

SCREENING FORM FOR LOW-EFFECT HCP DETERMINATIONS

I. Project Information

A. Project name: Kellaway Low-Effect Habitat Conservation Plan for the Morro Shoulderband Snail, San Luis Obispo County, CA

B. Affected species: Morro shoulderband snail (*Helminthoglypta walkeriana*)

C. Project size: 5.53 acres (as 2 parcels of 5.08 acres and 0.45 acre each)

D. Brief project description including minimization and mitigation plans:

Purpose and Need: The Kellaway Low-Effect Habitat Conservation Plan (HCP) has been prepared in support of the issuance of an incidental take permit (ITP) to authorize unavoidable take of Morro shoulderband snail that would result from the construction and occupation of two single-family residences on existing, contiguous legal parcels. It would also address habitat enhancement activities to be performed within a conservation easement on the larger of the parcels. Although contiguous parcels, the 5.08-acre parcel (APN 074-022-042) is accessed off of Sea Horse Lane and the 0.45-acre parcel (APN 074-483-052) is located at the end of San Leandro Court. Both parcels are found in the southwestern portion of the unincorporated community of Los Osos, an unincorporated community in San Luis Obispo County, California. Thomas R. Kellaway and Doris J. Redmon, husband and wife as joint tenants, are the applicants for the ITP.

Proposed Project: The proposed project involves the construction and occupation of two single-family residences as well as the enhancement of 0.24-acre of disturbed coastal dune scrub habitat on the larger of the parcels. This HCP provides the basis for issuance of a section 10(a)(1)(B) incidental take permit (ITP) that would authorize the take of the federally endangered Morro shoulderband snail associated with otherwise legal activities. The project would impact 1.68 acres; 1.23 acres of which are a combination of coastal dune scrub and maritime chaparral.

Morro manzanita (*Arctostaphylos morroensis*), a federally threatened plant species, is discussed as part of the HCP but is not requested to be a covered species in this document. Up to 11 individual Morro

manzanita could be removed as part of project implementation; however, impacts to the species will be addressed in accordance with County of San Luis Obispo (County) requirements that typically require replacement at a ratio of 5:1.

As part of the project description, the applicants have agreed to record a conservation easement on the final map recorded with the County. The conservation easement will be a minimum of 3.8 acres in size and located on the larger parcel of land contiguous to other conserved habitat. Its purpose is to protect, in perpetuity, coastal dune scrub and maritime chaparral habitats and their constituent species, including Morro shoulderband snail and Morro manzanita. Approximately 0.24 acre within this conservation easement area will be enhanced to improve habitat quality and function for Morro shoulderband snail.

Permit Duration: The requested permit duration is 5 years in order to cover construction activities (estimated at 13 months) and subsequent habitat restoration activities for approximately 4 years following completion of the residential construction projects.

Covered Lands: The HCP addresses two legal parcels that together total 5.53 acres. These two parcels are 5.03 acres and 0.45 acre in size and are identified by the County as Assessor Parcel Numbers 074-022-042 and 074-483-052, respectively.

Species Occupation and Baseline: Two empty shells of the Morro shoulderband snail were identified near the eastern property boundary on the 5.08 acre parcel in 2002. No live Morro shoulderband snails or empty shells of the species were found on the 0.45 acre parcel at that time; however, in 2004 and 2005, two live Morro shoulderband snails and three empty shells of the species were identified on this parcel.

Land and Benefiting Management Activities: A minimum of 3.8 acres of land that provides habitat for Morro shoulderband snail will be maintained in perpetuity as part of a conservation easement to be recorded and held by the County. This easement land will be conditioned to preclude any uses that are not compatible with the conservation and enhancement of biological resource values.

Species Goals: The biological goals of the HCP are to avoid and minimize take of Morro shoulderband snail within the project site and to fully mitigate unavoidable take through the conservation of high-quality habitat for the species.

Monitoring and Reporting

Monitoring: The HCP includes compliance monitoring to track the permit holder's compliance with the requirements specified in the HCP and permit, effects monitoring to track the impacts of the covered activities on the covered species, and effectiveness monitoring to track the progress of the conservation strategy in meeting the biological goals and objectives described in the HCP. To quantify the incidental take at the end of the project, the biologist will count the number of individual Morro shoulderband snail that were captured and relocated as well as the number injured or killed during construction. Habitat restoration will be monitored quarterly during the first year following construction and once annually for 4 additional years to measure cover of non-native plants and ensure that the site is meeting the performance standards outlined in the HCP. During this 5-year monitoring period, the conservation easement and open space easement areas will be visually inspected for disturbance that may negatively affect Morro shoulderband snail.

Reporting: Annual reports will be submitted to the Service at the completion of construction activities and annually during restoration activities. Reports will describe site conditions, methods and results of vegetation control and monitoring, and recommendations for meeting performance criteria and include:

1. Summary or list of project activities accomplished during the reporting year including development/construction activities, and other covered activities;
2. Project impacts (e.g. ,number of acres graded, number of buildings constructed);
3. Description of any take of covered species that occurred including cause of take, form of take, take amount, location of take and time of day, and deposition of dead or injured individuals;

4. Description of conservation strategy implemented;
5. Results of compliance, effects and effectiveness monitoring and survey information;
6. Description of circumstances requiring application of adaptive management, how changes were implemented, and a summary of the actions taken;
7. Description of any changed or unforeseen circumstances that occurred and how they were addressed;
8. Funding expenditures, balance, and accrual; and
9. Description of any minor or major amendments.

II. Does the HCP fit the following low-effect criteria?

A. Are the effects of the HCP minor or negligible on federally listed, proposed, or candidate species and their habitats covered under the HCP prior to implementation of the minimization and mitigation measures? Yes. The number of live individual and empty shells of Morro shoulderband snail identified on the parcels is 2 and 7, respectively. While it is expected that there are more live Morro shoulderband snails than actually reported, approximately 76 percent of the larger parcel (approximately 70 percent overall) will be conserved as biological open space under a conservation easement recorded with the County.

B. Are the effects of the HCP minor or negligible on other environmental values or resources (e.g. air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, etc.) prior to implementation of the minimization and mitigation measures? Yes. The proposed project is the construction and occupation of two single-family residences on each of two legal parcels. Infrastructure is already available to both parcels. The project will be subject to conditions of a minor use and coastal development permits prepared by the County pursuant to the California Environmental Quality Act and the County's Local Coastal Plan, respectively. It is anticipated that there will be no significant effects to other environmental values or resources as a result of project implementation.

C. Would the impacts of this HCP, considered together with the impacts of other past,

present and reasonably foreseeable similarly situated projects not result, over time, in cumulative effects to environmental values or resources which would be considered significant? No. Take of Morro shoulderband snail has been avoided where possible and unavoidable take will be minimized and fully mitigated. Approximately 70 percent of the parcels will be protected in conservation easement that adds to existing open space on contiguous parcels. Uses within the conservation easement will be restricted to those that would benefit Morro shoulderband snail and its habitat.

III. Do any of the exceptions to categorical exclusions apply to this HCP? (form 516 DM 2.3, Appendix 2)

Would implementation of the HCP:

A. Have significant adverse effects on public health or safety? No. This HCP addresses only the construction and occupation of two single-family residences and a limited amount of habitat enhancement. As such, the project is not anticipated to result in adverse effects to public health or safety.

B. Have adverse effects on such unique geographic characteristics as historic cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks? No. The project consists of the construction of two single-family residences on two legal parcels within a residentially-zoned area. There are no historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas present on either property. As such, the project is not anticipated to result adverse effects to that above unique geographic characteristics.

C. Have highly controversial environmental effects? No. The project is representative of a typical single-family residential project for which there are typically no highly controversial

environmental effects. It is consistent with County zoning laws and regulations.

D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? No. The minimal environmental effects of this project are considered to be certain and predictable.

E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects? No. This HCP identifies and mitigates for impacts consistent with past, similar actions and, as such, would not set a precedent for future actions.

F. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects? This project is a single-action and not directly related to any other projects.

G. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places? No. The project site is undeveloped vacant land that is not listed, or eligible for listing, on the National Register of Historic Places.

H. Have adverse effects on listed or proposed species, or have adverse effects on designated Critical Habitat for these species? No. The project location is not located in proposed or designated critical habitat for Morro shoulderband snail or any other federally-listed species..

I. Have adverse effects on wetlands, floodplains or be considered a water development project thus requiring compliance with either Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act? No. The project is located wholly within terrestrial habitat and does not involve development of water resources.

J. Threaten to violate a Federal, State, local or tribal law or requirement imposed for the

protection of the environment? No. The project will be required to comply with subject to all applicable Federal, State, local, and/or Tribal laws and/or requirements pursuant to the County's CEQA guidelines and LCP.

IV. ENVIRONMENTAL ACTION STATEMENT

Based on the analysis above, the Kellaway HCP qualifies for a categorical exclusion as defined in the U.S. Fish and Wildlife Service *Habitat Conservation Planning Handbook*. As such, this action is categorically excluded from further NEPA documentation as provided by 516 DM 2, Appendix 1 and 516 DM 6, Appendix 1.

Other supporting documents: Kellaway Low Effect Habitat Conservation Plan (SWCA 2010)

Concurrence:

Field Supervisor

Date