian areas and the associated floodplain.

This approach will also provide support for a finding that the PCCP conservation strategy serves as the least environmentally damaging practicable alternative (LEDPA) for the permits that the County, PCWA and City of Lincoln are seeking through the Clean Water Act for wetlands. As proposed, the PCCP as a whole will be seen as the LEDPA as opposed to individual LEDPA determinations being made on individual projects. This gives us the ability to not have to avoid wetlands on site with each successive project that is processed after the PCCP is approved. Today, federal law encourages onsite avoid and/or onsite mitigation which has resulted in small, isolated, and marginally protected wetlands scattered through the urban and suburban landscape of the greater Sacramento area.

5. **Agency Comment**: The conservation strategy relies too heavily on restoration and creation of vernal pool grasslands -- Reliance on parcels as small as 200 acres for conservation purposes within the urban matrix may not be viable.

   Discussion: The proposed reserve map and conservation strategy is based upon the avoidance of large tracts of vernal pool grasslands within a larger landscape of interconnected reserve lands. Onsite avoidance of vernal pool grasslands is not considered a viable option unless the area is a minimum of 200 acres in size and it is clear that the protected area can be suitably managed in perpetuity as part of the reserve system 1) in or adjacent to the Reserve Acquisition Area (RAA); 2) adjacent to an existing reserve that together total 200 acres (either a PCCP reserve or a non-PCCP reserve protected in perpetuity); 3) in or adjacent to a stream system; or 4) must contribute to meeting the goals and objectives of the Plan as described in Chapter 5 of the Conservation Strategy.

   The Conservation Strategy does rely upon restoration as an important element of the approach to the development of a reserve area in Placer County. The County is proposing to restore a number of landscape-level natural communities including riparian, vernal pool grasslands, valley oak woodlands and grasslands. The County has not proposed to create wetlands except for purposes of compensatory wetland replacement required by the Federal Clean Water Act. The restoration of riparian and valley oak woodlands is a conservation benefit of

the plan in that impacts to these resources are limited but restoration opportunities are significant.

The Wildlife Agencies are particularly concerned about completely re-creating vernal pools where such features are nonexistent today (although they may have existed on property in the past, e.g., rice lands). The plan acknowledges this concern and does not propose any creation for vernal pool wetlands, only preservation and restoration.

6. **Agency Comment**: Exclusion of parcels of less than 20 acres from mitigation obligations related to oak woodlands and grasslands is not appropriate.

   Discussion: The PCCP conservation strategy has been modified to account for impacts on rural residential properties dominated by oak woodlands and grasslands in the foothills and valley floor, including those parcels less than 20 acres in size. In all cases, a parcel is exempt if it is less than one acre in size (although tree ordinance requirements may still apply and impacts on wetlands or streams will still apply). The ratio of replacement is 1.1:1 for oak woodland impacts in the foothills and 1.35:1 for all natural and semi-natural landscapes on the valley floor. Because of their rarity and potential threats, valley oak woodlands are mitigated at a ratio of 3:1.

7. **Agency Comment**: The designation and use of the Development Opportunity (DO) area, Conservation Opportunity (CO) area, and Conservation Management Units (CMU) lack clarity, consistency, and purpose.

   Discussion: The conservation strategy has been revised to remove these designations. The primary concern was the lack of a geographic understanding of where conservation activities were going to occur because the original conservation strategy did not include a reserve map. These earlier terms were used to organize the information that was used to identify impacts and the amount of mitigation that would be required. New terms include the Reserve Acquisition Area (which is specifically depicted on a reserve map). The RAA replaces the Conservation Opportunity Area. Development Opportunity Area has been replaced by Potential Future Growth Areas and is specifically defined on the reserve map as well. Conservation Management Units have been abandoned.

8. **Agency Comment**: The cost share assumptions of the permittees and the State and Federal governments are not yet appropriate.

   Discussion: County staff and consultants continue to update the costs associated with the implementation of the PCCP and to develop a proposed funding plan. Chapter 9 and Appendix J and K of the new conservation strategy provides background information on these costs and how the plan can be funded. A PCCP finance plan will be prepared and finalized once we reach agreements on the final conservation strategy. The cost share assumptions will

be more developed, with the participation of the stakeholders and the Agencies during the development of the finance plan.

In the meantime, staff will continue its dialogue with the Agencies regarding cost share assumptions. Staff readily acknowledges that precise assumptions are not possible at this time and are difficult to predict over the course of a 50-year permit. However, it needs to be noted that the Permittees have expectations that there will be cost-sharing to implement the conservation elements of the overall strategy. Without sufficient support from the Wildlife Agencies, it will not be possible to fully implement the PCCP.

9. **Agency Comment**: Habitat Conservation Plan (HCP) 5-point policy issues, as they pertain to the Phase 1 PCCP, should be presented or summarized together in a section of the PCCP

   Discussion: Staff, working with the Wildlife Agencies will insure that the 5-point policy guidance is adequately addressed in the PCCP.

10. **Agency Comment**: The biological goals and objectives lack measurability.

    Discussion: A significant percentage of the biological goals and objectives section has been rewritten with the participation of the Wildlife Agencies. Additional work is required but much of what is necessary to make the objectives measurable is dependent upon the completion of a reserve system map that has a predictable amount of land that can be protected and restored. The revised objectives are based upon the need of species covered by the plan. No fixed standards are driving the development of the conservation strategy at this time. Instead, the biological needs of the covered are being considered from which new ratios will be derived. The new objectives will be measurable because they are based upon known and predicted conditions represented on the reserve system map.

11. **Agency Comment**: The Monitoring and Adaptive Management components of the conservation plan need to be further developed.

    Discussion: Chapter 7 - Adaptive Management and Monitoring - has been written in order to provide information on how ongoing land management and restoration activities will be monitored to insure that the PCCP meets its biological goals and objectives. Chapter 7 also provides the method by which monitoring results will be applied to management activities, including the adaption of management activities to changes that occur in the environment. The chapter has been written to also reflect the specific monitoring requirements of the species covered by the plan and to insure that the biological goals and objectives are being met.

12. **Agency Comment**: Implementation measures need clarification.

Discussion: Staff and consultants will better define implementation measures once the revised conservation strategy is prepared. No significant changes have been made in this regard.

13. **Agency Comment**: A Changed and Unforeseen Circumstance section needs to be developed.

    Discussion: Chapter 10 - Assurances, has been specifically prepared to address changed and unforeseen circumstances. Additionally, Chapter 7 - Adaptive Management and Monitoring - provides the method by which monitoring and adaptive management will insure that PCCP management activities are responsive to changing circumstances.

14. **Agency Comment**: *Current information is needed regarding plan financing,* which is not included in the Agency Review Draft as noted in the County's letter to the Wildlife Agencies, dated march 4, 2005.

    Discussion: The revised Agency Review Draft, Chapter 9, provides background information on plan implementation costs and financing alternatives that will serve as the foundation for a finance plan. Appendix J provides detailed information on the cost model which is used to determine one time costs (land acquisition and restoration) and ongoing costs associated with administration and land management/monitoring. Additionally, Appendix K of the attached conservation strategy containes to important reports on funding: 1) *Local Government Impacts of the Placer County Conservation Plan,* and 2) *Preliminary PCCP Financing Plan Discussion, 2005.*

    A revised and updated implementation budget and a complete finance plan and related implementation items will be prepared once the conservation strategy has been reviewed and we are confident that the plan costs assumptions are relatively static.

NEXT STEPS/TIMELINE: Staff has met, and will continue to meet, with Agency staff, property owners, environmental interests, agricultural interests, and other stakeholders in order to prepare a public review draft PCCP that is responsive to agency comments and still reflective of stakeholder concerns. In the short term, the following steps are anticipated:

- Submit the Agency-Review Draft Conservation Strategy
- Complete the preparation of the CARP procedures document, local ordinance(s) and MOU/MOA with the COE and EPA
- Initiate a dialogue with the Agencies about the Agency-Review draft PCCP document and modify the document after stakeholder and Ad-Hoc Committee review
- Update cost assumptions and cost modeling and prepare revised implementation budget

- Initiate preparation of the Finance Plan
- Initiate the preparation of the EIR/EIS
- Prepare a public review draft PCCP, EIR/EIS, CARP Procedures and finance plan
- Initiate preparation of the Implementation Agreement

There are policy-level decisions dealing with the broad choices and options and key components of the various documents that must be approved in order for the program to proceed towards implementation. There will be opportunities for key stakeholders and the public to review the program and provide comment. It is anticipated that some of these decisions would be considered concurrently.

In terms of Board interaction, the objective is to provide the Board with another update in the spring that addresses:

- Status of the County Aquatic Resources Program (CARP) for wetlands
- Status of Agency comments including possible comments/recommendations from the Ad-Hoc Committee

The document that the Board is reviewing on the January 25th hearing does not include the final formatting, and final tables and figures. Staff will finalize the formatting and incorporate the final tables and figures by February 1. The document that is distributed to the Agencies on February 1 will be posted on the County's website at the same time that it is distributed to the Agencies.

RECOMMENDATIONS: The Planning Services Division of the Community Development/Resource Agency recommends that the Board take the following actions:

1. Direct staff to submit the revised conservation strategy to the Wildlife Agencies in response to their June 2005 letter.
2. Direct staff to continue to discuss PCCP conservation strategy alternatives with key stakeholders
3. Direct staff to initiate the preparation of the EIR/EIS, Finance Plan, and Implementation Agreement.
4. Authorize the Chairman to sign the attached cover/response letter (Exhibit C) addressed to the State/Federal Wildlife Agencies.

EXHIBITS: The following exhibits are provided for the Board's consideration:

Exhibit A:	PCCP Boundary
Exhibit B:	PCCP Executive Summary of conservation and mitigation
Exhibit C:	Cover/Response letter to submit the revised PCCP
Exhibit D:	PCCP Reserve Acquisition Area Map – Frequently Asked Questions
Exhibit E:	June 1, 2005 Wildlife Agency Response Letter

cc: Rod Campbell, City of Lincoln
Einar Maisch, PCWA
Celia McAdams, PCTPA
Chris Beale, Resources Law Group
BWG Members
IWG Members
Sally Nielsen, HEG
Tom Reid, Thomas Reid & Associates

Exhibit A
PCCP Coverage Area

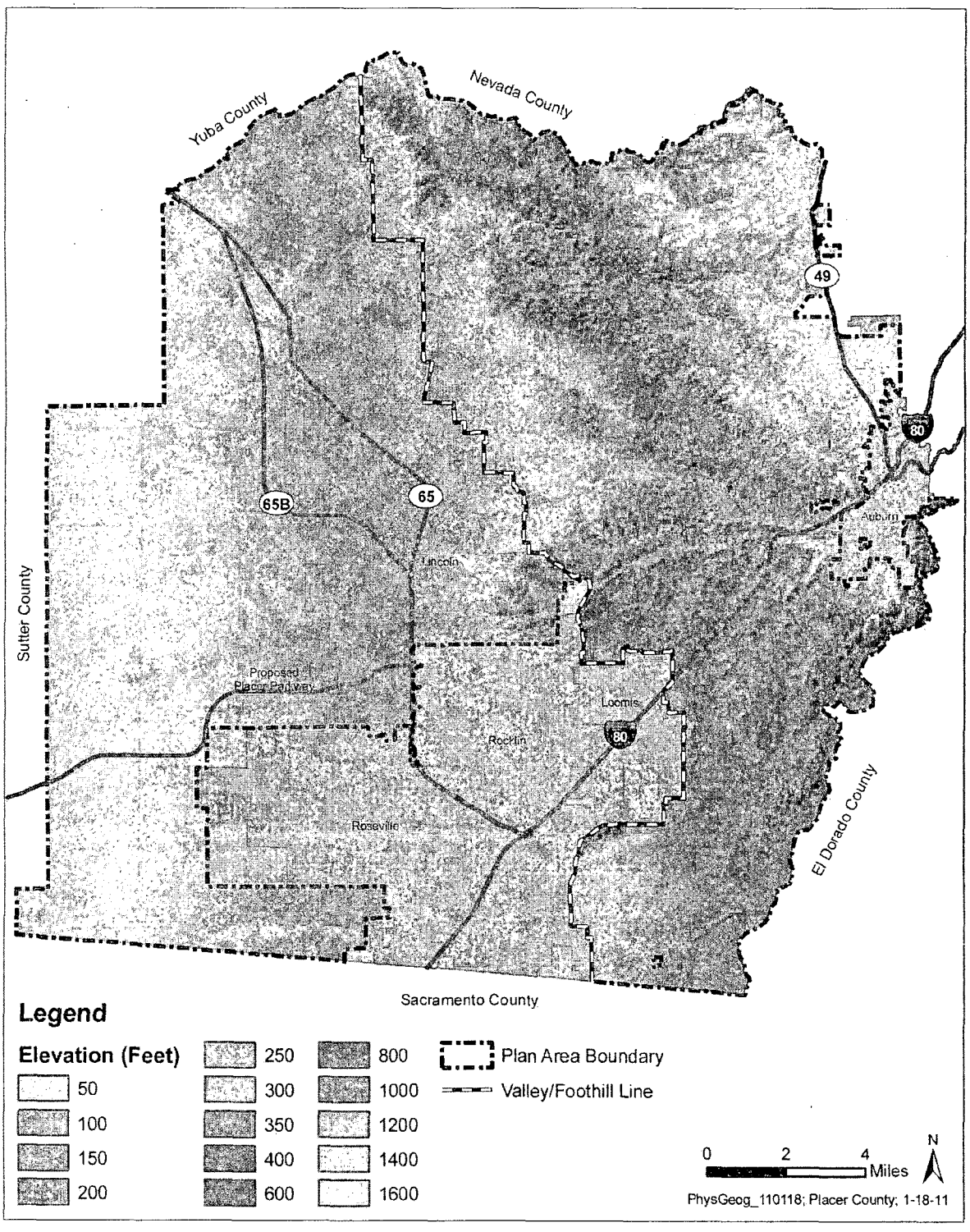

Exhibit B

PCCP Conservation and Mitigation Strategy

Executive Summary

The PCCP Conservation Strategy document is a lengthy document that provides a long-term vision for the conservation of the landscape of western Placer County in such a way that ecological processes can function and interact in perpetuity with ongoing monitoring and adaptive management of the conserved landscape. The PCCP is also a long-term plan balancing the anticipated economic development activities in the County and City of Lincoln and the water conveyance and treatment needs of the Placer County Water Agency with impacts on endangered species and the habitats that support them.

The following tables provide a summary of the biological goals, objectives, and conservation actions from Chapter 5 that would be implemented over time as well as the mitigation measures from Chapter 6, expressed as ratios of replacement.

CHATPER 5: I. Landscape Level Objectives

Vernal Pool Grassland Complex and Grassland Biological Goals and Objectives

Landscape Goal. Protect, restore, and enhance functional grasslands, vernal pool complexes, and the hydrological process that support them to benefit covered species and promote native biodiversity.

Goals and Objectives

Objective: Acquire at least as much vernal pool grassland complex and annual grassland as is taken and protect as part of the Reserve System.

Objective: Acquire a minimum of 10,000 acres of vernal pool grassland complex and protect as part of the Reserve System. The hydrological and ecosystem function of vernal pools will be protected by protecting contiguous tracts of grasslands and other upland habitats surrounding vernal pool complexes.

Objective: Restore vernal pool wetted area and other wetland to ensure no net loss of vernal pool wetted area and other wetlands and protect as part of the Reserve System. (Up to 40% of the compensatory mitigation for take of vernal pool wetted area can be used to restore other types of wetted area land-cover [e.g., fresh emergent wetland])

Objective: Enhance all vernal pools, vernal pool grassland complexes, and surrounding uplands (e.g., primarily grassland) by promoting regeneration and recruitment of representative native species, controlling invasive, non-native species, and promoting hydrological and other natural processes to support native biodiversity and populations of covered species.

Conservation Actions

Implement project-specific mitigation measures described in Chapter 6. Seek out public funding for acquisition separate from mitigation.

Acquire lands for the Reserve System according to the reserve design and assembly principles described in Chapter 5, Section 5.2.3, Reserve System) and the criteria for acquisition of vernal pool grassland complex described in Section 5.3.3, Grassland and Vernal Pool Complex Conservation and Management.

Restore vernal pool topography (e.g., reconstruct the characteristic depth from the overlying soil surface to the impermeable layer beneath) using techniques such as mechanical recontouring, excavating, grading, and compacting soils.

Restore isolation of vernal pools by diverting water from permanent water sources or sources that provide water outside of the wetted season (to restore seasonal hydrological characteristics).

Re-introduce vernal pool invertebrates and plants, where necessary.

Restore water quality by diverting polluted runoff away from vernal pools and managing grazing intensity, timing and duration.

Use rotational grazing, controlled burning (where feasible), and mowing to control non-native, invasive vegetation.

Enhance and restore vernal pool topography to restore the characteristic depth from the overlying soil surface to the impermeable layer beneath using techniques such as mechanical recontouring, excavating, grading, compacting vernal pool soils, and repairing damage from past agriculture and recreation

Use rotational grazing, controlled burning (where feasible), and mowing to control non-native, invasive vegetation

Enhance remnant populations of native grasses and enhance native forb diversity by controlling invasive vegetation (see Conservation Action above) and seeding with appropriate native species.

Minimize rodent control measures to enhance populations of ground squirrels.

Oak Woodland Biological Goals and Objectives

Landscape Goal. Protect and enhance functional oak woodland communities that benefit covered species and promote native biodiversity.

Landscape Goal. Protect, maintain, and enhance valley oak woodland communities that benefit covered species and promote native biodiversity.

Goals and Objectives	Conservation Actions
Objective: Acquire at least as much oak woodland as is taken and protect a diversity of oak woodland community types as part of the Reserve System.	Implement project-specific mitigation measures described in Chapter 6. Seek out public funding for acquisition separate from mitigation.
Objective: Acquire a minimum of 8,000 acres of oak woodland and protect as part of the Reserve System	Acquire lands for the Reserve System according to the reserve design and assembly principles described in Chapter 5, Section 5.2.3, Reserve System) and the criteria for acquisition of oak woodland described in Section 5.3.4, Oak Woodland Conservation and Management.
Objective: Acquire up to three times as much valley oak woodland as is taken and protect as part of the Reserve System	Plant saplings and seeds and protect seedlings and saplings from browsing with shelters or other protective devices
Objective: Restore valley oak woodland. (Two-thirds of mitigation can be in the form of restoration of valley oak woodland, with the remaining third as preservation.)	Apply prescribed burns, where appropriate and feasible.
Objective: Enhance within-stand and stand-edge regeneration, especially for stands of valley oaks and blue oaks.	Control feral animals (e.g., feral pigs) that limit oak regeneration.
Objective: Manage invasive plants in the understory of oak woodlands.	Plant saplings and seeds and protect seedlings and saplings from browsing with shelters or other protective devices
Objective: Manage fuel loads to reduce the chance of catastrophic wild fire.	Apply prescribed burns, where appropriate and feasible.
	Control feral animals (e.g., feral pigs) that limit oak regeneration
	Manage invasive plants using grazing, disking, mowing, mulching, and judicious application of herbicides.
	Manage invasive plants using grazing, disking, mowing, mulching, and judicious application of herbicides
	Apply prescribed burns, where appropriate and feasible.
	Use prescribed grazing to manage fuel load.
	Reduce fuel load using mechanical and hand techniques such as thinning of small diameter trees.

Riverine and Riparian Biological Goals and Objectives

Landscape Goal. Improve the ecological health of riverine systems by protecting, enhancing, and restoring hydrologic and botanical and geomorphic processes to maintain functional aquatic and riparian communities that benefit covered species and promote native biodiversity.

Goals and Objectives	Conservation Actions
Objective: Protect stream reaches within the Plan area to promote habitat function (i.e., water temperature and shade conditions suitable for covered fish), and movement of animals and plants (i.e., dispersal of seeds of riparian species) along riverine and riparian corridors that traverse the Plan area.	Implement project-specific mitigation measures described in Chapter 6. Seek out public funding for acquisition separate from mitigation.
Objective: Restore and enhance stream reaches to maintain and improve habitats for covered species, ecosystem functions, connectivity between habitats, and water quality	Acquire lands for the Reserve System according to the reserve design and assembly principles described in Chapter 5, Section 5.2.3, Reserve System) and the criteria for acquisition of vernal pool grassland complex described in Section 5.3.5, Riverine and Riparian Conservation and Management. Acquisition and protection of riparian habitat will necessarily protect riverine habitat.
Objective: Acquire at least as much valley foothill riparian habitat as is taken to promote habitat function within riparian and riverine habitats, wildlife movement across the Plan area landscape and protect as part of the Reserve System.	Remove channelization features such as rip-rap, dikes, and levees.
Objective: Restore valley foothill riparian habitat within the Reserve System to: connect fragmented riparian corridors and restore habitat for covered species; slow the movement of flood waters; allow the deposition of sediment to improve channel and bank formation processes; reduce sediment loading in river and stream systems; and improve habitat for covered species, including the creation of complex rearing habitat for covered fish species.	Install large woody debris and other in-stream structural elements such as rocks and boulders to increase channel complexity.
Objective: Enhance functional valley foothill riparian communities of a variety of vegetation types that benefit covered species and promote native biodiversity.	Clean and replenish gravel beds that have been degraded by accumulation of fine sediment and/or displacement of spawning gravel, when feasible and necessary.
	Modify (e.g., by screening intakes) and/or remove diversion facilities to reduce juvenile salmonid entrainment
	Remove or modify barriers to passage by all life stages of salmonids.
	Exclude or limit livestock access to target stream and riparian sections using exclusion fencing, off-channel water sources, and limited grazing intensity and duration.
	Reduce suspension of sediment by hardening stream crossings for livestock

Remove and control invasive, non-native animals (e.g., bullfrog, carp) using methods such as trapping and electrofishing.

Conduct outreach and small grants program to assist private landowners in the management of riparian and riverine habitats

Implement project-specific mitigation measures described in Chapter 6. Seek out public funding for acquisition separate from mitigation.

Acquire lands for the Reserve System according to the reserve design and assembly principles described in Chapter 5, Section 5.2.3, Reserve System) and the criteria for acquisition of vernal pool grassland complex described in Section 5.3:5, Riverine and Riparian Conservation and Management.

Restore riparian vegetation by planting and/or seeding understory and overstory riparian vegetation in the riparian zone to reduce erosion, create structural diversity, provide cover, moderate water temperature, and re-connect riparian corridors

Remove and control the cover, biomass, and distribution of invasive plants using methods such as hand removal, limited grazing, mowing, mechanical removal, spot-burning, tarping, and selective use of herbicides

Exclude or limit livestock access to target stream and riparian sections using exclusion fencing, off-channel water sources, and limited grazing intensity and duration.

Conduct outreach and small grants program to assist private landowners in the management of riparian and riverine habitats.

Wetland and Pond Biological Goals and Objectives

Landscape Goal. Protect, enhance, restore and create fresh emergent wetlands,ponds and springs and seeps, and the hydrologic processes that support them to benefit covered species and promote native biodiversity.

Landscape Goal. Protect, maintain, and enhance pond habitats and the hydrological processes that support them to benefit covered species and promote native biodiversity.

Goals and Objectives	Conservation Actions
Objective: Acquire at least as much fresh emergent wetland and spring and seep as is taken and protect as part of the Reserve System.	Implement project-specific mitigation measures described in Chapter 6. Seek out public funding for acquisition separate from mitigation.
Objective: Acquire at least one large (>2,500 acres) fresh emergent wetland in the Valley as part of the Reserve System.	Acquire lands for the Reserve System according to the reserve design and assembly principles described in Chapter 5, Section 5.2.3, Reserve System) and the criteria for acquisition of wetlands and ponds described in Section 5.3.6, Wetland and Pond Conservation and Management.
Objective: Acquire at least as much pond as is taken and protect as part of the Reserve System.	Restore fresh emergent wetlands and ponds within the Reserve System in suitable sites that are likely to support covered species.
Objective: Acquire contiguous tracts of natural and semi-natural upland habitats between wetlands and ponds to allow native species to move between aquatic and upland habitats (e.g., overwintering sites, movement corridors) and protect as part of the Reserve System.	Plant and/or seed native vegetation appropriate to the site.
Objective: Restore fresh emergent wetlands and ponds to ensure no net loss of fresh emergent wetland and protect as part of the Reserve System.	Install fencing, where ecologically appropriate, to reduce grazing pressure and exclude feral pigs on portions of wetlands and ponds.
Objective: Enhance fresh emergent wetlands and ponds to provide habitat for the target covered species and site-specific conditions by increasing native vegetative cover, biomass, and structural diversity in suitable areas of wetlands and ponds.	Install woody debris around the perimeter and in submerged banks of ponds and wetlands to create basking habitat and cover for native juvenile amphibians and reptiles
Objective: Enhance fresh emergent wetlands and ponds within the Reserve System by eradicating or reducing the density of invasive, non-native animals that are detrimental to covered species and native biodiversity.	Remove vegetation to provide open water habitat for northwestern pond turtle, California red-legged frog, and waterfowl using methods that minimize negative impacts to covered and other native species. Techniques may include limited grazing, hand, and mechanical removal.
Objective: Enhance water quality in fresh emergent wetlands and ponds to improve aquatic habitat for covered species	Remove invasive non-native vegetation using methods that minimize negative impacts to covered and other native species. Techniques may include limited grazing, hand, and mechanical removal.

Eradicate or reduce non-native predators (e.g., bullfrogs, invasive fish, feral cats) within the Reserve System by manipulating habitat (e.g., periodic draining of ponds), trapping, hand capturing, electroshocking, or other control methods.

Periodically remove sediment, as necessary, using methods that minimize negative impacts on covered and other native species.

Remove or reduce point and non-point sources of pollution on the Reserve System and divert point and non-point sources of pollution away from wetlands and ponds. Examples of techniques include using filter and buffer strips and following wellhead protection procedures

Install fencing, where ecologically appropriate, to reduce grazing pressure and exclude feral pigs on portions of wetlands and ponds

Agricultural Land Biological Goals and Objectives

Landscape Goal. Promote agricultural land-uses that support habitat for covered species and other wildlife (e.g., migratory waterfowl and shorebirds, raptors) and encourage agricultural practices and land management that maximizes biodiversity, benefits covered species and natural communities, and enhances connectivity between natural communities.

Goals and Objectives

Objective: Protect agriculture land and maintain in production with wildlife-compatible crops such as rice, alfalfa, row crops, and pasture and protect as part of the Reserve System. The PCA will avoid obtaining easements on vineyards and orchards unless restoration to native habitat is a critical component of such acquisition.

Objective: Enhance habitat conditions for covered species and wildlife, enhance connectivity between natural communities, and improve water quality on agriculture lands managed within the Reserve System, within the limitations of economically viable agricultural operations.

Objective: Promote agricultural practices and land use management that supports and enhances habitat for covered species and biodiversity on privately owned agricultural lands.

Conservation Actions

Implement project-specific mitigation measures described in Chapter 6. Seek out public funding for acquisition separate from mitigation.

Acquire lands for the Reserve System according to the reserve design and assembly principles described in Chapter 5, Section 5.2.3, Reserve System) and the criteria for acquisition of agricultural land described in Section 5.3.7, Agricultural Land Conservation and Management.

Prepare agricultural management plans for reserves that will include agricultural uses to allow specified agricultural practices to continue along with specified enhancements to protect covered and other native species

Preserve and restore patches of natural vegetation, including native trees and shrubs

Delay the harvesting of hay and grain crops until as late as possible to increase the reproductive success of ground nesting birds that nest in agricultural fields.

Establish vegetated buffer zones around aquatic habitats to reduce runoff and disturbance to aquatic habitats and to provide habitat for covered species (e.g., Modesto song sparrow) and native wildlife

Plant winter cover crops, where appropriate, to provide food and cover for native birds

When flooding fields in winter, vary water depth across fields to provide a diversity of flooded habitats for wildlife and maintain flood waters through winter/early spring, if feasible.

Plant cover strips, hedgerows, and shelterbeds along field margins, ditches, canals, and roads to encourage use by beneficial insects and wildlife

Install nest and bat boxes to encourage use by birds that control pest insect and rodent populations.

Apply herbicides, pesticides, and chemical fertilizers minimally and cautiously

Provide outreach, education, and assistance to private farmers interested in enhancing their agricultural land to benefit covered species, wildlife, and ecosystem function.

CHAPTER 5: II. Species Specific Biological Goals and Objectives

Species Goal. Maintain or increase the extent of habitats for *bald eagle* and *American peregrine falcon* to maintain or increase the sizes of the overwintering populations in the Plan area of these species.

Goals and Objectives

Objective: Protect and restore valley foothill riparian, fresh emergent and seasonal wetlands, vernal pool grassland complexes and winter-flooded agriculture (i.e., rice) to provide suitable overwintering habitat as part of the Reserve System within the Plan area. [Alternatively: protect aquatic habitat that supports large populations of prey species from the fall through mid-spring.]

Objective: Protect wooded habitats, particularly those with mature trees, adjacent to foraging habitat to provide perching, roosting, and potential nesting habitat for bald eagles.

Objective: Enhance foraging, perching, roosting, and potential nesting habitat for bald eagle and American peregrine falcon within the Reserve System.

Conservation Actions

Acquire or obtain easements on land with fresh emergent and seasonal wetland, vernal pool grasslands, valley foothill riparian and riverine, and winter flooded agriculture in the Valley.]

Acquire or obtain easements on valley foothill riparian and other woodland types adjacent to aquatic foraging habitat.

Restore vernal pool topography (e.g., reconstruct the characteristic depth from the overlying soil surface to the impermeable layer beneath) using techniques such as mechanical recontouring, excavating, grading, and compacting soils

Seek out public funding for acquisition separate from mitigation.

Acquire lands for the Reserve System according to the reserve design and assembly principles described in Chapter 5, and the criteria for acquisition of wetlands and ponds described in Section 5.3.6, Wetland and Pond Conservation and Management.

For vernal pool complexes, restore water quality by diverting polluted runoff away from vernal pools and managing grazing intensity, timing and duration.

For vernal pool complexes, use rotational grazing, controlled burning (where feasible), and mowing to control non-native, invasive vegetation.

For vernal pool complexes, minimize rodent control measures to enhance populations of ground squirrels.

For wetlands and ponds, install fencing, where ecologically appropriate, to reduce grazing pressure and exclude feral pigs on portions of wetlands and ponds.

For wetlands and ponds, remove vegetation to provide open water habitat for northwestern pond turtle, California red-legged frog, and waterfowl using methods that minimize negative impacts to covered and other native species. Techniques may include limited grazing, hand, and mechanical removal.

For agricultural lands, when flooding fields in winter, vary water depth across fields to provide a diversity of flooded habitats for wildlife and maintain flood waters through winter/early spring, if feasible.

For agricultural lands, apply herbicides, pesticides, and chemical fertilizers minimally and cautiously.

Species Goal. Protect, enhance, and restore *Swainson's hawk* habitats to maintain and potentially increase the abundance of nesting Swainson's hawks in the Plan area.

Goals and Objectives

Objective: Protect natural communities and agricultural habitats that provide foraging habitat for Swainson's hawk in large, contiguous reserves (> 900 acres) within 10 miles of nesting habitat. Suitable foraging habitat will be acquired to replace foraging habitat taken by covered activities at a ratio of 1:1 (see Chapter 6, Species Condition 3, Condition to Minimize Impacts on Swainson's Hawk).

Objective: Protect natural and semi-natural communities that provide nesting habitat for Swainson's hawk

Objective: Enhance Swainson's hawk foraging habitat within the Reserve System

Objective: Restore Swainson's hawk nesting habitat.

Conservation Actions

Acquire or obtain easements on vernal pool grassland complex, annual grassland, pasture, valley oak woodland, oak woodland savanna, valley foothill riparian, wetlands, and agricultural land (i.e., alfalfa, irrigated pasture, and row crop) in the Valley.

For vernal pool complexes, minimize rodent control measures to enhance populations of ground squirrels.

For vernal pool complexes, use rotational grazing, controlled burning (where feasible), and mowing to control non-native, invasive vegetation in grasslands and savanna.

For agricultural lands, prepare agricultural management plans for reserves that will include agricultural uses to allow specified agricultural practices to continue along with specified enhancements to protect covered and other native species.

For agricultural lands, preserve and restore patches of natural vegetation, including native trees and shrubs.

For agricultural lands, apply herbicides, pesticides, and chemical fertilizers minimally and cautiously.

For oak woodlands, plant saplings and seeds and protect seedlings from browsing with shelters or other protective devices in valley oak woodland in the Valley.

Restore riparian vegetation by planting and/or seeding understory and overstory riparian vegetation in the riparian zone in the Valley.

Plant small stands of trees, where ecologically appropriate, to provide nest trees distributed within suitable foraging habitat. Planting of nest trees may be for mitigation for take of nest trees (see Species Condition 3, Swainson's Hawk, Chapter 6).

Species Goal. Maintain or increase the extent of *California black rail* habitats to maintain and potentially increase the distribution and abundance of California black rail in the Plan area.

Goals and Objectives

Objective: Protect fresh emergent wetlands between 100 – 1,150 feet elevation of at least 1.0 acre in size within an upland complex of grasslands or oak savanna to provide suitable nesting habitat for California black rail within the Reserve System.

Objective: Enhance and maintain fresh emergent wetlands to provide suitable habitat for California black rail.

Objective: Restore and/or create fresh emergent wetlands in foothills between 200 – 1,150 feet elevation of at least 1.0 acre in size within an upland complex of grasslands or open oak savanna to provide suitable nesting habitat to facilitate the expansion of the California black rail metapopulation within the Reserve System and to ensure no net loss of wetland

Conservation Actions

Acquire or obtain easements on fresh emergent wetlands of at least 1.0 acre and suitable for California black rail in the Foothills.

Maintain consistent supply of water to provide suitable hydrological conditions in wetlands that provide habitat for California black rail within the Reserve System. If water sources are removed or altered (i.e., leak in irrigation canal that provided water is fixed), negotiate with appropriate water district to purchase enough water maintain suitable hydrological conditions or mitigate for take of wetlands.

For wetlands and ponds, install fencing, where ecologically appropriate, to reduce grazing pressure and exclude feral pigs on portions of wetlands and ponds.

For wetlands and ponds, plant and/or seed native vegetation appropriate to the site.

For wetlands and ponds, remove invasive non-native vegetation using methods that minimize negative impacts to covered and other native species. Techniques may include limited grazing, hand, and mechanical removal.

For wetland and ponds, remove or reduce point and non-point sources of pollution on the Reserve System and divert point and non-point sources of pollution away from wetlands and ponds. Examples of techniques include using filter and buffer strips and following wellhead protection procedures.

Provide a consistent supply of water to provide suitable hydrological conditions in wetlands that provide habitat for California black rail within the Reserve System. If water sources are removed or altered (i.e., leak in irrigation canal that provided water is fixed), negotiate with appropriate water district to purchase enough water maintain suitable hydrological conditions.

Species Goal. Protect and enhance *bank swallow* nesting and foraging habitats in the Plan area.

Goals and Objecives

Objective: Protect riverine, valley foothill riparian and adjacent uplands to protect bank nesting and foraging habitat.

Objective: Enhance nesting and foraging habitat for bank swallows within the Reserve System.

Conservation Actions

Acquire X miles of riverine habitat along the Bear River.

Apply project-level avoidance of the stream zone (General Condition 3, Chapter 3) to avoid and minimize impacts to nesting habitat in banks on stream systems throughout the Plan area.

Acquire valley foothill riparian and adjacent upland habitats in the Bear River watershed to protect foraging habitat.

Remove channelization features such as rip-rap, dikes, and levees.

Exclude or limit livestock access to target stream and riparian sections using exclusion fencing, off-channel water sources, and limited grazing intensity and duration

Plant cover strips, hedgerows, and shelterbeds along field margins, ditches, canals, and roads to encourage use by beneficial insects and wildlife.

Apply herbicides, pesticides, and chemical fertilizers minimally and cautiously.

Species Goal: Protect, enhance, and restore *western burrowing owl* habitat in the Plan area to support overwintering western burrowing owls and facilitate the expansion of a breeding population of western burrowing owls into the Plan area.

Goals and Objectives

Objective: Protect vernal pool grassland complex, annual grassland, valley oak woodland, oak woodland savanna, and agricultural lands in production suitable for use by burrowing owl (i.e., alfalfa, rice, row crops, and irrigated pasture) in the Valley.

Objective: Enhance and restore western burrowing owl habitats within the Reserve System.

Conservation Actions

Acquire or obtain conservation easements on vernal pool grassland complexes, annual grassland, valley oak woodland, oak woodland savanna, and agricultural lands in production suitable for use by burrowing owl (i.e., alfalfa, rice, row crops, and irrigated pasture) in the Valley.

For vernal pool grasslands, use rotational grazing, controlled burning (where feasible), and mowing to control non-native invasive vegetation and to maintain a short-grass vegetation structure in areas managed for western burrowing owl.

For vernal pool grasslands, minimize rodent control measures to enhance populations of ground squirrels.

In otherwise suitable habitat but where ground squirrels are not present, artificial burrows may be installed to create breeding and over-wintering habitat. The use of artificial burrows to encourage will be used as a temporary measure while measures to restore ground squirrel populations are developed and implemented.

For agricultural lands, plant cover strips, hedgerows, and shelterbeds along field margins, ditches, canals, and roads to encourage use by beneficial insects and wildlife.

For agricultural lands, apply herbicides, pesticides, and chemical fertilizers minimally and cautiously.

Species Goal. Protect, enhance, and restore *Cooper's hawk* habitats within the Plan area.

Goals and Objectives

Objective: Protect valley foothill riparian, oak woodlands and savanna that provide suitable breeding and foraging habitat for Cooper's hawk as part of the Reserve System.

Objective: Enhance and restore habitats for Cooper's hawk within the Reserve System

Conservation Actions

Acquire or obtain conservation easements on valley foothill riparian, oak woodland, and oak woodland savanna.

For oak woodlands, plant saplings and seeds and protect seedlings from browsing with shelters or other protective devices.

For riparian, restore riparian vegetation by planting and/or seeding understory and overstory riparian vegetation in the riparian zone to reduce erosion, create structural diversity, provide cover, moderate water temperature, and re-connect riparian corridors.

For oak woodland and riparian, remove and control the cover, biomass, and distribution of invasive plants using methods such as hand removal, mowing, mechanical removal, spot-burning, tarping, and selective use of herbicides.

Species Goal. Protect, enhance, and restore *Loggerhead shrike* habitats within the Plan area.

Goals and Objectives

Objective: Protect the diversity of land-cover types that provide habitat for loggerhead shrike as part of the Reserve System. These include grasslands with scattered shrubs and trees, shrubby or open woodlands with a fair amount of grass cover, and edges of riparian woodland.

Objective: Enhance and restore habitats for loggerhead shrike within the Reserve System.

Conservation Actions

Acquire or obtain conservation easement on grasslands, open oak woodlands (i.e., oak woodland savanna and valley oak woodland), and valley foothill riparian.

Plant saplings and seeds of native shrub and tree species at low densities in open habitats (or fence-rows and along borders of riparian habitat) to provide low-growing, thorny shrubs and trees for perching, nesting, and impaling prey.

For vernal pool grasslands, use rotational grazing, controlled burning (where feasible), and mowing to control non-native, invasive vegetation.

For vernal pool grasslands, minimize rodent control measures to enhance populations of ground squirrels.

For agricultural lands, preserve and restore patches of natural vegetation, including native trees and shrubs.

For agricultural lands, establish vegetated buffer zones around aquatic habitats to reduce runoff and disturbance to aquatic habitats and to provide habitat for covered species (e.g., Modesto song sparrow) and native wildlife.

For agricultural lands, plant cover strips, hedgerows, and shelterbeds along field margins, ditches, canals, and roads to encourage use by beneficial insects and wildlife.

For agricultural lands, apply herbicides, pesticides, and chemical fertilizers minimally and cautiously.

Species Goal. Protect, enhance, and restore *northern harrier* habitats within the Plan area.

Goals and Objectives

Objective: Protect vernal pool grassland complex, annual grassland, wetlands, valley foothill riparian (northern harrier will occasionally breed in riparian woodland), and suitable agricultural land (e.g.,alfalfa, row crop, rice, irrigated pasture) as part of the Reserve System.

Objective: Enhance northern harrier breeding and foraging habitats within the Reserve System

Objective: Restore and/or create fresh emergent and seasonal wetland breeding habitat within a landscape matrix of suitable foraging habitat.

Conservation Actions

Acquire or obtain easements on vernal pool grassland complex, annual grassland, valley foothill riparian, and suitable agricultural land.

Install fencing, where ecologically appropriate, to protect nests from being trampled by livestock, reduce grazing pressure, and exclude feral pigs on portions of wetlands and ponds or protect by using rotational grazing that removes livestock from nest sites during the nesting season (March 15 – July 31).

Protect nest sites from vegetation management activities (e.g., mowing, hand removal) by limiting these activities at and around nest sites during the nesting season.

To protect nests from flooding, the PCA will avoid raising water levels in wetlands, where managed, during the nesting season.

For wetlands and ponds, plant and/or seed native vegetation appropriate to the site.

For wetlands and ponds, remove invasive non-native vegetation using methods that minimize negative impacts to covered and other native species. Techniques may include limited grazing, hand, and mechanical removal.

For wetlands and ponds, install fencing, where ecologically appropriate, to reduce grazing pressure and exclude feral pigs on portions of wetlands and ponds.

Species Goal. Protect and enhance habitats for overwintering *ferruginous hawks* within the Plan area.

Goals and Objectives

Objective: Protect large tracts of annual grassland, vernal pool grassland complex, and pasture suitable for overwintering ferruginous hawks within the Reserve System.

Objective: Enhance foraging habitat for overwintering ferruginous hawks.

Conservation Actions

Acquire or obtain easements on vernal pool grassland complex, annual grassland, and pasture.

For vernal pool grasslands, use rotational grazing, controlled burning (where feasible), and mowing to control non-native, invasive vegetation.

For vernal pool grasslands, enhance remnant populations of native grasses and enhance native forb diversity using techniques such as managing non-native, invasive vegetation and seeding with appropriate native species.

Minimize rodent control measures to enhance populations of ground squirrels.

Species Goal. Protect, enhance, and restore breeding and migratory stopover habitat for *yellow warblers* and *yellow-breasted chats* in the Plan area

Goals and Objectives

Objective: Protect large patches of contiguous valley foothill riparian woodlands and surrounding upland oak woodlands to buffer nesting sites from predators and brood parasites (in the Foothills, as grasslands and other non-forested habitats are adjacent to riparian habitats in the Valley) to support migratory stopover and breeding habitat for yellow warbler and yellow-breasted chat as part of the Reserve System.

Objective: Enhance and restore valley foothill riparian to improve breeding and migratory stopover habitat for yellow warbler and yellow-breasted chat.

Conservation Actions

Restore riparian vegetation by planting and/or seeding understory and overstory riparian vegetation in the riparian zone to reduce erosion, create structural diversity, provide cover, moderate water temperature, and re-connect riparian corridors.

Acquire or obtain easements on suitable valley foothill riparian and adjacent woodlands (in the Foothills).

Remove and control the cover, biomass, and distribution of invasive plants using methods such as hand removal, mowing, mechanical removal, spot-burning, tarping, and selective use of herbicides.

Exclude or limit livestock access to target stream and riparian sections using exclusion fencing, off-channel water sources, and limited grazing intensity and duration.

Species Goal. Protect, enhance, and restore *Modesto song sparrow* habitats within the Plan area.

Goals and Objectives

Objective: Protect large patches of contiguous valley foothill riparian woodlands and surrounding upland oak woodlands to buffer nesting sites from predators and brood parasites (in the Foothills, as grasslands and other non-forested habitats are adjacent to riparian habitats in the Valley), valley oak woodlands, and wetlands to support habitat for Modesto song sparrow as part of the Reserve System.

Objective: Enhance, restore, and create (for wetland) valley foothill riparian, fresh emergent wetland, and valley oak woodland habitats to support Modesto song sparrow.

Conservation Actions

Acquire or obtain easements on valley foothill riparian and adjacent woodlands (in the Foothills), valley oak woodlands, and wetlands.

For riverine and riparian, restore riparian vegetation by planting and/or seeding understory and overstory riparian vegetation in the riparian zone to reduce erosion, create structural diversity, provide cover, moderate water temperature, and re-connect riparian corridors.

For wetlands and ponds, plant and/or seed native vegetation appropriate to the site.

For riverine, riparian, wetlands and ponds, remove and control the cover, biomass, and distribution of invasive plants using methods such as hand removal, mowing, mechanical removal, spot-burning, tarping, and selective use of herbicides.

For riverine and riparian, exclude or limit livestock access to target stream and riparian sections using exclusion fencing, off-channel water sources, and limited grazing intensity and duration.

For wetlands and ponds, install fencing, where ecologically appropriate, to reduce grazing pressure and exclude feral pigs on portions of wetlands and ponds.

For valley oak woodlands, plant saplings and seeds and protect seedlings from browsing with shelters or other protective devices.

For agricultural lands, preserve and restore patches of natural vegetation, including native trees and shrubs.

For agricultural lands, establish vegetated buffer zones around aquatic habitats to reduce runoff and disturbance to aquatic habitats and to provide habitat for covered species (e.g., Modesto song sparrow) and native wildlife.

For agricultural lands, plant cover strips, hedgerows, and shelterbeds along field margins, ditches, canals, and roads to encourage use by beneficial insects and wildlife.

Species Goal. Protect, enhance, and restore *grasshopper sparrow* habitats in the Plan area to facilitate the expansion of a breeding population into the Plan area.

Goals and Objectives

Objective: Protect large tracts of short herbaceous annual grassland, vernal pool grassland complex, and pasture land with scattered trees and shrubs for perches.

Objective: Enhance and restore grassland habitats in the Reserve System to facilitate the expansion of breeding pairs of grasshopper sparrows into the Reserve System.

Conservation Actions

Acquire or obtain easements on vernal pool grassland complex, annual grassland, pasture, irrigated pasture, and oak woodland savanna (where trees are sparse and there is abundant open grassland).

For vernal pool grasslands, use rotational grazing, controlled burning (where feasible), and mowing to control non-native, invasive vegetation and to maintain short to middle-height vegetation suitable for grasshopper sparrow. Management actions will be scheduled to minimize impacts to nesting grasshopper sparrows (nesting season is from March 1 – July 31).

For vernal pool grasslands, enhance remnant populations of native grasses and enhance native forb diversity using techniques such as managing non-native, invasive vegetation and seeding with appropriate native species.

For oak woodlands, apply prescribed burns, grazing, and mowing, where appropriate and feasible, to manage invasive plants and fuel load in the understory/grasslands of oak woodland savanna.

For agricultural lands, delay the harvesting of hay and grain crops until as late as possible to increase the reproductive success of ground nesting birds that nest in agricultural fields.

For agricultural lands, plant winter cover crops, where appropriate, to provide food and cover for native birds. (Grasshopper sparrow overwinters in the Plan area in low numbers).

For agricultural lands, apply herbicides, pesticides, and chemical fertilizers minimally and cautiously.

Species Goal. Protect, enhance, and restore *tricolored blackbird* habitats within the Plan area to maintain and potentially increase the abundance and distribution of breeding tricolored blackbirds within the Plan area.

Goals and Objectives

Objective: Protect at least five tricolored blackbird breeding sites that support, recently supported, or could support (once restored) tricolored blackbird colonies. Breeding habitat will be at least two acres and within 1,600 feet of open water.

Objective: Protect at least 200 acres of suitable foraging habitat for tricolored blackbird within three miles of protected and occupied breeding sites as part of the Reserve System.

Objective: Enhance, restore, and/or create wetland habitat suitable for breeding tricolored blackbird colonies.

Objective: Enhance and restore suitable foraging habitat within three miles of protected, occupied, and potentially occupied breeding sites within the Reserve System.

Conservation Actions

Acquire or obtain easements on at least five tricolored blackbird breeding sites that support or recently supported tricolored blackbird colonies, or habitat that provides suitable habitat for tricolored blackbird (e.g., > 2 acres and within 1,600 feet of open water). Land-cover types that will be protected within the Reserve System that will provide breeding habitat for tricolored blackbird include fresh emergent and seasonal wetlands, grassland, and riparian areas that support large patches of blackberry.

For active breeding sites that cannot be acquired within the Reserve System, the PCA will offer financial incentives to private landowners to protect and enhance suitable breeding habitat pond and wetland habitat.

When a tricolored blackbird nesting colony is found in an agricultural field scheduled to be harvested before the young fledge, the PCA will attempt to buy the crop from the willing landowner to protect the colony from destruction.

For wetlands and ponds acquire or obtain easements on suitable foraging habitat for tricolored habitat. Land-cover types that will be protected within the Reserve System within three miles of protected suitable breeding habitat that supports suitable foraging habitat include: vernal pool grassland complex, annual grassland, oak woodland savanna, valley foothill riparian, and agricultural land with alfalfa, irrigated pasture, rice, and row crops.

Plant and/or seed native vegetation appropriate to the site.

For wetlands and ponds, remove invasive non-native vegetation using methods that minimize negative impacts to covered and other native species. Techniques may include limited grazing, hand, and mechanical removal. Removal activities will be timed to avoid impacting nesting tricolored blackbirds.

For wetlands and ponds, install fencing, where ecologically appropriate, to reduce grazing pressure and exclude feral pigs on portions of wetlands and ponds.

For riparian and riverine, remove and control the cover, biomass, and distribution of invasive plants using methods such as hand removal, mowing, mechanical removal, spot-burning, tarping, and selective use of herbicides. Stands of Himalayan blackberry that support or recently supported tricolored blackbird nesting colonies will not be removed unless the colony site has been abandoned for at least three breeding seasons.

For vernal pool grasslands, use rotational grazing, controlled burning (where feasible), and mowing to control non-native, invasive vegetation. Stands of Himalayan blackberry that support or recently supported tricolored blackbird nesting colonies will not be removed unless the colony site has been abandoned for at least three breeding seasons.

For agricultural lands, use non-lethal predator management techniques (e.g., flushing of black-crowned night heron colonies) if monitoring data indicates high levels of nest predation of tricolored blackbirds by black-crowned night herons.

For agricultural lands, use rotational grazing, controlled burning (where feasible), and mowing to control non-native, invasive vegetation and to maintain vegetation structure suitable for foraging tricolored blackbirds (e.g., low-growing).

For agricultural lands, preserve and restore patches of natural vegetation, including native trees and shrubs.

For agricultural lands, delay the harvesting of hay and grain crops until as late as possible to increase the reproductive success of ground nesting (or low-nesting) birds that nest in agricultural fields.

For agricultural lands, establish vegetated buffer zones around aquatic habitats to reduce runoff and disturbance to aquatic habitats and to provide habitat for covered species (e.g., Modesto song sparrow) and native wildlife.

For agricultural lands, plant cover strips, hedgerows, and shelterbeds along field margins, ditches, canals, and roads to encourage use by beneficial insects and wildlife

For agricultural lands, plant winter cover crops, where appropriate, to provide food and cover for native birds.

For agricultural lands, when flooding fields in winter, vary water depth across fields to provide a diversity of flooded habitats for wildlife and maintain flood waters through winter/early spring, if feasible.

For agricultural lands, apply herbicides, pesticides, and chemical fertilizers minimally and cautiously.

Species Goal. Maintain or increase the extent of vernal pool complexes to maintain or facilitate the expansion of the populations and distributions of *Conservancy fairy shrimp*, *vernal pool fairy shrimp*, and *vernal pool tadpole shrimp* in the Plan area.

Species Goal. Maintain or increase the extent of vernal pool complexes to maintain or facilitate the expansion of the populations and distributions of *Bogg's Lake hedge hyssop*, *dwarf downingia*, *legenere*, *Ahart's dwarf rush*, and *Red Bluff dwarf rush* in the Plan area.

Goals and Objectives

Objective: Acquire at least as much vernal pool grassland complex and annual grassland as is taken and protect as part of the Reserve System to support hydrological and ecosystem function, representative biodiversity, and covered species within the Reserve System.

Objective: Acquire a minimum of 10,000 acres of vernal pool grassland complex and protect as part of the Reserve System. The hydrological and ecosystem function of vernal pools will be protected by protecting contiguous tracts of grasslands and other upland habitats surrounding vernal pool complexes.

Objective: Restore vernal pool wetted area and other wetland to ensure no net loss of vernal pool wetted area and other wetlands and protect as part of the Reserve System.

Objective: Enhance all vernal pools, vernal pool grassland complexes, and surrounding uplands (e.g., primarily grassland) by promoting regeneration and recruitment of representative native species, controlling invasive, non-native species, and promoting hydrological and other natural processes to support native biodiversity and populations of covered species

Conservation Actions

Acquire or obtain easements on vernal pool grassland complexes and other seasonal wetlands.

Same as the vernal pool grassland complex community-level conservation actions listed in Table 5-1.

Species Goal: Protect, enhance, and restore *western spadefoot toad* habitats within the Plan area.

Goals and Objectives	Conservation Actions
Objective: Acquire at least as much vernal pool grassland complex and annual grassland as is taken and protect as part of the Reserve System to protect habitat suitable for breeding and foraging, providing cover during dormancy, and facilitating movement between populations and between terrestrial and wetland breeding habitats. Wetland breeding habitat should be surrounded by upland habitat that extends at least 1,200 feet from the wetland habitat to provide suitable amounts of upland habitat.	Acquire or obtain easements on vernal pool grassland complexes and other seasonal wetlands.
Objective: Acquire a minimum of 10,000 acres of vernal pool grassland complex and protect as part of the Reserve System. The hydrological and ecosystem function of vernal pools will be protected by protecting contiguous tracts of grasslands and other upland habitats surrounding vernal pool complexes.	Develop and adopt guidelines, with assistance from the Wildlife Agencies, to minimize the risk of spreading infectious diseases such as chytridiomycosis (caused by Batrachochytrium *dendrobatidis*, a chytrid fungus that kills amphibians) that affect amphibians, within the Reserve System.
Objective: Restore vernal pool wetted area and other wetland to ensure no net loss of vernal pool wetted area and other wetlands and protect as part of the Reserve System.	Acquire or obtain easements on valley foothill riparian, fresh emergent wetland, and surrounding uplands.
Objective: Enhance all vernal pools, vernal pool grassland complexes, and surrounding uplands (e.g., primarily grassland) by promoting regeneration and recruitment of representative native species, controlling invasive, non-native species, and promoting hydrological and other natural processes to support native biodiversity and populations of covered species.	Same as the vernal pool grassland complex community-level conservation actions listed in Table 5-1.
Objective: Protect other wetland (e.g., valley foothill riparian, fresh emergent wetland) and surrounding upland habitat suitable for breeding and foraging, providing cover during dormancy, and facilitating movement between populations and between terrestrial and wetland breeding habitats within the Reserve System. Wetland breeding habitat should be surrounded by upland habitat that extends at least 1,200 feet from the wetland habitat to provide suitable amounts of upland habitat.	Develop and adopt guidelines, with assistance from the Wildlife Agencies, to minimize the risk of spreading infectious diseases such as chytridiomycosis (caused by Batrachochytrium *dendrobatidis*, a chytrid fungus that kills amphibians) that affect amphibians, within the Reserve System. Acquire or obtain easements on valley foothill riparian, fresh emergent wetland, and surrounding uplands.

Species Goal. Maintain or increase the extent of *valley elderberry longhorn beetle* habitats within the Plan area.

Goals and Objectives

Objective: Protect valley foothill riparian and valley oak woodland that have large stands of elderberry shrubs that support valley elderberry longhorn beetles.

Objective: Enhance and restore habitat suitable for valley elderberry longhorn beetle.

Objective: Reintroduce and/or introduce population(s) of valley elderberry longhorn beetle to restore viable populations of valley elderberry longhorn beetle within the Reserve System.

Conservation Actions

Control populations of invasive Argentine ants by using bait stations, integrated pest management and the use of re-vegetation and erosion materials that do not contain Argentine ants. Careful application of irrigation to limit the amount of moist habitat available for Argentine ants should be employed.

Minimize the use of pesticides and herbicides within 100 feet of elderberry plants.

For riparian and riverine, restore valley foothill riparian habitat and suitable stands of valley oak with host elderberry plants by planting cuttings or seedlings from local sources and by transplanting mature elderberry occupied by valley elderberry longhorn beetle from local sites. Plantings should occur adjacent to existing stands of riparian woodland, or restored stands to avoid creating small, isolated elderberry patches.

For riparian and riverine, restore riparian vegetation by planting and/or seeding understory and overstory riparian vegetation in the riparian zone to reduce erosion, create structural diversity, provide cover, moderate water temperature, and re-connect riparian corridors.

For riparian and riverine, remove and control the cover, biomass, and distribution of invasive plants using methods such as hand removal, limited grazing, mowing, mechanical removal, spot-burning, tarping, and selective use of herbicides.

For riparian and riverine, exclude or limit livestock access to target stream and riparian sections using exclusion fencing, off-channel water sources, and limited grazing intensity and duration.

Transplant mature elderberry occupied by valley elderberry longhorn beetle from local sites. Plantings should occur adjacent to existing stands of riparian woodland, or restored stands to avoid creating small, isolated elderberry patches.

Species Goal. Protect, enhance, and restore habitat for *giant garter snake* to facilitate the expansion of a population of giant garter snake into the Plan area.

Goals and Objectives

Objective: Protect aquatic and adjacent upland habitat suitable for giant garter snake during both the active season and dormant season.

Objective: Enhance wetlands and adjacent uplands to provide suitable foraging habitat and vegetation for coverage (e.g., from predators) and basking within the Reserve System.

Objective: Manage ricelands, canals, and irrigation ditches on the Reserve System to provide aquatic and upland habitat suitable for giant garter snake.

Objective: Restore and/or create wetland and associated upland habitat to facilitate the expansion of giant garter snake populations into the Reserve System.

Objective: Encourage private land owners to conserve and manage potentially suitable habitat on agricultural land to help promote the recovery and long-term conservation of giant garter snake.

Conservation Actions

Acquire or obtain easements on fresh emergent wetland, agricultural land in flooded-rice production, low-gradient streams, and adjacent upland and riparian land-cover that provides suitable habitat (or suitable with enhancement and/or restoration) in the Valley.

Maintain the provision of adequate water to wetlands to provide suitable aquatic habitat during the giant garter snake's active season (early spring – mid fall).

For wetlands and ponds, plant and/or seed native vegetation appropriate to the site (e.g., *Typha* spp. and *Scirpus* spp.) to increase vegetation cover in wetland habitats.

Re-vegetate adjacent upland habitat adjacent to wetlands with grassy banks (using native vegetation appropriate to the site) and maintain openings to waterside vegetation for basking.

For wetlands and ponds, install woody debris around the perimeter and in submerged banks of ponds and wetlands to create basking habitat and cover for native juvenile amphibians and reptiles.

For wetlands and ponds, remove invasive non-native vegetation using methods that minimize negative impacts to covered and other native species. Techniques may include limited grazing, hand, and mechanical removal.

For wetlands and ponds, eradicate or reduce non-native predators (e.g., bullfrogs, invasive fish, feral cats) within the Reserve System by manipulating habitat (e.g., periodic draining of ponds), trapping, hand capturing, electroshocking, or other control methods.

Minimize rodent control measures to enhance populations of ground squirrels.

Maintain the provision of adequate water to wetlands to provide suitable aquatic habitat during the giant garter snake's active season.

Plant and/or seed native vegetation appropriate to the site (e.g., *Typha* spp. and *Scirpus* spp.) to increase vegetation cover along the edges of lands used for flooded rice production.

For agriculture, establish vegetated buffer zones around aquatic habitats to reduce runoff and disturbance to aquatic habitats and to provide habitat for covered species and native wildlife.

For agriculture, plant cover strips, hedgerows, and shelterbeds along field margins, ditches, canals, and roads to encourage use by beneficial insects and wildlife.

For agriculture, apply herbicides, pesticides, and chemical fertilizers minimally and cautiously.

Maintain the provision of adequate water to wetlands to provide suitable aquatic habitat during the giant garter snake's active season.

For wetlands and ponds, plant and/or seed native vegetation appropriate to the site (e.g., *Typha* spp. and *Scirpus* spp.) to increase vegetation cover in wetland habitats and along the edges of lands used for flooded rice production.

For wetlands and ponds, remove invasive non-native vegetation using methods that minimize negative impacts to covered and other native species. Techniques may include limited grazing, hand, and mechanical removal.

For agricultural, provide outreach, education, and assistance to private farmers interested in enhancing their agricultural land to benefit covered species, wildlife, and ecosystem function.

Species Goal. Maintain or increase the availability and quality of habitat for *Central Valley steelhead* – distinct population segment and *Central Valley fall/late fall-run Chinook salmon* to improve the reproductive success and survival of all life stages of these fish in the Plan area.

Goals and Objectives

Objective: Protect stream reaches along the Bear River (downstream of Camp Far West Reservoir), Coon Creek, Doty Ravine, and Auburn Ravine to protect hydrological and ecological processes and spawning and rearing habitat for covered fish.

Objective: Protect valley foothill riparian habitat within the Reserve System to promote ecosystem function within riparian and riverine habitats and to provide rearing and spawning habitat for covered fish.

Objective: Enhance and restore riverine habitats in stream systems occupied by covered fish to improve spawning and rearing habitats for Central Valley steelhead and Central Valley fall/late fall-run Chinook salmon within the Reserve System.

Objective: Enhance and restore riparian habitats to improve spawning and rearing habitat for Central Valley steelhead and Central Valley fall/late fall-run Chinook salmon within the Reserve System.

Conservation Actions

Acquire or obtain easements on stream reaches and/or adjacent riparian habitat along the Bear River (downstream of Camp Far West Reservoir), Coon Creek, Doty Ravine, and Auburn Ravine.

Same as the riverine and riparian community-level conservation actions listed in Table 5-X.

Species Goal. Protect, enhance, and restore *foothill yellow-legged frog* habitat to facilitate the expansion of a foothill yellow-legged frog population into the Plan area.

Goals and Objectives

Objective: Protect riverine habitats and adjacent valley foothill riparian and upland oak woodland habitats to protect breeding, foraging, and movement corridors for foothill yellow-legged frog as part of the Reserve System.

Objective: Enhance and restore riverine and riparian habitats for foothill yellow-legged frog within the Reserve System.

Conservation Actions

Acquire or obtain easements on riverine and riparian habitat on the Bear River, Coon Creek and upper tributaries, Auburn Ravine, Pleasant Grove Creek, and Dry Creek (within the Reserve Acquisition Area).

Acquire or obtain easements on upland habitats (e.g., oak woodland, grassland) adjacent to riverine and riparian habitat to protect upland movement corridors.

For riparian and riverine, remove channelization features such as rip-rap, dikes, and levees.

For riparian and riverine, install large woody debris and other in-stream structural elements such as rocks and boulders to increase channel complexity.

For riparian and riverine, clean and replenish gravel beds that have been degraded by accumulation of fine sediment and/or displacement of spawning gravel, when feasible and necessary.

For riparian and riverine, exclude or limit livestock access to target stream and riparian sections using exclusion fencing, off-channel water sources, and limited grazing intensity and duration.

For riparian and riverine, reduce suspension of sediment by hardening stream crossings for livestock.

For riparian and riverine, remove and control invasive, non-native animals (e.g., bullfrog, carp) using methods such as trapping and electrofishing.

For riparian and riverine, remove and control the cover, biomass, and distribution of invasive plants using methods such as hand removal, limited grazing, mowing, mechanical removal, spot-burning, tarping, and selective use of herbicides.

For riparian and riverine, restore riparian vegetation by planting and/or seeding understory and overstory riparian vegetation in the riparian zone to reduce erosion, create structural diversity, provide cover, moderate water temperature, and re-connect riparian corridors.

Develop and adopt guidelines, with assistance from the Wildlife Agencies, to minimize the risk of spreading infectious diseases such as chytridiomycosis (caused by Batrachochytrium *dendrobatidis*, a chytrid fungus that kills amphibians) that affect amphibians, within the Reserve System.

Species Goal. Protect, enhance, and restore *California red-legged frog* habitat to facilitate the expansion of a California red-legged frog population into the Plan area.

Species Goal. Protect, enhance, and restore *northwestern pond turtle* habitats to potentially increase the abundance and distribution of northwestern pond turtle in the Plan area.

Goals and Objectives

Objective: Protect aquatic breeding and non-breeding habitats, as well as upland habitats that provide habitat for dispersal, cover, aestivation, nesting (for northwestern pond turtle) and foraging for California red-legged frog and northwestern pond turtle.

Objective: Enhance, restore, and possibly create wetlands and ponds and adjacent upland habitats to provide aquatic habitats suitable for California red-legged frog and northwestern pond turtle.

Conservation Actions

Acquire or obtain easements on ponds, wetlands, riverine, and valley foothill riparian land-cover types in the suitable (or suitable with enhancement and/or restoration) for California red-legged frog and northwestern pond turtle.

Acquire or obtain easements on upland habitats (e.g., oak woodland, grassland) adjacent to protected aquatic habitat suitable for California red-legged frog and northwestern pond turtle. Prioritization will be given to protecting large, contiguous patches of upland habitat surrounding aquatic habitat (of at least 0.5-mile radius around aquatic habitat). Upland habitat should support patches of open, sunny nesting sites (slopes < 25°) and north-facing, well vegetated sites for refuge and overwinter habitat for northwestern pond turtle.

For wetlands and ponds, plant and/or seed native vegetation appropriate to the site.

For wetlands and ponds, install fencing, where ecologically appropriate, to reduce grazing pressure and exclude feral pigs on portions of wetlands and ponds.

For wetlands and ponds, install woody debris around the perimeter and in submerged banks of ponds and wetlands to create basking habitat and cover for native juvenile amphibians and reptiles.

Remove vegetation to provide open water habitat for northwestern pond turtle, California red-legged frog, and waterfowl using methods that minimize negative impacts to covered and other native species. Techniques may include limited grazing, hand, and mechanical removal.

For wetlands and ponids, remove invasive non-native vegetation using methods that minimize negative impacts to covered and other native species. Techniques may include limited grazing, hand, and mechanical removal.

For wetlands and ponds, eradicate or reduce non-native predators (e.g., bullfrogs, invasive fish, feral cats) within the Reserve System by manipulating habitat (e.g., periodic draining of ponds), trapping, hand capturing, electroshocking, or other control methods.

For wetlands and ponds, remove or reduce point and non-point sources of pollution on the Reserve System and divert point and non-point sources of pollution away from wetlands and ponds. Examples of techniques include using filter and buffer strips and following wellhead protection procedures.

Develop and adopt guidelines, with assistance from the Wildlife Agencies, to minimize the risk of spreading infectious diseases such as chytridiomycosis (caused by *Batrachochytrium dendrobatidis*, a chytrid fungus that kills amphibians) that affect amphibians, within the Reserve System.

Identify potential dispersal corridors on the Reserve System and remove barriers to dispersal (e.g., fences), when feasible.

Minimize rodent control measures to enhance populations of ground squirrels (to enhance the availability of burrows for California red-legged frog seeking shelter).

Minimize rodent control measures to enhance populations of ground squirrels (to enhance the availability of burrows for California red-legged frog seeking shelter).

Manage ground-level vegetation on uplands surrounding suitable aquatic habitat to maintain vegetation at low height (e.g., with grazing before the nesting season [May-July]) to provide nesting habitat for northwestern pond turtle.

CHAPTER 6: Valley: Impact and Mitigation Ratio by Community Type		
Affected Land-Cover Type	**Valley Mitigation Ratio Direct or Indirect**	**Mitigation Community Type**
Oak Woodland Community		
Mixed oak woodland	1.35:1	Oak woodland
Blue oak woodland	1.35:1	Oak woodland
Interior live oak woodland	1.35:1	Oak woodland
Valley oak woodland	3:1	Valley oak woodland
Oak woodland savanna	1.35:1	Oak woodland
Grassland and Vernal Pool Complex Community		
Annual grassland	1.35:1	Grassland
Vernal pool grassland complex	1.35:1	Grassland
Pasture	1.35:1	Grassland
Riverine and Riparian Forest Community – Stream System		
Riverine	2:1	Riverine or riparian forest
Valley foothill riparian	2:1	Valley foothill riparian
Any other natural or semi-natural land in the Stream System	2:1	Any natural or semi-natural land located in the Stream System
Chaparral/ Barren Community		
Foothill chaparral / Barren	1.35:1	Oak Woodland, Grassland, Wetland, Riverine, Chaparral or Riparian Forest
Agriculture Community		
All Agriculture Community Land Cover Types	1.35:1	Any natural or semi-natural land (1)
Rural Residential/Small Parcel		
Parcels greater than 1 acre and less than 20 acres	1.35:1 Direct Impact only	Community affected (as above)
Urban/Suburban Community and Disturbed Lands		
All Urban/ Suburban and Disturbed lands, Parcels less than 1 acre	Exempt (2)	NA

1) Any natural or semi-natural land includes oak woodland, grassland, open water, wetland, riverine and riparian forest, chaparral, or any agricultural communities, including eucalyptus.
2) Urban lands and pre-existing parcels less than 1 acre are exempt from general land conversion mitigation, but are not exempt from conditions on wetlands, stream system, or individual tree protection requirements for valley oak or compliance with the tree ordinance of the jurisdiction.

CHAPTER 6: Foothill: Impact and Mitigation Ratio by Community Type		
Affected Land-Cover Type	**Foothill Mitigation Ratio (Direct/Indirect)[1]**	**Mitigation Community Type**
Oak Woodland Community		
Mixed oak woodland	1:1 / 0.1:1	Oak woodland
Blue oak woodland	1:1 / 0.1:1	Oak woodland
Interior live oak woodland	1:1 / 0.1:1	Oak woodland
Valley oak woodland	3:1 / 0.1:1	Valley oak woodland
Oak-foothill pine woodland	1:1 / 0.1:1	Oak woodland
Oak woodland savanna	1:1 / 0.1:1	Oak woodland
Grassland and Vernal Pool Complex Community		
Annual grassland	1:1 / 0.1:1	Oak Woodland or Grassland
Pasture	1:1 / 0.1:1	Oak Woodland or Grassland
Riverine and Riparian Forest Community – Stream System		
Riverine	2:1 / 0.1:1	Riverine or Riparian Forest
Valley foothill riparian	2:1 / 0.1:1	Valley foothill riparian
Any other natural or semi-natural land in the Stream System	2:1 / 0.1:1	Any natural or semi-natural land located in the Stream System (2)
Chaparral/ Barren Community		
Foothill chaparral / Barren	1:1 / 0.1:1	Oak Woodland, Grassland, Wetland, Riverine, Chaparral and Riparian Forest
Agriculture Community		
All Agriculture Community Land Cover Types	Exempt (3)	NA
Rural Residential		
Parcels greater than 1 acre and less than 10 acres	1:1 Direct Impact only	Community affected (as above)
Urban/Suburban Community and Disturbed Lands		
All Urban/ Suburban and Disturbed lands, Parcels less than 1 acre	Exempt (3)	NA

1) Mitigation ratios are not additive; see text for determination of impact area.
2) Any natural or semi-natural land includes oak woodland, grassland, open water, wetland, riverine and riparian forest, chaparral, or agriculture communities.
3) Intensive agriculture in the Foothills, urban lands and pre-existing parcels less than 1 acre are exempt from general land conversion mitigation, but are not exempt from conditions on wetlands, stream system, or individual oak tree protection requirements.

Mitigation Ratios for Impacts to Wetlands: Valley and Foothills			
	Preservation Ratio	**Restoration Ratio**	**Mitigation Community Type**
Vernal Pool (1)	1:1	1.25:1	Preservation: All vernal pool Restoration: 0.75 minimum vernal pool up to 0.50 may be any wetland
Open Water	1:1	1.25:1	Open-water or Any wetland type
Fresh emergent wetland	1:1	1.25:1	Any wetland (2)
Other seasonal wetland Spring and seep	1:1	1.25:1	Any wetland

1) Vernal pools include seasonal depressional wetland.
2) California Black rail habitat must be mitigated in-kind where it occurs.

Exhibit C

PCCP Submittal Cover Letter

Staff requests the following letter to be signed by the Chairman on behalf of the Placer County Board of Supervisors as a cover letter for the submittal of the Agency Review Draft Conservation Strategy.

Kent Smith, Regional Manager
California Department of Fish and Game, Region 2
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670

Mike Aceituno
National Marine Fisheries Service
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Susan K. Moore, Field Supervisor
U.S. Fish and Wildlife Service
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846

RE: PLACER COUNTY CONSERVATION PLAN – AGENCY REVIEW DRAFT SUBMITTAL

Dear Ms. Susan Moore and Messrs. Kent Smith and Mike Aceituno,

Placer County is pleased to submit the Placer County Conservation Plan Agency- Review Draft (PCCP) document for your review. We are submitting the PCCP on behalf of Placer County, the City of Lincoln, and the Placer County Water Agency. In the coming weeks, we look forward to working collaboratively with your staff on developing a common understanding of our overall objectives and working through any necessary changes that need to be made on the conservation strategy. We are requesting that you allocate the necessary staff to the review of this project and if possible provide a 6-week turnaround time on initial comments. We have staff and a consultant team prepared to spend the time necessary to work towards the preparation of a public review draft document.

As you know, it is our collective objective to prepare a Habitat Conservation Plan consistent with federal law and a Natural Communities Conservation Plan consistent with state law. We also seek to integrate federal Clean Water Act requirements for water quality impacts and wetland fill activities through the conservation strategy contained within the PCCP. The ultimate goal is that both incidental take permits for state and federal endangered species and programmatic permitting for wetland fills and the associated water quality certifications, can

be addressed through this integrated approach. We also will be working with the Department of Fish and Game on a programmatic approach for streambed alteration agreements.

Through this submittal; we are formally responding to the comments provided to Placer County in your correspondence dated June 1, 2005. That letter was in response to an earlier agency-review draft PCCP that was submitted in March of 2005. In the following responses, we hope that you will find that we have been responsive to each of the issues raised in your review of the earlier PCCP document and the comments made in your correspondence.

1. **Agency Comment:** The general focus of the Agency Review Draft should be redirected from a mitigation strategy to a conservation strategy that contributes to recovery of covered species in the planning area.

Discussion: The revised conservation strategy has been derived from the reserve mapping that was completed through the review and recommendations of the Ad-Hoc Committee and the approval of the Board of Supervisors on January 12, 2010. The reserve map and biological goals and objectives are directed at the conservation of essential elements of the western Placer County landscape for covered species and for overall ecological values. While the reserve map and strategy specifically seek to mitigate impacts on covered species, the map and strategy are intended to conserve the western Placer County landscape in such a way that landscape-level ecological functions and systems can exist in perpetuity and respond to changes in environmental conditions (e.g., climate change). Particularly when compared to status quo, the new reserve map and strategy will provide for the recovery of species by providing a plan that insures that a sufficient amount of land is conserved for the recovery of covered species and for overall ecological function. At the landscape scale, the plan will conserve large segments of the western County landscape; it will insure that mitigation and conservation activities are occurring before impacts occur; and, that there is a watershed level approach to conservation, particularly in the Bear River, Yankee Slough, and Coon Creek watershed.

Even though implementation of the plan is based largely on mitigating the impacts of covered activities and on funding allocated proportional to those impacts , the plan that emerges after 50 years conserves the entirety of the western Placer County landscape; not just that land that is necessary to mitigate impacts on covered species.

The previous Agency Review Draft primarily accounted for the strict relationship between the take of a sensitive species and the compensation for that loss through the application of a number of fixed ratios. That strategy failed to insure that the protected habitat provides essential ecosystem functions for the region's plants and animals. The new strategy will be able to measure success based upon known landscape conditions that exist on the ground today, and staff can predict to some degree how those conditions will change over time.

2. **Agency Comment:** The historic development pattern in the County carried forward in the [2005] Agency Review Draft is likely not compatible with a viable conservation strategy.

Discussion: The Wildlife Agencies raised concerns about the degree to which the projected pattern of urbanization impacts sensitive species habitat. The area of greatest concern was

directed at impacts to vernal pool grasslands. The amount of proposed take versus the amount of available land for conservation was potentially out of balance (i.e., there is an insufficient amount of land available for conservation based upon current growth projections unless a reserve area can be identified and conserved over the term of the permit).

In response to this concern, the PCCP incorporates a number of elements: 1) a reserve area has been identified which conserves vernal pool grasslands at a 1:1 ratio; 2) the reserve area includes a significant amount of restoration potential to reestablish vernal pool complexes over and above the 1:1 ratio; 3) vernal pool resources within stream corridors will be avoided; and 4) there is an 'in perpetuity' commitment to land conservation for vernal pool grassland that insures that post-2060 growth will not impede upon the viability of the conserved areas. In addition to what the plan provides, there is also the potential for out-of-county conservation at agency-approved mitigation and conservation banks.

While the conservation strategy does not establish a build-out condition for western Placer County, it does insure that there is a clear demarcation between development and conservation in a manner that is permanent and not subject to future modification (as compared to urban limit lines and land use buffers).

3. **Agency Comment:** The conservation strategy should be further refined to include specific conservation measures, the location and specific acre objectives of conservation lands, and to focus on conservation of existing high value habitats.

Discussion: Staff has gone through an extensive analytical process using GIS to identify a range of alternatives that seek to protect the highest value conservation lands. The results of this analysis have been shared with the Wildlife Agencies and a range of private sector stakeholder interests. The purpose for this analysis was to identify a means through which a suitable amount of high value areas can be set aside. The reserve map that is included in the current Agency Review Draft Conservation Strategy is the product of this analytical and stakeholder review process. While such mapping is not parcel specific, it does designate large areas of the County to be considered for future conservation. The actual amount of conservation will be partially connected to the amount of impact that is expected to occur between now and 2060. Additionally, the plan provides for the conservation of a suitable amount of land to insure ecological viability irrespective of the amount of take that is occurring on listed species.

4. **Agency Comment:** Proposed retention of 30 percent of the growth area in natural habitat as part of the conservation strategy may not be viable or feasible.

Discussion: The chief concern of the wildlife agencies is the viability of large avoided areas of natural habitat within an urban environment. Such habitat areas are typically small, isolated/fragmented and include significant amount of "edge": a negative characteristic.

The revised PCCP conservation strategy has reduced the assumption about the amount of avoided land <u>within</u> the future urban environment. In fact, the revised strategy specifically discourages an avoidance-based strategy within the areas where development is expected to occur. The PCCP includes four standards for avoided areas: 1) the area must be a minimum

of 200 acres in size and manageable in perpetuity for its conservation values; 2) the avoided area may be smaller than 200 acres if it is associated with a protected stream corridor; 3) the avoided area may be smaller than 200 acres in size if it is adjacent to an existing conserved property; and 4) the emphasis for conservation within the future urban environment is focused on the stream zone including the streambed/bank, riparian areas and the associated floodplain.

This approach will also provide support for a finding that the PCCP conservation strategy serves as the least environmentally damaging practicable alternative (LEDPA) for the permits that the County, PCWA, and City of Lincoln are seeking through the Clean Water Act for wetlands. As proposed, the PCCP as a whole will be seen as the LEDPA as opposed to individual LEDPA determinations being made on individual projects. This gives us the ability to not have to avoid wetlands on site with each successive project that is processed after the PCCP is approved. Today, federal law encourages onsite avoid and/or onsite mitigation which has resulted in small, isolated, and marginally protected wetlands scattered through the urban and suburban landscape of the greater Sacramento area.

5. **Agency Comment**: The conservation strategy relies too heavily on restoration and creation of vernal pool grasslands -- Reliance on parcels as small as 200 acres for conservation purposes within the urban matrix may not be viable.

Discussion: The proposed reserve map and conservation strategy is based upon the avoidance of large tracts of vernal pool grasslands within a larger landscape of interconnected reserve lands. Onsite avoidance of vernal pool grasslands is not considered a viable option unless the area is a minimum of 200 acres in size and it is clear that the protected area can be suitably managed in perpetuity as part of the reserve system 1) in or adjacent to the Reserve Acquisition Area (RAA); 2) adjacent to an existing reserve that together total 200 acres (either a PCCP reserve or a non-PCCP reserve protected in perpetuity); 3) in or adjacent to a stream system; or 4) must contribute to meeting the goals and objectives of the Plan as described in Chapter 5 of the Conservation Strategy.

The Conservation Strategy does rely upon restoration as an important element of the approach to the development of a reserve area in Placer County. The County is proposing to restore a number of landscape-level natural communities including riparian, vernal pool grasslands, valley oak woodlands and grasslands. The County has not proposed to create wetlands except for purposes of compensatory wetland replacement required by the Federal Clean Water Act. The restoration of riparian and valley oak woodlands is a conservation benefit of the plan in that impacts to these resources are limited but restoration opportunities are significant.

The Wildlife Agencies are particularly concerned about completely re-creating vernal pools where such features are nonexistent today (although they may have existed on property in the past, e.g., rice lands). The plan acknowledges this concern and does not propose any creation for vernal pool wetlands, only preservation and restoration.

6. **Agency Comment**: Exclusion of parcels of less than 20 acres from mitigation obligations related to oak woodlands and grasslands is not appropriate.

Discussion: The PCCP conservation strategy has been modified to account for impacts on rural residential properties dominated by oak woodlands and grasslands in the foothills and valley floor, including those parcels less than 20 acres in size. In all cases, a parcel is exempt if it is less than one acre in size (although tree ordinance requirements may still apply and impacts on wetlands or streams will still apply). The ratio of replacement is 1.1:1 for oak woodland impacts in the foothills and 1.35:1 for all natural and semi-natural landscapes on the valley floor. Because of their rarity and potential threats, valley oak woodlands are mitigated at a ratio of 3:1.

7. **Agency Comment**: The designation and use of the Development Opportunity (DO) area, Conservation Opportunity (CO) area, and Conservation Management Units (CMU) lack clarity, consistency, and purpose.

Discussion: The conservation strategy has been revised to remove these designations. The primary concern was the lack of a geographic understanding of where conservation activities were going to occur because the original conservation strategy did not include a reserve map. These earlier terms were used to organize the information that was used to identify impacts and the amount of mitigation that would be required. New terms include the Reserve Acquisition Area (which is specifically depicted on a reserve map). The RAA replaces the Conservation Opportunity Area. Development Opportunity Area has been replaced by Potential Future Growth Areas and is defined on the reserve map as well. Conservation Management Units have been abandoned.

8. **Agency Comment**: The cost share assumptions of the permittees and the State and Federal governments are not yet appropriate.

Discussion: County staff and consultants continue to update the costs associated with the implementation of the PCCP and to develop a proposed funding plan. Chapter 9 and Appendix J and K of the new conservation strategy provides background information on these costs and how the plan can be funded. A PCCP finance plan will be prepared and finalized once we reach agreements on the final conservation strategy. The cost share assumptions will be more developed, with the participation of the stakeholders and the Agencies during the development of the finance plan.

In the meantime, staff will continue its dialogue with the Agencies regarding cost share assumptions. Staff readily acknowledges that precise assumptions are not possible at this time and are difficult to predict over the course of a 50-year permit. However, it needs to be noted that the Permittees have expectations that there will be cost-sharing to implement the conservation elements of the overall strategy. Without sufficient support from the Wildlife Agencies, it will not be possible to fully implement the PCCP.

9. **Agency Comment**: Habitat Conservation Plan (HCP) 5-point policy issues, as they pertain to the Phase 1 PCCP, should be presented or summarized together in a section of the PCCP

Discussion: Staff, working with the Wildlife Agencies will insure that the 5-point policy guidance is adequately addressed in the PCCP.

10. **Agency Comment**: The biological goals and objectives lack measurability.

Discussion: A significant percentage of the biological goals and objectives section has been rewritten with the participation of the Wildlife Agencies. Additional work is required but much of what is necessary to make the objectives measurable is dependent upon the completion of a reserve system map that has a predictable amount of land that can be protected and restored. The revised objectives are based upon the need of species covered by the plan. No fixed standards are driving the development of the conservation strategy at this time. Instead, the biological needs of the covered are being considered from which new ratios will be derived. The new objectives will be measurable because they are based upon known and predicted conditions represented on the reserve system map.

11. **Agency Comment**: The Monitoring and Adaptive Management components of the conservation plan need to be further developed.

Discussion: Chapter 7 - Adaptive Management and Monitoring has been written in order to provide information on how ongoing land management and restoration activities will be monitored to insure that the PCCP meets its biological goals and objectives. Chapter 7 also provides the method by which monitoring results will be applied to management activities, including the adaption of management activities to changes that occur in the environment. The chapter has been written to also reflect the specific monitoring requirements of the species covered by the plan and to insure that the biological goals and objectives are being met.

12. **Agency Comment**: Implementation measures need clarification.

Discussion: Staff and consultants will better define implementation measures once the revised conservation strategy is prepared. No significant changes have been made in this regard.

13. **Agency Comment**: A Changed and Unforeseen Circumstance section needs to be developed.

Discussion: Chapter 10 - Assurances, has been specifically prepared to address changed and unforeseen circumstances. Additionally, Chapter 7 - Adaptive Management and Monitoring, provides the method by which monitoring and adaptive management will insure that PCCP management activities are responsive to changing circumstances.

14. **Agency Comment**: Current information is needed regarding plan financing, which is not included in the Agency Review Draft as noted in the County's letter to the Wildlife Agencies, dated march 4, 2005.

Discussion: The revised Agency Review Draft, Chapter 9, provides background information on plan implementation costs and financing alternatives that will serve as the foundation for a

finance plan. Appendix J provides detailed information on the cost model that is used to determine onetime costs (land acquisition and restoration) and ongoing costs associated with administration and land management/monitoring. Additionally, Appendix K of the attached conservation strategy contains two important reports on funding: 1) *Local Government Impacts of the Placer County Conservation Plan,* and 2) *Preliminary PCCP Financing Plan Discussion, 2005.*

A revised and updated implementation budget and a complete finance plan and related implementation items will be prepared once the conservation strategy has been reviewed and we are confident that the plan costs assumptions are relatively static.

I want to compliment you and your staff for your willingness to work with Placer County, the City of Lincoln, and PCWA over the years. This has been a long and arduous process but we believe we have made significant progress and are moving in a direction that will result in the successful completion of this effort. We look forward to 50-years of implementation with a relationship that is based upon the foundation of the good work and good working relationships that have been developed over the past few years.

Thank you for your consideration and we look forward to working with your staff on this very important project for local government in Placer County.

Sincerely,

_____
Robert Weygandt, Chairman
Placer County Board of Supervisors

cc: Jim Estep, City of Lincoln
Einar Maisch, PCWA
Biological Stakeholder Working Group

Exhibit D

Placer County Conservation Plan Reserve Acquisition Area Map
Frequently Asked Questions
January 25, 2011

1. **What exactly do the colors on the map mean?**

The proposed PCCP Reserve Acquisition Area (RAA) Map depicts 4 primary colors: 1) Pale Yellow, 2) Gray, 3) Dark Green and 4) Light Green 5) Dark Blue (Figure 1).

Pale Yellow – The area depicted as pale yellow represents the area within the proposed PCCP coverage area that is expected to accommodate new growth and development over the next 50 years. Much of this area is already developed and new development and infill activities will continue. For purposes of the reserve map this is referred to as the "Potential Future Growth Area" or PFG. The PFG includes unincorporated lands and lands within the City of Lincoln. The type of development anticipated is urban, suburban, rural residential, recreational, public/quasi public and some amount of agricultural development.

Gray – This area represents areas that will not be covered by the proposed PCCP. These areas include the City and Town limits of Roseville, Rocklin, Loomis and Auburn. They also include portions of the sphere of influence when such areas are not being proposed for coverage by the proposed PCCP.

Light Green – This area includes properties that are under permanent conservation today. These properties are managed for their natural resources and consequently contribute to the establishment of a conservation reserve area. They cannot be utilized for mitigation of new impacts because they are already conserved. They do not include recreational parks, golf courses and other developed open space areas. Hidden Falls Regional Park and its expansion area (1,120 acres) is included in this designation because its management plan calls for a balance between land conservation and passive recreational use.

Dark Green – The area in dark green represents the Reserve Acquisition Area (RAA). This is the area within which conservation activities would commence to implement the proposed PCCP. These conservation activities include the purchase of land in fee title and conservation easements, the restoration of habitats on these properties to meet the biological goals and objectives of the plan, and the monitoring and management of those properties. All lands within the entire boundary of the RAA would not be protected. Only those lands that would be necessary to achieve conservation objectives and to account for impacts between now and 2060 would be protected. The balance of the area would continue to be used for those uses allowed under local zoning and current general plan land use designations.

Dark Blue – The area in dark blue represents the stream system. This is the area along a stream extending to the outer boundary of the FEMA 100-year floodplain or the setback (ranging from 100-600 feet), whichever is greater. The stream system contains the stream zone. The stream zone is the stream channel through which water and sediment flow, has flowed, or is capable of flowing. It is delineated by the top of the bank or the outer edge of

the riparian canopy, whichever is more landward. Where riparian vegetation is present, the stream zone and the County riparian zone are the same. Where riparian habitat is lacking, the stream zone is the top of the bank.

2. **What does it mean if my property is in the Reserve Acquisition Area (Dark Green)?**

Some amount of the RAA will need to be conserved in order for the PCCP to be successfully implemented and to meet regulatory requirements of the state/federal wildlife agencies. Conservation activities have been actively occurring in this area for the past 17 years and would continue with or without the PCCP. With the PCCP, conservation activites are more focused through the administration of local government including Placer County and the City of Lincoln. Development is allowed in the RAA consistent with the current General Plan and Zoning designations. Development is only restricted in the RAA after the property has been acquired in fee title or a conservation easement has been sold. In many instances, lands with a conservation easement will remain in agricultural production; only the rights to subdivide and develop the property would have been purchased.

The proposed PCCP RAA Map has been prepared solely for the purpose of preparing a conservation strategy to comply with state and federal endangered species and wetland-related laws. The map does not change the zoning or land use designation of any property nor does it provide any new local land use regulations. The RAA Map simply guides and focuses conservation planning decisions during the preparation of the proposed PCCP and will serve as a guidance document for the implementation of the PCCP between adoption and 2060. It does provide a geographic reference for a range of conservation activities required to implement the proposed PCCP including the protection and restoration of land. In the absence of the proposed PCCP state and federal regulatory decisions will continue to be made by those agencies without direct consultation with local government. The decisions of those agencies have resulted in significant areas of western Placer County going into conservation and this will continue in the future because of the requirements of the State and Federal Endangered Species Act and the Federal Clean Water Act. The primary difference with the proposed PCCP is that the County and City of Lincoln will have more input into the decisions on the conservation strategy and the RAA Map.

3. **If my property is designated within a proposed Reserve Acquisition Area what does that mean to my ability to develop in the future?**

Properties are not "designated" for conservation until such time that they are protected with the property owner's concurrence and compensation has been made for any loss in development potential. Regardless of the color on the map, a property owner can develop their property consistent with whatever zoning and general/community plan designation affects the property at the time the development is proposed. The proposed PCCP will implement state and federal law, not change local land use zoning and land use designations. For the most part, lands within the RAA (designated dark green), are zoned "Farm" with a General Plan designation of "Agriculture". These designations allow for a range of a land uses including the development of agriculturally-related land uses and single family homes. Properties can be subdivided down to the minimum parcel size allowed under the zoning which ranges in these areas between one dwelling unit per 10 acres to one dwelling unit per 160 acres. Implementation of the PCCP will not alter these

conditions although property owners who relinquish development rights in return for fair compensation will see their ability to develop their land reduced or eliminated.

4. **If my property has been identified as a property that contains vernal pools, salmon/steelhead habitat, or other resources supporting endangered species, how does that impact my ability to manage and/or develop my property?**

   Endangered species habitats are protected by a number of state and federal laws enforced by the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and the California Department of Fish and Game. Wetlands are also protected by state and federal laws that are enforced by the U.S. Army Corps of Engineers, the Department of Fish and Game and the Central Valley Regional Water Quality Control Board.

   With or without the proposed PCCP, if your property contains any of those protected resources, state and federal regulations may affect your ability to use your property in ways that would affect the protected resources. The same is true for impacts on streams and wetlands. The role of the proposed PCCP is to prepare a long-term plan that predicts the impacts that are expected to occur between now and 2060 and to allow local government to implement a plan on behalf of the agencies listed above. The plan that is being developed is being coordinated with the above agencies in order to insure that their regulatory mandates are met over time.

   Agricultural development activities are not a covered activity under the PCCP and consequently, farming activities which impact endangered species or wetlands will need to be addressed by individual landowners through the status quo regulatory environment with the various agencies who have regulatory oversight over those activities and resulting impacts.

5. **What is the benefit of participating in such a plan?**

   The benefits vary from property owner to property owner. For those property owners who must obtain state and federal permits for impacts to endangered species and wetlands, the permit process will be streamlined and managed locally by County and City personnel. For property owners interested in selling their land or development rights on their land, the proposed PCCP will provide a funding mechanism to purchase conservation easements or fee title.

PCCP Reserve Map
January 14, 2011

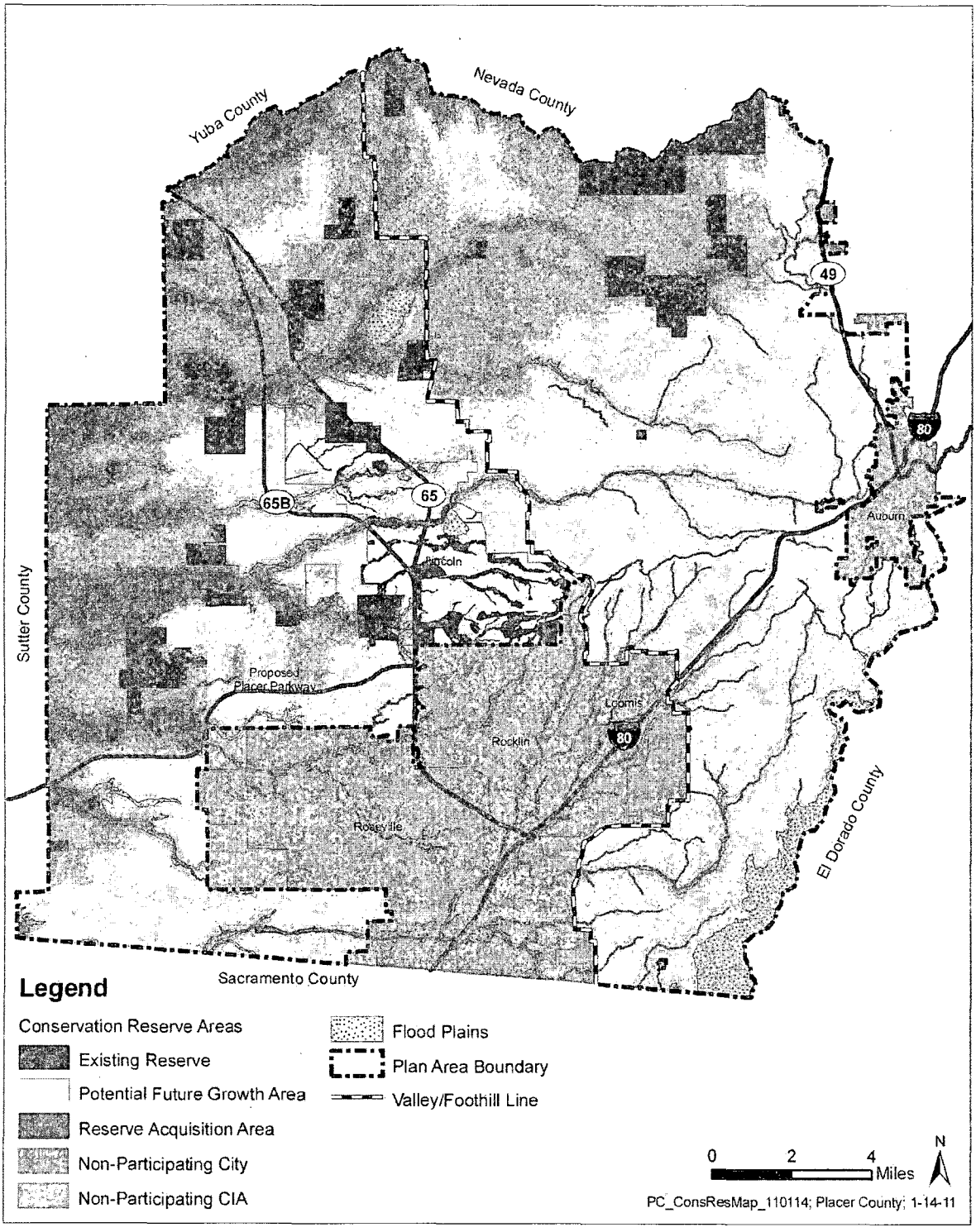

EXHIBIT E

US FISH & WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
(916) 414-6600

NATIONAL MARINE FISHERIES SERVICE
650 Capitol Mall, Suite 8-300
Sacramento, California 95814
(916) 930-3600

CA DEPT. OF FISH & GAME
Sacramento Valley-Central Sierra
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670
(916) 358-2900

RECEIVED
JUN 01 2005
PLANNING DEPT.

Loren Clark
Assistant Planning Director
Placer County Planning Department
11414 B Avenue
Auburn, CA 95603

Dear Mr. Clark:

The U.S. Fish and Wildlife Service (Service), the National Marine Fisheries Service (NMFS) and the California Department of Fish and Game (DFG) (collectively, the Wildlife Agencies) have reviewed the Agency Review Draft of the Placer County Conservation Plan (PCCP), Western Placer County, dated February 22, 2005 (hereafter the Agency Review Draft). This plan is the first of three comprehensive, multi-species plans for the County, and is called the Phase 1 PCCP. The Agency Review Draft provides a framework for completion of a Habitat Conservation Plan (HCP) pursuant to Section 10 of the Endangered Species Act (ESA) (16 U.S.C. § 1531 et seq.) and a Natural Community Conservation Plan (NCCP) pursuant to the NCCP Act (Fish & G. Code, § 2800 et seq.) for the Phase 1 PCCP Planning Area in Placer County. The Phase 1 PCCP encompasses approximately 221,000 acres in the western portion of the County from the valley floor to the foothills of the Sierra Nevada near the City of Auburn. The Phase 1 area includes significant natural resources, including stream environments, vernal pool grasslands, grasslands, oak woodland, and associated listed species, sensitive species and a diverse array of other wildlife species. At Placer County's request, our review focuses on, but is not limited to, issues relative to the proposed conservation strategy in the Agency Review Draft of the PCCP.

The Wildlife Agencies share the opinion that, at this juncture, the Agency Review Draft does not yet meet the regulatory standards in the ESA or the NCCP Act. We underscore, however, that solutions to all the issues identified below are feasible if Placer County and the plan participants continue to work closely with the Wildlife Agencies. We stand ready to assist in that effort in a collaborative and productive manner, and stress that a successful conservation strategy in Placer County is a high priority for the Wildlife Agencies.

We acknowledge the difficult and complex issues involved in devising a workable conservation strategy. Along these lines, the ESA and the NCCP Act are quite similar in their shared objectives of conserving natural resources while allowing for compatible growth and development. These objectives pose formidable challenges, especially in urbanizing areas where land available for conservation and appropriate development is more and more limited. Placer County is one such area and the increasingly limited opportunities for conservation and development put even more pressure on participants to devise an equitable and intelligent balance between economic and environmental considerations. Permits to be issued pursuant to the ESA and the NCCP Act must meet controlling legal standards, and the PCCP must clearly articulate how those standards are met. Our shared challenge then is to ensure that growth in the County is accommodated while protecting adequate lands for conservation of the biological resources proposed for coverage under the Phase 1 PCCP.

As for the Agency Review Draft specifically, we begin with an important point of introduction. The Wildlife Agencies and Placer County entered into a Planning Agreement regarding the PCCP in the fall of 2001. At that time, the Wildlife Agencies were confident that, working together, the County could achieve conservation in the western portion of the County based on the land use designations in the 1994 Placer County General Plan. The current planning landscape, however, is quite different than what the County and the Wildlife Agencies envisioned at the time we completed the Planning Agreement. The Wildlife Agencies and Placer County have responded to numerous development proposals, including the City of Roseville's annexation of over 5,000 acres, two new university proposals in the unincorporated western portion of the County, alternative alignments for Placer Parkway, Placer Ranch, Placer Vineyards, and a proposal by the City of Lincoln to expand its sphere of influence. The Wildlife Agencies believe that these projects, taken together, have the potential to preclude adequate levels of conservation for species and natural communities proposed for coverage under the Phase 1 PCCP. This significant possibility will remain a foremost concern as we move forward to develop a fundamentally sound, scientifically based conservation plan that can be permitted under the federal ESA and the State NCCP Act.

Even with existing concerns, the Wildlife Agencies believe the Agency Review Draft of the PCCP provides an excellent foundation to ultimately complete a conservation plan. We also concur that the Agency Review Draft contains the principle components of a conservation strategy that can meet standards in the ESA and NCCP Act. However, the plan does not yet meet these regulatory standards and there are significant local land use issues that have the potential to compromise our shared goal of establishing a viable conservation strategy in Western Placer County. With that introduction, we turn to specific comments regarding the proposed conservation strategy in its present form.

The Wildlife Agencies believe the following issues regarding the Agency Review Draft of the Phase 1 PCCP need to be addressed:

- The general focus of the Agency Review Draft should be redirected from a mitigation strategy to a conservation strategy that contributes to recovery of covered species in the planning area.

- The historic development pattern in the County carried forward in the Agency Review Draft is likely not compatible with a viable conservation strategy.
- The conservation strategy should be further refined to include specific conservation measures, the location and specific acre objectives of conservation lands, and to focus on conservation of existing high value habitats.
- Proposed retention of 30% of the growth area in natural habitat as part of the conservation strategy may not be viable or feasible.
  The conservation strategy relies too heavily on restoration and creation of vernal pool grasslands.
- Reliance on parcels as small as 200 acres for conservation purposes within the urban matrix may not be viable.
- Exclusion of parcels of less than 20 acres from mitigation obligations related to oak woodlands and grasslands is not appropriate.
- The designation and use of the Development Opportunity (DO) area, Conservation Opportunity (CO) area, and Conservation Management Units (CMU) lack clarity, consistency, and purpose.
- The cost share assumptions of the permittees and the State and Federal governments are not yet appropriate.
- HCP 5-point policy issues, as they pertain to the Phase 1 PCCP, should be presented or summarized together in a section of the PCCP
- The biological goals and objectives lack measurability.
- The Monitoring and Adaptive Management components of the conservation plan need to be further developed.
- Implementation measures need clarification.
- A Changed and Unforeseen Circumstances section needs to be developed.
- Current information is needed regarding plan financing, which is not included in the Agency Review Draft as noted in the County's letter to the Wildlife Agencies, dated March 4, 2005.

These and related issues are more fully discussed below.

PROPOSED GROWTH PATTERN

According to the Agency Review Draft, the majority of the growth projected for Western Placer County is expected to occur from continued parceling of fragmented oak woodlands within the southeast portion of the Plan area and within intact, non fragmented, vernal pool grasslands in the western portion of the Plan area. In total, the Agency Review Draft indicates that approximately 57,000 acres of undeveloped land will be urbanized during the 50-year term of the proposed permit, and will nearly double the human population in this portion of the County. The Wildlife Agencies have no basis to question the growth projections in the Agency Review Draft. We emphasize, though, that how and where the County grows during the term of the proposed permit over the next five decades has a much more significant effect on the prospect of conservation than does the number of new residents.

A review of aerial photos completed in 2002 indicates approximately 20,000 acres of vernal pool grassland community existed in Placer County at that time. The Agency Review Draft states on page 6-18 that, "it is reasonable to estimate that the present extent of valley grassland/vernal pool, and particularly the vernal pool component of it, is probably less than one-quarter of its original extent in the Western Placer Area." Yet, the Agency Review Draft includes a proposed Development Opportunity area for Placer County and the City of Lincoln that includes approximately 15,000 acres of vernal pool grassland community. In so doing, the Agency Review Draft contemplates urban development within an area supporting 15,000 acres of the remaining vernal pool grassland in Western Placer County. The Agency Review Draft further states that a portion of the 15,000 acres would not be directly lost as a result of development but would be retained within the urban matrix. This would result in only 5,000 acres of the remaining vernal pool grasslands to be retained in an environment buffered from urban uses by either other native habitats or active agriculture. This would represent a potential 75% reduction in the biological value of this important community since 2002 and loss of over 85% of the same community from 1937 through the 50-year term of the permit. The Wildlife Agencies believe that a loss of vernal pool grassland habitat of this magnitude compromises a sound conservation strategy.

A related issue concerns historic development patterns in the County, which are carried forward in the Agency Review Draft. The current plan and the financial models used to develop the plan assume a buildout scenario based on past development patterns and densities. The Conservation Strategy Overview, dated April 15, 2004, states on page 6, item #12,

> . . . the protected areas will need to be substantial and ecologically connected, particularly as they will inevitably support compatible land uses and multiple management objectives. In order for this to happen, historical patterns of urbanization will need to change-the present trend of continual extension of urban boundaries with only small areas of retained natural open space is inconsistent with the biological reality of conservation. The Western Placer of the future has a limited capacity for further urbanization as historically conducted if the conservation goals and objectives of the NCCP/HCP are to be met and Placer County's quality of life is to be preserved. Conservation will thus require modifications to urban growth patterns with conservation emphasis placed outside of the urban areas. Incentives and regulatory measures may be created to encourage participating agencies to provide more efficient use of land through infill/redevelopment and higher density inside urban/suburban areas. This new pattern will require the differentiation of conservation areas from growth areas . . .

The conservation strategy in the Agency Review Draft, in contrast, appears to continue historic growth patterns. The net result of this approach from a conservation standpoint is that the plan contemplates a high level of impact to natural communities and covered species, along with correspondingly intensive actions necessary to achieve what is, at this point, an uncertain level of conservation. Under the proposed development scenario, for example, the conservation strategy relies on acquisition of existing high value natural communities, significant restoration of degraded communities, and preservation of 30% of intact vernal pool ecosystems within the assumed footprint of the future urban matrix. According to the Agency Review Draft, all of this

is necessary to achieve plan goals and objectives for conservation of natural communities and covered species. To achieve conservation with this approach, however, nearly all remaining intact natural communities (principally vernal pool grasslands) will need to be acquired, an excessive amount of restoration (grasslands or rice to vernal pool grasslands) will need to occur, and significant areas of existing intact systems will have to be preserved in areas slated for urban development.

At this point, the Wildlife Agencies believe the approach to conservation, from a practical standpoint, in the Agency Review Draft is not feasible or attainable. We doubt, for example, it is feasible to acquire nearly all remaining intact vernal pool systems within a willing seller system. The expectation that the few remaining landowners of high quality intact habitat will be willing sellers of either conservation easements or fee title is unreasonable. Additionally, even if all these lands could be acquired and managed, we are concerned about the biological quality of these lands, their ability to be managed through time, and their ability to be appropriately linked or adequately sized to provide conservation in the long term.

The Agency Review Draft supplements the shortcoming in this aspect of the conservation strategy by relying too heavily on creation and restoration for vernal pool grassland habitat conservation. These restoration efforts are directed at agricultural and non-vernal pool grassland habitat. Though such efforts hold promise, restoration of vernal pool grassland is complex and, at this point, unproven. The Wildlife Agencies believe as a result that the biological risks associated with the conservation strategy relying on the restoration of over 5000 acres of vernal pool grassland is just too great.

Against this backdrop the Wildlife Agencies believe the area of impact contemplated in the Agency Review Draft is too large. The County and other plan participants may want to consider modifying the proposed development area and thus enhancing the ability to preserve existing high-value habitat. In our view, this will allow for the opportunity to assemble adequately sized and configured conservation areas. Taking this approach could also reduce the need to rely so heavily on restoration. Likewise, it might reduce the need for avoidance of impacts on covered species and biological communities within development project boundaries. Finally, such an approach will provide greater assurance of conservation.

THE RESERVE SYSTEM AND THE CONSERVATION STRATEGY

The area of growth has major impacts on the ability to provide for conservation and implement any proposed conservation strategy. The conservation strategy must provide for an adequate amount of land in an appropriate configuration to assure that conservation and recovery and other biological goals are achieved. The Agency review Draft does not demonstrate that conservation can be achieved but merely provides a mitigation concept without an appropriately specific strategy for conservation.

The conservation strategy must be based on clearly articulated, measurable biological goals and objectives. These will dictate all of the implementation measures, including reserve design, and they comprise a critical component of the conservation plan. To facilitate design of a monitoring program, the goals and objectives should be organized in a hierarchy, including those at

ecosystem or landscape, natural community, and species-specific levels. The conservation strategy section must also be able to describe uncertainties about conservation actions and propose approaches to resolving them.

Basic tenets of Conservation Biology, as embodied in documents prepared by Placer County as part of Placer Legacy and the NCCP/HCP, define the need for large, roadless, interconnected sites void of urban influences as the foundation of a conservation reserve system. Reserve design including size and shape and proposed human use of retained natural habitats as well as adjacency to human activities will dictate ecological values and functions of these habitats through time. The Agency Review Draft does not specify, even in broad terms, the distribution, configuration or linkages among conservation lands or methods for ensuring appropriate reserve establishment or consolidation. This makes it difficult for the Wildlife Agencies to ascertain that conservation can be achieved.

For example, the Agency Review Draft presumes that retained habitats within the DO area will provide full function and value and contribute to and be a part of a larger regional conservation strategy. We believe that this assumption cannot be scientifically validated. Retained parcels within an urban matrix often fail to provide full value over time due to the small size of the retained areas, adjacent urban uses, and the inability, due to small size and proximity to urban landscapes, to actively manage retained sites. We do not envision a 200 acre parcel, as noted in the Agency Review Draft, as a minimum size for a reserve, to be fully functional and part of a larger conservation strategy when surrounded or nearly surrounded by an urban landscape. The 200 acre minimum preserve size proposed in this Agency Review Draft may only be acceptable within the CO area, not within an urban matrix unless it has exceptional specific importance.

The Wildlife Agencies do not believe it is feasible to develop a conservation strategy that relies on significant areas within the urban matrix as potential conservation sites. We fundamentally question the biological effect of a requirement that project applicants consider limited "avoidance" in project design. A strategy can only be fair if all parties can concur with the designation of areas for urban development and the areas designated for conservation with minimal risk of conflict from adjacent urban growth. Except for unique habitat areas, all but stream environments should be considered to be urbanized within the urban growth area or the DO. At the least, zones should be established, based on specific criteria, where all vernal pool resource values are assumed lost and no conservation credit is allowed for avoided areas. This type of strategy would also require specific measures designed to mitigate potential water quality impacts related to a lack of onsite avoidance. We suggest that the PCCP include Low Impact Development criteria as a requirement for all covered activities related to urban growth as a means to resolve this issue. We suggest this strategy because the Agency Review Draft relies too heavily on review of potential reserve areas at the same time development projects are brought forward. Likewise, we suggest this strategy because a system whereby the development community and the Wildlife Agencies resolve issues regarding appropriate conservation areas on a project-by-project basis are similarly unworkable. We also do not believe the issue can be deferred to the project-specific level because it poses too great a risk to the conservation strategy due to future decisions and it places undue hardship on the regulated community to consider the extent to which potentially developable areas are avoided.

We do not agree, as stated on page 6-63, that all 5,530 acres of lands currently under various open space designations within Placer County will qualify to be part of a reserve system. This statement is conclusory and not supported by specific management or ownership conditions for the parcels comprising these 5,530 acres. Each parcel must be examined for the applicability of the parcel to be incorporated into a reserve system, including its location relative to other biological reserves, proposed use, management, and funding source.

We know that nothing in this Agency Review Draft can prevent a developer from proposing a project to any plan participant. We also know that acceptable measures can be instilled within the plan that will significantly improve the ability of the plan to successfully establish and maintain a conservation program. In this regard we believe that clear restrictions should be placed on development within any defined conservation area until delineated development concentration areas are at or near capacity. This will allow adequate time to achieve a well conceived and implemented conservation strategy. The plan must also include specific assurances that conserved lands are not fragmented or degraded by subsequent urban development. This is especially important for those areas that are designated for future urban growth and also surrounded or nearly surrounded by high value grassland, vernal pool grassland, or riparian or oak woodland ecosystems. Specific criteria must also be developed to establish and retain the viability of the reserve system as it grows and changes over time.

As the Agency Review Draft states, large connected preserves are critical for conservation. To achieve this goal, the conservation strategy must more clearly describe a future conservation strategy as well as a future growth strategy. We believe the reserve system should be designed to occur entirely, or nearly entirely, outside delineated urban growth areas. Likewise, the conservation strategy should emphasize acquisition of existing high value conservation lands adjacent to lands currently dedicated to natural resource conservation through conservation easements or fee title. Additional lands not adjacent to existing conserved lands should also be considered for conservation in the plan, specifically, large parcels of high quality habitats that could form the base for an enlarged reserve system and lands critical to habitat linkages between larger preserve areas.

We suggest the development of a conceptual conservation reserve model. This model would allow all plan participants to fully understand the ramifications of both development and conservation. Results from this model should be included in the next draft plan and their purpose should be described more fully. Likewise, acreage objectives based on the biological needs of each covered species should be included for all species identified within the Plan.

ISSUES RELATED TO MITIGATION AND CONSERVATION

The approval of the plan and the consequent authorization of take and associated assurances given under the NCCP Act and ESA are predicated on the participants' development of a plan that includes a conservation strategy that meets State standards and federal issuance criteria with assurances, financial and otherwise, that it will be successful. There is currently a lack of sufficient detail in the plan to provide for and assure actual implementation of the strategy. Furthermore, the Agency Review Draft appears to rely too heavily on the State and Federal

governments to provide the assurances from a conservation standpoint. This issue is exacerbated by the current focus within the Agency Review Draft on mitigation, an expected cost share assumption by the State and Federal governments and a failure to identify additional measures supported by the plan participants that will contribute to conservation. An appropriately revised plan will allow the Wildlife Agencies to seek funds for land acquisition or other conservation measures but the primary responsibility for plan implementation lies with the plan permittees.

The reserve system should be based on the land and management activities needed to provide for conservation of the covered species and the natural communities within the Plan area. The Agency Review Draft does not take this approach. Rather, it focuses on mitigation as the primary mechanism to provide for conservation. A conservation plan, in contrast, should be driven by the needs of the covered species within the Plan area and the ability of the plan to provide for ecosystem integrity. A conservation plan must include a variety of measures designed to assure conservation, one of which may be the use of mitigation derived from covered activities.

The relationship of the Plan to species recovery within the plan area and to the conservation of natural communities must be more fully explored and supported in the next draft plan. More specific measures must be identified that contribute to species recovery and assure effective conservation. One approach to address this issue could be to include a more detailed description of Conservation Management Units and all measures the plan intends to incorporate to achieve conservation.

The Wildlife Agencies are concerned the Agency Review Draft does not provide mitigation for impacts to oak woodland and grassland habitat on parcels of less than 20 acres and discounts the value of rice to winter migrant birds. Conservation plans typically require levels of take and conservation to be roughly proportional. This may create an imbalance in the level of take and the level of mitigation within the total plan area.

MONITORING AND ADAPTIVE MANAGMENT

The Wildlife Agencies believe the monitoring and adaptive management section is an appropriate foundation by which to further develop specific measures required for permit issuance. These specific measures are not fully developed at this time.

The adaptive management feedback loop, from monitoring and targeted studies to decision-making, needs to be better developed and described in detail in the plan. Critical management uncertainties need to be disclosed and a program devised to resolve or inform them.

The PCCP thus far has amassed much information on the natural resources to be conserved and managed, and it has developed envirograms that can provide the foundation for more conceptual models at multiple levels that can guide design of the monitoring program.

The plan needs to make clear that adaptive management and monitoring will continue beyond the duration of the permit and that funding and other commitments for these programs must be assured in perpetuity.

We recommend that sections within Chapter 7 that pertain to compliance monitoring and implementation structure be moved to Chapter 9, Implementation, thus focusing discussion within this chapter on effectiveness monitoring and experimental management.

IMPLEMENTATION

The plan must link conservation targets to enforceable actions in order for the Wildlife Agencies to determine that the plan can be adequately implemented. This would inc~~lude~~ adoption of ordinances by all permittees, as well as more specific language for management of reserve lands. Vague objectives, suggestions, goals, or non-specific or unenforceable actions do not provide the level of assurance that must be included within the plan. Biological objectives at all levels must be quantitative. To this end, we suggest that measurable objectives for reserve development be included in the revised plan as a means by which to track implementation. Included, for example, within these measures would be a fully functioning management authority, acres under management, connectivity, reserve size objectives and implementation of a specific monitoring and adaptive management program. Obligations of each permittee (Section 9.1.2) should be specific as to acres of conservation obligation to implement the plan. The first such target should be 2010 at which point the measurable objectives must be met.

The next draft must specify (Section 9.1.2.6) that the plan is only one plan, with only one permit and one Implementing Agreement. Separate permits are not issued to each plan participant and the plan participants' take authorities are not severable from each other.

The next draft must clarify that any plan implementation operator is merely acting for the plan permittees and that the ultimate responsibility for plan implementation is with Placer County and the other plan participants. Individual jurisdictions that are included on the permits (Section 9.2.2) must be participants in the plan operating authority. Permittees cannot choose to independently implement a joint plan. A potential solution for the next draft is to either retain the language in this Agency Review Draft as written with full explanations of the sharing of responsibilities for each permittee or describe an Implementing Entity. Alternatively, the County could be named the implementing entity on behalf of all permittees.

While the plan proposes the need to maintain a 500 acre surplus of conserved land ahead of take, the plan fails to consider that impacts be roughly proportional to the total conservation obligation of the permittees. This relationship must be established within the context of the next draft. Except for the vernal pool grassland complex, the Draft does not have a cap on take for any habitat or species. Impacts need to be quantified for permit issuance.

Plan Implementation, Chapter 9, should focus discussion on the implementation structure prior to discussions of the specific obligations for each party.

ADDITIONAL ITEMS OF SIGNIFICANCE

Project applicants should not be required to survey project sites for presence of covered species except as needed for preconstruction surveys. Only that data needed for the development of mitigation requirements and that needed for 404 permitting should be obtained.

Covered activities in general need greater specificity. Projects that are specifically listed, such as Placer Parkway, must provide even greater detail. We believe that this project, in particular, poses considerable risk to the integrity of a conservation strategy due to the potential fragmentation issues related to selection of any route that lies north of Pleasant Grove Creek.

The Agency Review Draft does not include a chapter discussing financial issues which is needed for the Wildlife Agencies to understand and evaluate the financial integrity of the program including adaptive management and monitoring in perpetuity.

The plan must contain a discussion of the procedures to be followed in the case of changed or unforeseen circumstances that may affect species or their habitat.

Conservation alternatives (Section 8.1.5) should include an alternative which has a larger reserve system.

The Agency Review Draft identifies three State Fully Protected species as covered species. The DFG cannot authorize take for these species, however they can be included as a covered species provided adequate conservation is included for these species.

The Agency Review Draft does not adequately address issues related to subsequent permits for either the Section 404 programmatic permit or the programmatic Streambed Alteration Agreement. The relationship of these proposed permits and the Agency Review Draft need to be more fully detailed.

CONCLUSIONS

The issues we have identified are both interrelated and interdependent. The Wildlife Agencies believe that a reduction of the proposed development land base of 57,000 acres would lead to solutions for the issues we have identified. Consideration of this action would likely reduce direct and indirect impacts, would significantly increase the likelihood that intact existing resources could be acquired for a conservation system and would rely substantially less upon unproven restoration to achieve plan goals. The overall result is a plan that is less costly to implement, has a much higher likelihood of providing successful conservation, and yet achieves all of the plan participant goals to accommodate projected growth.

The Wildlife Agencies believe that a plan can be developed that provides for the conservation of the covered species in Placer County. Assuring conservation of the covered species and habitats could allow the Service to pursue actions within existing law and policy to address the critical habitat designations for listed vernal pool invertebrates in west Placer County and be consistent with the soon to be finalized Recovery Plan for vernal pool species.

The Wildlife Agencies are available to discuss the comments outlined in this letter and will provide additional comments on the Agency Review Draft that we believe can assist in the preparation of a final plan.

Thank you for the opportunity to review this Agency Review Draft. The Wildlife Agencies fully support the completion of the Phase 1 PCCP and believe that the Agency Review Draft provides a coherent foundation on which a successful plan can be formulated. We have provided you herein with comments and recommendations designed to achieve our shared goals. We look forward to continued close coordination with Placer County and other plan participants. If you have questions or concerns please contact us at (916) 414-6600 (USFWS), (916) 414-930-3623 (NMFS) or (916) 358-2900 (CDFG).

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