

Appendix A

Western Placer County Habitat Conservation Plan and Natural Community Conservation Plan

Electronic copies of this document are available at <https://www.placer.ca.gov/3362/Placer-County-Conservation-Program>.

Hard copies of this document are also available for public inspection, by appointment, during regular business hours, at the following locations.

- Sacramento Fish and Wildlife Office, 2800 Cottage Way, W-2605, Sacramento, CA 95825.
- City of Lincoln Planning Department, 600 5th Street, Lincoln, CA 95648.
- Lincoln Public Library, 485 Twelve Bridges Drive, Lincoln, CA 95648.
- Placer County Community Development Resource Agency, 3091 County Center Drive, Auburn, CA 95603.
- Certain Placer County Library branch locations (350 Nevada Street, Auburn, CA 95603; 6475 Douglas Boulevard, Granite Bay, CA 95746; and 2215 Rippey Road, Penryn, CA 95650).

Western Placer County Aquatic Resources Program

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Appendix C

USACE CWA 404 Permit Strategy



CWA 404 Permit Strategy Aligned with the Placer County Conservation Plan

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August 2017

Background

The Placer County Conservation Program (PCCP) applies to western Placer County and specific conservation activity areas in neighboring Sutter County. The PCCP includes both a proposed Habitat Conservation Plan (HCP) and Natural Community Conservation Plan (NCCP), the proposed Western Placer County Aquatic Resources Program (CARP), and the proposed Placer County In-Lieu Fee (ILF) Program. The HCP/NCCP proposes to cover fourteen species of wildlife, including nine state and/or federally-listed as threatened or endangered. The CARP is proposed by the County to provide a structure for protecting aquatic resources in western Placer County while streamlining the environmental permitting process for impacts to aquatic resources. The HCP/NCCP uses a regional approach to address issues related to planned development and species habitat conservation and restoration. The proposed boundaries of the PCCP are generally Nevada and Yuba Counties to the north, the City of Auburn and California State Highway 49 on the east, Sacramento County on the South, and Sutter County to the west. The PCCP Plan Area also includes specific areas in western Placer County and a small area in adjacent Sutter County where specific covered activities may be conducted by the Plan Participants. The Plan Area excludes the Cities of Auburn, Roseville and Rocklin and the Town of Loomis, with the exception of specific activities within these cities that would be conducted by the Plan Participants. The four PCCP Plan Participants are the County of Placer, City of Lincoln, South Placer Regional Transportation Authority (SPRTA), and the Placer County Water Agency (PCWA). The Plan Participants are forming the Placer Conservation Authority (PCA), a joint exercise of powers agency, to implement the HCP/NCCP and the CARP commitments and requirements. Based on the HCP/NCCP, the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) will issue species incidental take permits to the Plan Participants and the PCA under Section 10 of the Endangered Species Act (ESA 10). Before they can issue incidental take permits, the USFWS and NMFS must internally consult under Section 7 of the ESA (ESA 7) and are required to comply with the National Environmental Policy Act (NEPA) and other related laws.

The U.S. Army Corps of Engineers (Corps) regulates discharges of dredged or fill material into waters of the United States, including wetlands and other special aquatic sites, under Section 404 of the Clean Water Act (CWA 404) through its Regulatory Program. Permits are issued to applicants only after a determination has been made that the proposed activity is the least environmentally damaging practicable alternative under the U.S. Environmental Protection Agency's (USEPA) 404(b)(1) Guidelines. A determination of the least environmentally damaging practicable alternative (LEDPA) under the 404(b)(1) Guidelines involves evaluating avoidance, minimization and compensation for proposed impacts to waters of the U.S. Further, the Corps must comply with ESA 7, NEPA, Section 401 of the Clean Water Act (CWA 401), and Section 106 of the National Historic Preservation Act (NHPA 106) before authorizing an activity under CWA 404. Types of permits the Corps issues include general permits established on a regional, nationwide, or programmatic basis for activities with minimal impacts on the aquatic environment, individually and cumulatively, and individual permits (standard permits and letters of permission) for those activities which do not fall under a general permit and/or have greater than minimal impacts. The Corps' Sacramento District (Sacramento District) administers the Regulatory Program in the Central Valley and Sierra Nevada of California, the States of Nevada and Utah, and the Western Slope of Colorado.

In 2004, recognizing that many of the listed species to be covered by the HCP/NCCP spend some or all of their lifecycles in aquatic environments regulated under the Corps' Regulatory Program, the Sacramento District was invited to work with the Plan Participants and agencies. In 2006, the USEPA, Sacramento District and other agencies advanced a proposed approach to complying with the 404(b)(1) Guidelines at a regional level.ⁱ In addition, in 2012 and 2014, the

In 2006, the USEPA, Sacramento District and other agencies advanced a proposed approach to complying with the 404(b)(1) Guidelines at a regional level.

Sacramento District identified principle needs for establishing a CWA 404 permitting strategy that could align with and complement the HCP/NCCP. A CWA permitting strategy would provide for better assurances and quicker CWA 404 permit decisions for the regulated public, while protecting aquatic resources to an equal or greater level than existing regulations, policies and processes. This expectation continues to be based on a number of tenets upon which the HCP/NCCP is founded including, but not limited to:

- protection of a broad range of species and habitats,
- low impact development strategies (LIDS),
- consistency with general plans,
- avoidance of high quality vernal pool landscapes,
- preservation of watershed functions and stream corridors, and
- development of large, contiguous preserves, with particular focus on the Reserve Acquisition Area.

Presently, the Corps reviews permit applications on an individual basis, making it challenging to evaluate the avoidance, minimization and compensation of impacts to aquatic resources on a broad scale. As a result, the Corps' review is generally focused on the merits of the individual activity and the characteristics of the proposed project site, with limited ability to comprehensively evaluate where the risks, trade-offs and interactions among several projects and aquatic resources can be considered. Over time, environmental issues and development

demands, especially in urbanizing areas, have resulted in adverse effects to the aquatic ecosystem that are not necessarily surprising, but fall short of more ecologically meaningful and sustainable outcomes that a landscape-scale permitting solution may afford. For instance, in some areas, permits issued by the Corps have led to a patchwork of wetland mitigation sites, which may have disjointed or inconsistent preserve boundaries and be functionally compromised by abutting development, causing edge effects, and other adverse impacts. Furthermore, the distance between the

permitted impact location and its mitigation site may be considerable or located in another watershed, especially in cases where the compensatory mitigation was accomplished through the purchase of credits at a mitigation bank or through an in-lieu fee program. The Sacramento District views the HCP/NCCP as a chance to improve both species and aquatic resource protection in a coordinated way on a regional scale, taking into account planned development and providing greater certainty for the regulated public. With this in mind, the Sacramento District has been coordinating with the USFWS, NMFS and Plan Participants to develop and implement a "streamlined" approach to permitting under CWA 404 that encompasses a number of different permit types and processes.

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Benefits of CWA 404 Alignment

In addition to providing a regional platform to inform better and faster CWA 404 permit decisions, a USFWS- and NMFS-approved HCP/NCCP provides several other benefits to the Sacramento District and its customers. As an action significantly affecting the quality of the human environment, the HCP/NCCP requires the USFWS, as the lead Federal agency, to prepare an Environmental Impact Statement (EIS) under NEPA that will include impact analyses over a 50-year period of all HCP/NCCP covered activities within the Plan Area. As a cooperating agency, the Sacramento District intends to use the EIS in a programmatic manner to underpin its CWA 404 permit strategy. Because the EIS is expected to examine a range of reasonable alternatives affecting waters of the U.S., it can serve as a basis for the Sacramento District's evaluation of less damaging alternatives and mitigation under USEPA's 404(b)(1) Guidelines. The Sacramento District would adopt the EIS and make its own Record of Decision regarding the CWA 404 permit strategy's compliance with the 404(b)(1) Guidelines at the regional scale. Any necessary subsequent NEPA documentation prepared by the Sacramento District would tier from the HCP/NCCP EIS.

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The Sacramento District would seek to further streamline the CWA 404 regulatory review process by requesting the USFWS and NMFS to consult once programmatically for all HCP/NCCP covered activities that require a CWA 404 permit, eliminating the need for individual project-by-project ESA 7 consultations. Furthermore, the Sacramento District would request programmatic water quality certification under CWA 401 from the Central Valley Regional Water Quality Control Board for all activities under the CWA 404 permit strategy. This would eliminate the need for permit applicants to apply individually for CWA 401 certification. Finally, to comply with NHPA 106, the Sacramento District would seek to develop a programmatic agreement with the State Historic Preservation Officer, following coordination with tribes and others, for the CWA 404 permit strategy. The Sacramento District would work with USFWS to avoid any potential duplication or conflicts in complying with NHPA 106 and Appendix C of the Corps' regulations at 33 CFR Part 325.

The Sacramento District recognizes the CWA 404 permit strategy is a critical element for streamlining regulatory approvals, while achieving greater protection of the highest quality aquatic resources than the existing project-by-

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project review process. For several years, the Sacramento District has worked closely with the USFWS, NMFS, USEPA, California Department of Fish and Wildlife, and the State and Regional Water Quality Control Boards to ensure processes and policies related to aquatic resource protection are understood and aligned. In June 2010, the agencies completed a permit process relationships mapping exercise which included aligning schedules, and

provided the output to the Plan Participants and other interested parties. These agencies continue to meet and resolve differences among their authorities and policies in the interest of a successful PCCP. The Sacramento District is committed to having its CWA 404 permit strategy in place, including programmatic compliance with ESA 7, CWA 401 and NHPA 106, when USFWS and NMFS issue permits based on the HCP/NCCP.

CWA 404 Permitting Strategy

The Sacramento District has developed a multi-tiered approach to CWA 404 permitting that would address activities which involve discharges of dredged or fill material into waters of the U.S. covered by the USFWS- and NMFS-approved PCCP. This CWA 404 Permitting Strategy consists of the use of:

- A programmatic general permit (PGP) founded on a local aquatic resources protection program and implemented by local ordinances, and designed to reduce duplication with that program, for activities with minimal individual and cumulative effects on the aquatic environment;
- A regional general permit (RGP), if needed, for activities with minimal individual and cumulative effects on the aquatic environment that do not fall under the PGP and for certain activities conducted by PCWA, and activities to implement the HCP/NCCP conservation strategy under the ILF program;
- A procedure for issuing Letters of Permission (LOPs) for activities with more than minimal but less than significant effects on the human environment, including aquatic resources; and
- An abbreviated process for issuing standard permits (SPs) for other activities consistent with the PCCP that may have a significant impact on the human environment, and require the preparation of an EIS.

PGP

Based on the PCCP and local aquatic resource ordinances (Placer County and City of Lincoln) that implement the CARP, the Sacramento District intends to establish a PGP for covered activities that would have minimal impacts on the aquatic environment, individually and cumulatively. The PGP is premised on the ordinances resulting in the same or better level of protection to waters of the U.S. as currently in place under CWA 404. The process for

the Corps to establish a PGP follows the standard permit process, which requires a public notice. The PGP will be addressed in the Sacramento District's ROD prepared for the PCCP EIS. The PGP, which will likely include limits and thresholds that exceed those found in the Nationwide Permits, would be effective once the local aquatic resources ordinances are approved. An activity determined to be compliant with the HCP/NCCP and ordinances, and the CARP would be authorized under the PGP, assuming all terms and conditions of the PGP are met. The PGP would not impose additional requirements or conditions on individual activities for avoiding, minimizing or compensating for the loss of aquatic resources beyond those required under the HCP/NCCP, CARP, and ordinances. A simple notification to the Sacramento District for individual activities may be necessary; however, the Corps would generally rely on the entities responsible for administering the CARP/ordinances to regularly report to the Sacramento District on use of the ordinances and coverage under the PGP. The ultimate goal of the PGP is to rely heavily on the HCP/NCCP, HCP/NCCP EIS, USFWS's and NMFS's programmatic biological opinions, CARP and the local aquatic resources ordinances, thus eliminating to the maximum extent possible the Sacramento District's review of activities with minimal impacts on waters of the U.S. The PGP would result in CWA 404 authorization in under 30 days.

The PGP would not impose additional requirements or special conditions for avoiding, minimizing or compensating for the loss of aquatic resources.

RGP

For any remaining PCCP covered activities, covered activities conducted by PCWA, and/or activities associated with implementing the HCP/NCCP conservation strategy under the ILF program, with minimal impacts to aquatic resources that do not fall under the PGP, the Sacramento District would establish a RGP(s). Like the PGP, the method for establishing a RGP follows the standard permit process and would be documented in the Sacramento District's ROD. The RGP would have limits and thresholds greater than those found in the Nationwide Permit Program. The RGP would rely on the HCP/NCCP to reduce the Sacramento District's review of activities with minimal impacts on waters of the U.S., and would be designed to not impose additional requirements or special conditions for avoiding, minimizing or compensating for the loss of aquatic resources for individual activities. An activity determined to be compliant with all HCP/NCCP requirements would be authorized under the RGP after the applicant has notified the Sacramento District and the District has verified the activity meets all terms and conditions of the RGP. The RGP is expected to result in CWA 404 authorization in about 30 days.

LOP Procedure

For covered activities found to be consistent with the PCCP requirements which would have more than minimal impacts to aquatic resources but less than significant impacts on the human environment under NEPA, the Sacramento District would institute an abbreviated procedure for issuing LOPs under CWA 404. The process for establishing the LOP procedure requires the development of a list of categories or activities proposed for authorization through coordination with Federal, state and local agencies, a public notice, and a 401 WQC issued or waived on a general or individual basis. The decision to implement the LOP procedures will be addressed in the Sacramento District's ROD. The LOP procedure would streamline the standard permit process by eliminating the need for a public notice and only require the preparation of a simplified decision document that tiers from the PCCP EIS. Further, the LOP procedure would rely on the HCP/NCCP to address avoidance, minimization and requirements for compensatory mitigation for impacts to aquatic resources. For instance, compensatory mitigation requirements should be the same as those in the HCP/NCCP. The goal is to issue LOPs in 60 days or less, assuming programmatic compliance with other laws is in place.

The LOP procedure would rely on the HCP/NCCP to address avoidance, minimization and requirements for compensatory mitigation for impacts to aquatic resources.

establishing the LOP procedure requires the development of a list of categories or activities proposed for authorization through coordination with Federal, state and local agencies, a public notice, and a 401 WQC issued or waived on a general or individual basis. The decision to implement the LOP procedures will be addressed in the Sacramento District's ROD. The LOP procedure would streamline the standard permit process by eliminating the need for a public notice and only require the preparation of a simplified decision document that tiers from

SP Abbreviated Process

A small number of PCCP covered activities requiring CWA 404 will not fall under the PGP, RGP, or LOP procedure and will require a SP. In many cases, these activities are those that may potentially have a significant impact on the human environment and require the preparation of an EIS under NEPA. Even for activities that require a SP, the process and amount of time it takes to reach a permit decision can be compressed significantly by relying on the avoidance, minimization and compensation and other

Off-site alternatives analyses under the Section 404(b)(1) Guidelines would not be required because avoidance has already been addressed at the regional level and compensatory mitigation requirements would align with those of

measures required under the HCP/NCCP. For instance, the degree of analysis in the project EIS would be lessened by tiering from the PCCP EIS, and off-site alternatives analyses under Section 404(b)(1) Guidelines would not be required because avoidance has already been addressed at the regional level and compensatory mitigation requirements would align with those of the HCP/NCCP. In addition, the on-site alternatives analysis under Section 404(b)(1) would focus on evaluating alternative means of applying on-site avoidance and minimization measures required under the HCP/NCCP. Time may further be shortened through the preparation of joint EIS/EIRs for projects. In addition, the Corps would pursue programmatic compliance with ESA, NHPA 106 and CWA 401 to provide for greater assurances and further streamline the process. With reliance on the PCCP EIS and programmatic compliance with related laws, the Corps expects to complete SP decisions for activities under the PCCP within six months.

To complete its CWA 404 Permit Strategy aligned with the HCP/NCCP, the Sacramento District must rely on several sources of information, including a baseline estimate of the location and amount of waters of the U.S. in the PCCP Plan area, the functional or conditional quality of those resources, use of a watershed approach to assess the existing and proposed future condition of the major watersheds within the PCCP Plan Area, a CWA 404 cumulative impact assessment, draft ordinances describing local aquatic resource protection plans, ESA recovery plans for aquatic species, and analysis in the PCCP EIS. For the permit types described above, the Sacramento District would need to complete a CWA 404 jurisdictional determination (JD) for most proposed activity sites, based on an aquatic resources delineation provided by the project proponent, before the applicant submits an application for a CWA 404 permit.

Activities involving a discharge of fill material into waters of the U.S. that are not covered under the PCCP would be subject to the normal Corps' regulatory permit processes.

The Way Forward

As an EIS cooperating agency with significant interest in the success of the PCCP, the Sacramento District will continue to work with the USFWS and NMFS to ensure the PCCP Draft EIS addresses and incorporates the proposed CWA 404 Permit Strategy, including the terms, conditions, limits/thresholds and processes for each permit type described above. Following public input on the Draft EIS, coordination with the Plan Participants, resource agencies and others, and the review of any new information that becomes available, the Sacramento District's approach to streamlined CWA 404 permitting will be updated and included in the Final EIS for the PCCP. With adoption of the EIS, the Sacramento District would then complete a ROD and implement its CWA 404 Permit Strategy. At the implementation phase, the Sacramento District plans to execute a MOU with Placer County and the City of Lincoln to address coordination and permit timelines.

ⁱ See *A Proposed Methodology for a "Regional LEDPA" Determination: Permitting under CWA Section 404 in Western Placer County* (6 April 2006) Tim Vendlinski – USEPA Wetland Regulatory Office. This proposed methodology was premised on and incorporated other references including a description of EPA's Federal Guidelines (40 CFR 230), and the Corps' implementing regulations (33 CFR 323) released by Sylvia Quast at Resources Law Group entitled: *Clean Water Act Section 404 Permit Process For Projects in Western Placer County That Cannot Be Authorized Under The County's Aquatic Resource Plan*; plus the classic treatment of "impact avoidance" published in the journal *Wetlands: Wetlands Protection Through Impact Avoidance: A Discussion of the 404(b)(1) Alternatives Analysis* (Yocom, Leidy, and Morris, 1989).



Placer County HCP/NCCP Programmatic General Permit

U.S. ARMY CORPS OF ENGINEERS

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MINIMAL IMPACT COVERED ACTIVITIES UNDER THE PLACER COUNTY HABITAT CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN

EFFECTIVE:

EXPIRES: (5 years from effective date)

The U.S. Army Corps of Engineers, Sacramento District (Corps), hereby issues a programmatic general permit (PGP) for certain covered activities identified in the Placer County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP), under the Placer County Conservation Program (PCCP), that result in the discharge of dredged and/or fill material into waters of the United States (U.S.) resulting in no more than minimal individual and cumulative impacts.

An activity is verified under the PGP when Placer County or the City of Lincoln approve a local **(NAME OF AUTHORIZATION FROM CARP)**, in compliance with the **DATE**, County Aquatic Resources Program (CARP), implementing ordinances, and all applicable terms and conditions of the HCP/NCCP.

ISSUING OFFICE: U.S. Army Corps of Engineers, Sacramento District

ACTION ID: SPK-2005-00485

AUTHORITY: Section 404 of the Clean Water Act (CWA 404)

LOCATION: The PCCP Plan Area encompasses approximately 270,000 acres within western Placer County and eastern Sutter County. Within western Placer County, the Plan Area is bounded on the north by Nevada and Yuba County, on the east by the City of Auburn and California Highway 49, on the south by Sacramento County, and on the west by Sutter County. With the exception of activities conducted by the Placer County Water Agency (PCWA), the Plan Area in western Placer County excludes the Cities of Auburn, Rocklin, and Roseville and Town of Loomis. Within Sutter County, the Plan Area includes 1,724 acres along the Coon Creek floodplain, and 33 miles of Auburn Ravine, Coon Creek, Cross Canal, and East Side Canal. The Plan Area Boundaries can be seen on the enclosed **2016, Figure 1-1, Plan Area, Placer County Conservation Program – EIS/EIR**, prepared by ICF.

PURPOSE: This PGP is intended to minimize duplication between the implementation of the CARP under Placer County and City of Lincoln implementing ordinances, and the Corps Regulatory Program, for authorization of HCP/NCCP Covered Activities subject to CWA 404 that are substantially similar in nature, and would result in minimal individual and cumulative impacts on the aquatic environment. The PGP is premised on the CARP as implemented under local ordinances, resulting in the same or better level of protection of waters of the U.S. as currently exists under CWA 404. Subject to certain exclusions and conditions, the PGP eliminates the need for project applicants to seek separate review from the Corps for many activities that result in minimal impacts to waters of the U.S., when such activities are authorized by Placer County or the City of Lincoln in compliance with the CARP and implementing ordinances. In addition to reducing duplication with the CARP, the PGP is designed to

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U.S. Army Corps of Engineers, Sacramento District
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www.spk.usace.army.mil/Missions/Regulatory.aspx

expedite review of certain covered activities through other programmatic elements, such as compliance with Section 7 of the federal Endangered Species Act (ESA) and Section 106 of the National Historic Preservation Act (NHPA). The PGP will increase certainty, reduce time, and improve efficiency for project applicants through synergies with processes implemented by local jurisdictions, such as those associated with land use entitlements, while protecting aquatic resources.

BACKGROUND: The PCCP is a regional approach to address issues related to planned development and species habitat conservation, consisting of the HCP/NCCP, CARP, and an In-Lieu Fee (ILF) program. The HCP/NCCP provides coverage for fourteen species of plants and wildlife, including seven that are federally-listed as threatened or endangered. The Plan Permittees consist of Placer County, the City of Lincoln, South Placer Regional Transportation Authority (SPRTA), and PCWA. The U.S. Fish and Wildlife Service's Sacramento Field Office (USFWS) and National Marine Fisheries Service (NMFS) [have approved] the HCP/NCCP through a species incidental take permit (ITP) issued to the PCCP's Plan Permittees under Section 10 of the ESA. The CARP provides a program, implemented by Placer County and the City of Lincoln through local implementing ordinances, to evaluate activities that would impact aquatic resources considered to be waters of the U.S. or waters of the State. The ILF program provides compensatory mitigation for impacts associated with the Covered Activities, through funds paid to Placer County or the City of Lincoln.

ACTIVITIES COVERED: This PGP applies only to HCP/NCCP Covered Activities that would result in minimal individual and cumulative impacts on the aquatic environment, and have been authorized under the CARP. HCP/NCCP Covered Activities are described briefly below and in greater detail in Chapter 2.6 of the HCP/NCCP.

1. **Valley Potential Future Growth (PFG) Area:** Discharges of dredged and/or fill material into waters of the U.S. associated with rural and urban land uses within the Valley PFG area in Plan Area A1, as shown on the 2016, *Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR*. Specific activities included in this PGP within the Valley PFG include those Covered Activities identified in Chapter 2.6, Section 2.6.1 of the HCP/NCCP.

2. **Valley Conservation and Rural Development Area:** Discharges of dredged and/or fill material into waters of the U.S. associated with rural and urban land uses within the Valley Conservation and Rural Development Area in Plan Area A2, as shown on the 2016, *Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR*. Specific activities included in this PGP within the Valley Conservation and Rural Development Area include those Covered Activities identified in Chapter 2.6, Section 2.6.2 of the HCP/NCCP.

3. **Foothills PFG Area:** Discharges of dredged and/or fill material into waters of the U.S. associated with rural and urban land uses within the Foothills PFG area in Plan Area A3, as shown on the 2016, *Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR*. Specific activities included in this PGP within the Foothills PFG include those Covered Activities identified in Chapter 2.6, Section 2.6.3 of the HCP/NCCP.

4. **Foothills Conservation and Rural Development:** Discharges of dredged and/or fill material into waters of the U.S. associated with rural and urban land uses within the Foothills Conservation and Rural Development area in Plan Area A4, as shown on the 2016, *Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR*. Specific activities included in this PGP within the

Foothills PFG include those Covered Activities identified in Chapter 2.6, Section 2.6.4 of the HCP/NCCP.

5. Regional Public Programs: Discharges of dredged and/or fill material into waters of the U.S. associated with rural and urban land uses within Plan Area A or B, as shown on the 2016, *Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR*. Specific activities included in this PGP for Regional Public Programs include those Covered Activities identified in Chapter 2, Section 2.6.5 of the HCP/NCCP.

6. In-Stream Activities: Activities resulting in the discharge of dredged and/or fill material into waters of the U.S. for activities within streams, reservoirs, or on-stream ponds in Plan Area A or B, as shown on the 2016, *Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR*, and as described in Chapter 2, Section 2.6.6 of the HCP/NCCP, including, but not limited to, maintenance activities in the stream channel, along the streambank, and on adjacent waters of the U.S. within the riparian corridor. These activities may include those described in 1 through 5 above.

7. Conservation Programs: Activities resulting in the discharge of dredged and/or fill material into waters of the U.S. associated with implementing the conservation strategy identified in Chapter 5 of the HCP/NCCP in Plan Area A or B, as shown on the 2016, *Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR*, including, but not limited to, habitat enhancement, restoration, creation, translocation, and reserve management, and other activities, as described in Chapter 2, Section 2.6.7 of the HCP/NCCP.

EXCLUSIONS:

1. This PGP may not be used to authorize discharges of dredged and/or fill material into waters of the U.S. for activities that do not require authorization from Placer County or the City of Lincoln under the CARP or implementing ordinances.
2. This PGP may not be used to authorize activities not covered by the HCP/NCCP unless such activities receive coverage pursuant to Section 8.9.6 of the HCP/NCCP.
3. After-the-fact authorizations: This PGP may not be used to authorize activities that resulted in the discharge of dredged or fill material into waters of the U.S. without Department of the Army (DA) authorization.

TERMS OF AUTHORIZATION:

1. Activity Completion: Activities authorized by the Corps under this PGP are valid until the expiration date of the PGP or the expiration date of the CARP authorization issued by Placer County or the City of Lincoln. Activities authorized under this PGP that are under construction, or under contract for construction in reliance upon this authorization, will remain authorized provided the activity is completed within 12 months of expiration of the PGP.
2. Applying for PGP Authorization: Prior to commencing a proposed activity, project applicants seeking authorization under this PGP shall notify Placer County or the City of Lincoln as required in the CARP and implementing ordinances, in accordance with PGP General Condition number 5 (*Notification*).

3. Compliance with Placer County HCP/NCCP Conditions: Activities to be authorized under this PGP must be Covered Activities as identified above and Chapter 2.6 of the HCP/NCCP, and must comply with any applicable terms and conditions contained in the HCP/NCCP, CARP, and implementing ordinances. Project applicants must receive written concurrence from Placer County or the City of Lincoln that the proposed project is eligible for coverage under the HCP/NCCP. Compliance with the HCP/NCCP requires project applicants to implement the applicable and appropriate avoidance and minimization measures contained in Chapter 6 of the HCP/NCCP, and other applicable terms and conditions as contained in the HCP/NCCP.

4. Discretionary Authority: The Corps has the discretion to suspend, modify, or revoke authorizations under this PGP. This discretionary authority may be used by the Corps to further condition or restrict the applicability of the PGP for cases in which it has concerns associated with the Clean Water Act Section 404(b)(1) Guidelines, or regarding any factor of the public interest. Should the Corps determine that a proposed activity may have more than minimal individual or cumulative adverse impacts to waters of the U.S. or otherwise be contrary to the public interest, the Corps will modify the authorization to reduce or eliminate those adverse effects, or notify the project applicant that the proposed activity is not authorized by the PGP and provide instructions on how to apply for authorization under another type of DA permit. Activities not meeting the terms and conditions of this permit may be authorized through another type of permit from the Corps, such as a Nationwide Permit, Regional General Permit, Letter of Permission, or Standard Permit. The Corps will determine on a case-by-case basis, as needed, whether an activity has a more than minimal impact, individually or cumulatively, on the aquatic environment or may be contrary to the public interest. The Corps may restore authorization under the PGP at any time it determines the reason for asserting discretionary authority has been resolved or satisfied by a condition, project modification, or new information. The Corps may also use its discretionary authority to modify, suspend, or revoke the PGP at any time.

5. Avoidance and Minimization: Impacts to waters of the U.S. shall be avoided and minimized to the maximum extent practicable. For purposes of the PGP, notwithstanding the Corps' discretionary authority described above, this term shall be considered satisfied when project applicants have designed and implemented activities to comply with all applicable avoidance and minimization measures contained in both Chapters 5 and 6 of the HCP/NCCP, the CARP, and local implementing ordinances.

6. Impact Thresholds for Losses of Waters of the U.S.: Loss of waters of the U.S. shall be determined using the definition in Section F of the January 6, 2017, Federal Register Notice for *Issuance and Reissuance of Nationwide Permits; Final Rule* (82 FR 1860), which can be found at: http://www.usace.army.mil/Portals/2/docs/civilworks/nwp/2017/nwp2017_final_rule_FR_06jan2017.pdf?ver=2017-01-06-092409-457.

a. Except for as specified in 6(a)(1) through (3), 6(b), and 6(c) below, the loss of waters of the U.S. (including wetlands) resulting from authorization of a single and complete project under this PGP shall not exceed a total of 3.0 acres, and the loss of streambed shall not exceed 500 linear feet of perennial, intermittent, or ephemeral streams, and/or a total of 1,000 linear feet of irrigation or drainage ditch (provided the irrigation or drainage ditch is not a relocated or channelized stream), as verified by the Corps. The acreage of loss of streambed for streams and/or ditches shall be included in the acreage threshold for loss of waters of the U.S.

(1) The loss of vernal pool waters of the U.S., as verified in writing by the Corps, resulting from authorization of a single and complete project under this PGP shall not exceed 1.0 acre.

(2) The loss of irrigated wetlands in existing and active rice fields that are considered to be waters of the U.S., as verified in writing by the Corps, resulting from authorization of a single and complete project under this PGP shall not exceed 3.0 acres.

(3) The loss of all other waters of the U.S. not identified in 6(a)(1) and/or 6(a)(2), as verified in writing by the Corps, resulting from authorization of a single and complete project under this PGP shall not exceed 2.0 acres.

b. No loss of vernal pool waters of the U.S., as verified in writing by the Corps, as a result of a single and complete project, is authorized under this PGP within the Lower American River 8-digit hydrologic unit code (HUC) watershed (HUC 18020111), as identified by the U.S. Geological Survey.

c. The cumulative loss of waters of the U.S. authorized by this PGP shall not exceed 90 acres of waters of the U.S., including wetlands, within the Plan Area. The cumulative loss of vernal pool waters of the U.S. authorized by this PGP shall not exceed 15 acres. Additional restrictions are listed in the General Conditions, below.

7. Single and Complete: The activity must be a single and complete linear or non-linear project, as defined in Section F of the January 6, 2017, Federal Register Notice for *Issuance and Reissuance of Nationwide Permits; Final Rule* (82 FR 1860), which can be found at: http://www.usace.army.mil/Portals/2/docs/civilworks/nwp/2017/nwp2017_final_rule_FR_06jan2017.pdf?ver=2017-01-06-092409-457

8. Section 401 Water Quality Certification: In order for authorization to be valid under this PGP, an approved Section 401 Water Quality Certification (WQC) or waiver thereof is required to be obtained and evidence thereof in possession by Placer County or the City of Lincoln, prior to the commencement of activities authorized by this PGP (see General Condition 10 [*Water Quality Certification*]).

9. Reporting Requirements: Placer County and the City of Lincoln shall submit reports to the Corps documenting usage of the PGP. Reporting will include the activity name, type of HCP/NCCP covered activity, acreage and/or linear feet of permanent and temporary discharges of dredged and/or fill material into waters of the U.S. by aquatic resource type, acreage and/or linear feet of loss of waters of the U.S. by aquatic resource type, and evidence of the permittees fulfillment of CWA 404 compensatory mitigation requirements. Reporting shall be provided on a quarterly basis for Year 1, biannually for Year 2, and annually for Years 3-to-5 of this PGP. For this PGP to be applicable, a memorandum of understanding between the Corps, Placer County, and City of Lincoln will need to be executed to record processing, tracking, and reporting of HCP/NCCP Covered Activities.

GENERAL CONDITIONS:

1. Notification: The prospective project applicant shall submit an application to Placer County or the City of Lincoln in accordance with the procedures specified in the CARP and implementing ordinances. No notification is required to be made to the Corps, except as provided by General Condition 4.

2. Compensatory Mitigation: Compensatory mitigation for impacts to waters of the U.S. shall be accomplished at the ratios specified in the *Compensatory Mitigation Standards* specified in the CARP and implementing ordinances (which mirror requirements contained in the HCP/NCCP), and shall be accomplished by payment into a Corps-approved HCP/NCCP ILF program.
3. Compliance Inspections: The project applicant must allow representatives from the Corps to inspect the authorized activity at any time deemed necessary to ensure that the activity is being, or has been, accomplished in accordance with the terms and conditions of the permit. The Corps will notify the project applicant at least 48 hours advance of an inspection.
4. Threatened and Endangered Species: No activity is authorized under this PGP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal ESA. Activities authorized under this PGP must comply with the mandatory terms and conditions of the USFWS and NMFS [to be sought by initiation for programmatic Section 7 ESA consultation] [programmatic Biological Opinion (BO) for this PGP] (USFWS # ____, dated ____) (copy [to be] attached). The BO contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" authorization under this PGP. Authorization under this PGP is conditional upon your compliance with all of the mandatory terms and conditions of the Biological Opinion. Failure to comply with the terms and conditions of the Biological Opinion would constitute non-compliance with the PGP. The USFWS and NMFS are the appropriate authorities to determine compliance with the terms and conditions of their Biological Opinion, and with the ESA. The project applicant must comply with all applicable conditions of these Biological Opinions, including those ascribed to the Corps.
5. Historic Properties: No activity is authorized under the PGP if the activity may affect historic properties listed, or eligible for listing, in the National Register of Historic Places, until the requirements of Section 106 of the National Historic Preservation Act (NHPA), as amended, have been satisfied. If NHPA compliance is not addressed programmatically, (e.g., by a Programmatic Agreement (PA)), project applicants must notify the Corps if the activity may have the potential to cause effects to any historic properties listed, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, including previously unidentified historic properties. The notification shall consist of the application identified in General Condition 5, and two hard copies and one electronic copy of a cultural resources report meeting the Corps *Guidelines for Compliance with Section 106 of the National Historic Preservation Act of 1966* (http://www.spk.usace.army.mil/Portals/12/documents/regulatory/sec-106-tribal/FINAL_2014-03-24_Section-106-Guidelines.pdf). The Corps will consult with the State Historic Preservation Officer (SHPO), as appropriate, following the policy and procedural standards of 33 CFR Part 325 Appendix C.
6. Permit Transfer: If the property associated with this permit is sold, the permittee shall transfer the verification to the new owner by submitting a letter to Placer County or the City of Lincoln, with a copy provided to the Corps, to validate the transfer. A copy of the CARP authorization must be attached to the letter, and the letter must contain the name and address of the transferee, as well as the following statement and signature of the transferee:

When the structures or work authorized by this programmatic general permit (PGP) are still in existence at the time the property is transferred, the terms and conditions of this PGP, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this PGP

and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(Transferee)

(Date)

7. Wetland and Stream Avoidance and Minimization: Project applicants shall establish wetland and Stream System avoidance and minimization measures as described in the HCP/NCCP, CARP and implementing ordinances. Associated terms of the local CARP and implementing ordinances concerning avoidance and minimization measures, including (but not limited to) land use, allowable uses within the Stream System, exemptions, and waivers shall apply as described in the CARP and implementing ordinances. These terms shall meet or exceed all applicable standards and terms contained within Chapter 6 of the HCP/NCCP.

8. Tribal Rights: No activity or its operation shall impair reserved Tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

9. Discovery of Previously Unknown Remains and Artifacts (or - Unanticipated Cultural Resources Discoveries): If the permittee discovers any previously unknown historic, cultural or archeological remains and/or artifacts while accomplishing the activity authorized by this PGP, the permittee shall immediately notify the Corps of what has been found, and to the maximum extent practicable, shall avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. Notification to the Corps shall include a copy of the CARP authorization issued by Placer County or the City of Lincoln. The Corps will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

10. Water Quality Certification: Water Quality Certification (WQC), or waiver thereof, under Section 401 of the Clean Water Act is required for activities to be authorized by this PGP. The project applicant shall comply with the terms and conditions of any individual or programmatic WQC provided by the State Water Resources Control Board and/or Central Valley Regional Water Quality Control Board.

FURTHER INFORMATION:

1. Congressional Authorities: Section 404 of the Clean Water Act (33 U.S.C. 1344)
2. Limits of this authorization:
 - a. The Corps has authority to determine if an activity complies with the terms and conditions of the PGP.
 - b. This permit does not obviate the need to obtain other federal, state, or local authorizations required by law.
 - c. This permit does not grant any property rights or exclusive privileges.
 - d. This permit does not authorize any injury to the property or rights of others.

e. This permit does not authorize interference with any existing or proposed federal projects.

3. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of the Corps that issuance of this PGP is not contrary to the public interest was made in reliance on the information provided by the HCP/NCCP Plan Permittees.

5. Reevaluation of Permit Decision: The Corps may reevaluate its decision on this PGP at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. The project applicant fails to comply with the terms and conditions of this permit.

b. The information provided by the project applicant in support of a permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which the Corps did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5.

PERMIT DURATION: This PGP is valid for five (5) years from the date of issuance. It will expire on [Day, Month, 20XX]. At least sixty (60) calendar days prior to expiration, the Corps will issue a public notice, with an opportunity for public comment, describing the reasons for reissuing the PGP for another five years with or without modification, or not reissuing the PGP. If the Corps has not reissued the PGP by the expiration date, the PGP will no longer be valid. This PGP may also be modified, suspended, or revoked by the Corps at any time deemed necessary. In such instance, the Corps will issue a public notice concerning the proposed action. Authorizations under this PGP are valid until the permit expires. An activity authorized by this PGP that has commenced, or is under contract to commence, will have 12 months from the date of the PGP expiration to be completed.

CONTACTS AND ADDITIONAL INFORMATION: For additional information about this PGP, please contact the U.S. Army Corps of Engineers, Sacramento District.

This permit becomes effective when the federal official, designated to act for the Secretary of the Army has signed below.

Michael S. Jewell
Chief, Regulatory Division
Sacramento District

Date

DRAFT



Regional General Permit [#]

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG®

Minimal Impact Activities Conducted by Placer County Water Agency under the Placer County Habitat Conservation Plan

EFFECTIVE:

EXPIRES: (5 years from effective)

The U.S. Army Corps of Engineers, Sacramento District (District), hereby issues Regional General Permit (RGP) [#] for the discharge of dredged and/or fill material into waters of the U.S. associated with minimal impact activities conducted by the Placer County Water Agency (PCWA) in accordance with the under the Placer County Habitat Conservation Plan (HCP), and Placer County Aquatic Resources Program (CARP) provided the activities meet all terms and conditions of the RGP.

ISSUING OFFICE: U.S. Army Corps of Engineers, Sacramento District

ACTION ID: SPK-2005-00485

AUTHORITIES: Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

LOCATION: Activities authorized under this RGP would occur within the Placer County Conservation Program (PCCP) Plan Area boundaries. The PCCP Plan Area encompasses approximately 270,000 acres within western Placer County and eastern Sutter County. Within western Placer County, the Plan Area is bounded on the north by Nevada and Yuba County, on the east by the City of Auburn and California Highway 49, on the south by Sacramento County, and on the west by Sutter County. Activities conducted by the Placer County Water Agency (PCWA), also may include activities in the Cities of Auburn, Loomis, Rocklin, and Roseville. Within Sutter County, the Plan Area includes 1,724 acres along the Coon Creek floodplain, and 33 miles of Auburn Ravine, Coon Creek, Cross Canal, and East Side Canal. The Plan Area Boundaries can be seen on the enclosed 2016, Figure 1-1, Plan Area, Placer County Conservation Program – EIS/EIR, prepared by ICF.

ACTIVITIES COVERED: This RGP authorizes the discharge of dredged and/or fill material into waters of the U.S. associated with construction, maintenance, expansion, or operational activities conducted by PCWA, provided the activities comply with the HCP and CARP. This RGP authorizes only those activities that require a permit under Section 404 of the Clean Water Act (i.e. would result in a discharged of dredged and/or fill material into waters of the U.S. and/or the activity would not be exempt under Section 404(f) of the Clean Water Act). Activities authorized include:

1. Utility lines: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of utility lines.
2. Water Treatment Plants: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of water treatment plants.
3. Energy Supply: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of power plants or generators.
4. Metering Stations: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of metering stations.
5. Water Storage Tanks: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of water storage tanks.
6. Intake and Water Diversion Structures: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of intake structures and water diversion structures.
7. Outfall Structures: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of outfall structures.
8. Water Systems Facilities Center: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of water systems facilities centers. Structures associated with a facilities center include, but are not limited to warehouses, fabrication shops, crew buildings, administration buildings, vehicle/equipment wash areas, fuel stations, and associated infrastructure, including utilities, parking areas, and access roads/driveways.
9. Corporation Yards: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of corporation yards. Structures associated with a corporation yard include, but are not limited to, warehouses, lay-down areas for storage, and associated infrastructure, including utilities, parking areas, and access roads/driveways.
10. Pump Stations: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of pump stations.

11. Wells: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of water supply wells.
12. Bank Stabilization: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction or maintenance of bank stabilization within the immediate vicinity of any in-stream structures or fills associated with producing or providing water to residents and businesses of Placer County.
13. Sediment and Debris Removal: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the removal of sediment from streams, reservoirs, canals, ditches, or other waters of the U.S. within 200 feet from water supply structures or fills managed by PCWA.
14. Access and Staging: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of access and staging areas.
15. Canals and Ditches: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, lining, expansion, maintenance, or operation of water supply canals or ditches.
16. Berm Maintenance: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of reservoir and canal berms.
17. Linear Transportation Projects: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of linear transportation projects associated with water supply projects.
18. Minor Discharges: Permanent or temporary discharges of dredged and/or fill material into waters of the U.S. for the construction, expansion, maintenance, or operation of other structures, fills, or facilities not specifically listed above, associated with producing or providing water to residents and businesses of Placer County, as identified in the HCP/NCCP.

EXCLUSIONS:

1. This RGP may not be used to authorize discharges of dredged and/or fill material into waters of the U.S. for activities that are not conducted by PCWA.
2. This RGP may not be used to authorize activities not covered by the HCP/NCCP as identified in Chapter 2 of the HCP/NCCP.

3. After-the-fact authorizations: This RGP may not be used to authorize activities that resulted in the discharge of dredged or fill material into waters of the U.S. without Department of the Army (DA) authorization.

TERMS:

1. Activity Completion: Activities authorized by the Corps under this RGP are valid until the expiration date of the RGP or the expiration date of the CARP authorization issued by Placer County or the City of Lincoln. Activities authorized under this RGP that are under construction, or under contract for construction in reliance upon this authorization, will remain authorized provided the activity is completed within 12 months of expiration of the RGP.

2. Applying for RGP Authorization: Prior to commencing a proposed activity, PCWA shall submit a complete pre-construction notification containing the information identified in *Procedures*.

3. Compliance with Placer County HCP Conditions: Activities to be authorized under this RGP must be Covered Activities as identified in Chapter 2 of the HCP, and must comply with any applicable terms and conditions contained in the HCP and this RGP. Project applicants must provide information to support a determination that the proposed project is eligible for coverage under the HCP to the Corps with the notification required in General Condition 14. Compliance with the HCP requires PCWA to implement the applicable and appropriate avoidance and minimization measures contained in Chapter 6 of the HCP, and other applicable terms and conditions as contained in the HCP.

4. Discretionary Authority: The Corps has the discretion to suspend, modify, or revoke authorizations under this RGP. This discretionary authority may be used by the Corps to further condition or restrict the applicability of the RGP for cases in which it has concerns associated with the Clean Water Act Section 404(b)(1) Guidelines, or regarding any factor of the public interest. Should the Corps determine that a proposed activity may have more than minimal individual or cumulative adverse impacts to aquatic resources or otherwise be contrary to the public interest, the Corps will modify the authorization to reduce or eliminate those adverse effects, or notify the project applicant that the proposed activity is not authorized by the RGP and provide instructions on how to apply for authorization under another type of DA permit. Activities not meeting the terms and conditions of this permit may be authorized through another type of permit from the Corps, such as a NWP, LOP or Standard Permit. The Corps will determine on a case-by-case basis, as needed, whether an activity has a more than minimal impact, individually or cumulatively, on the aquatic environment or may be contrary to the public interest. The Corps may restore authorization under the RGP at any time it determines the reason for asserting discretionary authority has been resolved or satisfied by a condition, project modification, or new information. The Corps may also use its discretionary authority to modify, suspend, or revoke the RGP at any time.

5. Avoidance and Minimization: Impacts to waters of the U.S. shall be avoided and minimized to the maximum extent practicable. For purposes of the RGP, notwithstanding the Corps' discretionary authority described above, this term shall be considered satisfied when project applicants have designed and implemented activities to comply with all applicable avoidance and minimization measures contained in Chapter 6 of the HCP.

6. Impact Thresholds for Losses of Waters of the U.S.: Loss of waters of the U.S. shall be determined using the definition in Section F of the January 6, 2017, Federal Register Notice for *Issuance and Reissuance of Nationwide Permits; Final Rule* (82 FR 1860), which can be found at:

http://www.usace.army.mil/Portals/2/docs/civilworks/nwp/2017/nwp2017_final_rule_FR_06jan2017.pdf?ver=2017-01-06-092409-457

a. The loss of waters of the U.S. (including wetlands) resulting from authorization of a single and complete project under this RGP shall not exceed a total of 0.25 acres, and the loss of streambed shall not exceed 300 linear feet of perennial, intermittent, or ephemeral streams, and/or a total of 1,000 linear feet of irrigation, water supply, or drainage ditch or canal (provided the ditch or canal is not a relocated or channelized stream, as verified by the Corps), unless the district waives the linear foot requirement by making a written determination concluding the discharge will result in no more than minimal individual or cumulative effects. The acreage of loss of streambed for streams, ditches, and/or canals shall be included in the acreage threshold for loss of waters of the U.S.

b. Bank stabilization activities are limited to no more than 500 feet in length along the bank of perennial, intermittent, or ephemeral streams and no more than 1,000 feet in length along the bank of irrigation, water supply, or drainage ditches or canals (provided the ditch or canal is not a relocated or channelized stream, as verified by the Corps), unless the District waives this requirement by making a written determination concluding the discharge will result in no more than minimal individual or cumulative effects.

c. The cumulative loss of waters of the U.S. authorized under this RGP shall not exceed 3 acres of waters of the U.S., including wetlands, within the Plan Area. The cumulative loss of vernal pool waters of the U.S. authorized by this RGP shall not exceed 1 acre. Additional restrictions are listed in the General Conditions, below.

7. Single and Complete: The activity must be a single and complete linear or non-linear project, as defined in the Section F of the January 6, 2017, Federal Register Notice for *Issuance and Reissuance of Nationwide Permits; Final Rule* (82 FR 1860), which can be found at:

http://www.usace.army.mil/Portals/2/docs/civilworks/nwp/2017/nwp2017_final_rule_FR_06jan2017.pdf?ver=2017-01-06-092409-457

8. Section 401 Water Quality Certification: In order for authorization to be valid under this RGP, an approved Section 401 Water Quality Certification (WQC) or waiver thereof is

required to be obtained and provided to the Corps prior to the commencement of activities authorized by this RGP (see General Condition 10 [*Water Quality Certification*]).

9. Reporting Requirements: PCWA shall submit annual post-construction reports to the Corps documenting all activities covered under the RGP that were completed the previous year. The reports shall be submitted no later than January 30, and contain documentation related to activities completed between January 1 and December 31 of the previous year. The reports shall include: (a) the activity name; (b) DA permit number; (c) type of HCP covered activity; (d) a full description of the work in waters of the U.S. that was completing, including acreage and/or linear feet of permanent and temporary discharges of dredged and/or fill material into waters of the U.S. (by aquatic resource type) and acreage and/or linear feet of loss of waters of the U.S. (by aquatic resource type); (e) evidence of PCWA's fulfillment of any CWA 404 compensatory mitigation requirements required by the RGP verification issued by the Corps, and (f) the cumulative acreage and/or linear feet loss of waters of the U.S. and loss of stream bed that has occurred under the RGP since issuance.

10. Special conditions: The District may add special conditions to an authorization to ensure the activity complies with the terms and conditions of the RGP, and adverse impacts are individually and cumulatively minimal.

GENERAL CONDITIONS:

1. Notification: PCWA shall provide written notification (i.e., a complete application and associated documentation) for a proposed activity to be authorized under the RGP prior to commencing the activity. PCWA shall submit a pre-construction notification package for all covered activities. No discharge of dredged and/or fill material into waters of the U.S. shall commence until the Corps has provided written verification the activity is authorized under this RGP.

2. Avoidance and Minimization Measures: You shall comply with all avoidance and minimization measures, terms, and other conditions as identified in Chapter 6 of the HCP. You shall ensure impacts to waters of the U.S. within and adjacent to the stream system are avoided and minimized to the maximum extent practicable.

3. Compensatory Mitigation: Compensatory mitigation for impacts to waters of the U.S. shall be accomplished at the ratios specified in the HCP, and shall be accomplished by payment into a Corps-approved PCCP in-lieu fee (ILF) program. Any compensatory mitigation requirements will be specifically identified in the RGP verification issued by the Corps for the single and complete project.

4. Bed and Bank Stabilization: All bank stabilization activities shall involve either the sole use of native vegetation or other bioengineered design techniques (e.g. willow plantings, root wads, large woody debris, etc.), or a combination of hard-armoring (e.g. rip-rap) and native vegetation or bioengineered design techniques, unless specifically determined to be

impracticable by the Corps. For projects that would involve hard armoring or the placement of any non-vegetated or non-bioengineered technique below the ordinary high water mark of waters of the U.S., the notification required in General Condition 14 must include information on why the sole use of vegetated techniques is not practicable.

5. Equipment: Heavy equipment working in wetlands shall be placed on mats, or other measures such as low-ground pressure equipment, to minimize soil disturbance shall be taken. Information regarding methods to minimize soil disturbance shall be submitted with the pre-construction notification.

6. Fills within 100-Year Floodplains: The activity shall comply with applicable FEMA-approved state or local floodplain management requirements.

7. Limits of Disturbance: PCWA shall clearly identify the limits of disturbance in the field with highly visible markers (e.g. construction fencing, flagging, silt barriers, etc.) prior to commencing construction activities in waters of the U.S. PCWA shall maintain such identification properly until construction is completed and the soils have been stabilized. PCWA is prohibited from any activity (e.g. equipment usage or materials storage) that may impact waters of the U.S. outside of the permit limits (as shown on the permit drawings).

8. Management of Water Flows: The pre-construction course, condition, capacity, and location of open waters shall be maintained to the maximum extent practicable, unless determined impracticable by the Corps. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration project). The District Engineer will determine the need for appropriate and practicable compensatory mitigation necessary to ensure that adverse effects on the aquatic environment are minimal. If compensatory mitigation is determined necessary, mitigation proposals are required to be prepared in accordance with 33 CFR Part 332.

9. Migratory Bird Breeding Areas: Activities in waters of the U.S. that serve as breeding areas for migratory birds shall be avoided to the maximum extent practicable.

10. Sediment Removal: The removal of sediment shall be limited to the minimum necessary to restore the waterway in the vicinity of a structure to the approximate dimensions that existed when the structure was built, but shall not extend farther than 200 feet in any direction from the structure. This 200 foot limit does not apply to maintenance dredging to remove accumulated sediments blocking or restricting outfall and intake structures or to maintenance dredging to remove accumulated sediments from canals associated with outfall and intake structures. All dredged or excavated materials must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the Corps.

11. Suitable Fill: No discharge of dredged or fill material shall consist of unsuitable material and material discharged shall be free from toxic pollutants in toxic amounts (section 307 of the Clean Water Act). Fill material shall be clean and free of contaminants and noxious plants. Fresh cement or concrete is not allowed in waters unless it is placed in sealed forms. Unsuitable fill material includes vehicle bodies, farm machinery, appliances and other metal objects, asphalt, biodegradable construction debris and tires, concrete with exposed rebar.

12. Utility Lines: All utility lines shall be constructed in accordance with the following:

a. Directional drilling, clear span, or other techniques that do not contact the waterbody shall be used if the waterbody contains perennial or intermittent flows, unless determined impracticable by the Corps.

b. PCWA shall ensure the construction of utility lines does not result in draining any water of the U.S., including wetlands. This may be accomplished through the use of clay blocks, bentonite, or other suitable material (as approved by the Corps) to seal the trench. For utility line trenches, during construction, PCWA shall remove and stockpile, separately, the top 6-12 inches of topsoil. Following installation of the utility line(s), PCWA shall replace the stockpiled topsoil on top and seed the area with native vegetation.

c. All disturbed areas immediately adjacent to and within 25 feet of waters of the U.S., including unprotected slopes and stream banks, shall be stabilized (e.g., blanketed and seeded) immediately upon completion of the utility line construction in any segment of the project. In no case shall soil stabilization be delayed until the entire utility line is completed.

d. Temporarily disturbed construction areas must be restored to pre-construction conditions, including grading to original contours and revegetating (with native vegetation or other appropriate vegetation approved by the District) within 30 days following completion of the discharge of dredged and/or fill material into waters of the U.S. authorized by this RGP. A restoration plan, which includes a contour topographic map, shall be submitted with the pre-construction notification required in General Condition 1.

13. Aquatic Life Movements: The following criteria shall apply to all linear transportation crossings (e.g. roads, trails, bridges, culverts) of perennial, intermittent, or ephemeral streams:

a. For all activities in waters of the U.S. that are suitable habitat for Federally-listed fish species, including designated critical habitat for such species, PCWA shall design all new or substantially reconstructed linear transportation crossings (e.g. roads, bridges, culverts) to ensure that the passage and/or spawning of fish is not hindered. In these areas, PCWA shall employ bridge designs that span the stream or river, including pier-or pile-supported spans, or designs that use a bottomless arch culvert with a natural stream bed;

b. Linear transportation crossings shall be constructed to maintain the pre-construction course, condition, capacity, and location of open waters, unless it can be demonstrated by PCWA, and the Corps' concurs, that the activity would result in a net increase in aquatic resource functions and services. For areas containing existing linear transportation crossings, the pre-construction course, condition, capacity, and location of open waters shall be determined based on the upstream and downstream portions of the open waters.

c. Unless determined to be not practicable by the Corps, all linear transportation crossings proposed to be replaced shall be designed to the approximate bankfull width and depth of upstream and downstream open waters.

d. All bank stabilization activities shall comply with General Condition 4.

14. **Work in Standing or Flowing Waters:** No construction activities shall occur within standing or flowing waters, unless determined to be not practicable or appropriate by the Corps. For intermittent or ephemeral streams, this may be accomplished through construction during the dry season. In perennial streams, this may be accomplished through dewatering of the work area. Any proposed dewatering plan must be approved, in writing, by the Corps prior to commencing construction activities; and

15. **Compliance Inspections:** PCWA must allow representatives from the Corps to inspect the authorized activity at any time deemed necessary to ensure that the activity is being, or has been, accomplished in accordance with the terms and conditions of the permit. The Corps will notify PCWA at least 48 hours advance of an inspection.

16. **Threatened and Endangered Species:** No activity is authorized under this RGP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal ESA. Activities authorized under this RGP must comply with the mandatory terms and conditions of the USFWS and NMFS [*to be sought by initiation for programmatic Section 7 ESA consultation*] [programmatic Biological Opinion (BO) for this RGP] (USFWS #____, dated ____) (copy [to be] attached). The BO contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" authorization under this RGP. Authorization under this RGP is conditional upon your compliance with all of the mandatory terms and conditions of the Biological Opinion. Failure to comply with the terms and conditions of the Biological Opinion would constitute non-compliance with the RGP. The USFWS and NMFS are the appropriate authorities to determine compliance with the terms and conditions of their Biological Opinion, and with the ESA. The project applicant must comply with all applicable conditions of these Biological Opinions, including those ascribed to the Corps.

17. Historic Properties: No activity is authorized under the RGP if the activity may affect historic properties listed, or eligible for listing, in the National Register of Historic Places, until the requirements of Section 106 of the National Historic Preservation Act (NHPA), as amended, have been satisfied. If NHPA compliance is not addressed programmatically, (e.g., by a Programmatic Agreement (PA)), project applicants must notify the Corps if the activity may have the potential to cause effects to any historic properties listed, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, including previously unidentified historic properties. The notification shall consist of the application identified in General Condition 5, and two hard copies and one electronic copy of a cultural resources report meeting the Corps *Guidelines for Compliance with Section 106 of the National Historic Preservation Act of 1966* (http://www.spk.usace.army.mil/Portals/12/documents/regulatory/sec-106-tribal/FINAL_2014-03-24_Section-106-Guidelines.pdf). The Corps will consult with the State Historic Preservation Officer (SHPO), as appropriate, following the policy and procedural standards of 33 CFR Part 325 Appendix C.

18. Permit Transfer: If the property associated with this permit is sold, PCWA shall transfer the verification to the new owner by submitting a letter to Placer County or the City of Lincoln, with a copy provided to the Corps, to validate the transfer. A copy of the CARP authorization must be attached to the letter, and the letter must contain the name and address of the transferee, as well as the following statement and signature of the transferee:

When the structures or work authorized by this programmatic general permit (RGP) are still in existence at the time the property is transferred, the terms and conditions of this RGP, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this RGP and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(Transferee)

(Date)

19. Wetland and Stream Setbacks: Project applicants shall establish wetland and stream setback and avoidance and minimization as described in the CARP and implementing ordinances. Associated terms of the local CARP ordinances concerning setbacks, including (but not limited to) land use, allowable uses within setbacks, exemptions, and waivers shall apply as described in the CARP and implementing ordinances. These terms shall meet or exceed all applicable standards and terms contained within Chapter 6 of the HCP.

20. Tribal Rights: No activity or its operation shall impair reserved Tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

21. Discovery of Previously Unknown Remains and Artifacts (or - Unanticipated Cultural Resources Discoveries): If PCWA discovers any previously unknown historic, cultural or archeological remains and/or artifacts while accomplishing the activity authorized by this RGP, PCWA shall immediately notify the Corps of what has been found, and to the maximum extent practicable, shall avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. Notification to the Corps shall include a copy of the CARP authorization issued by Placer County or the City of Lincoln. The Corps will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Water Quality Certification: Water Quality Certification (WQC), or waiver thereof, under Section 401 of the Clean Water Act is required for activities to be authorized by this RGP. The project applicant shall comply with the terms and conditions of any individual or programmatic WQC provided by the State Water Resources Control Board and/or Central Valley Regional Water Quality Control Board.

PROCEDURES:

1. PCWA may choose to request a pre-application meeting with the Corps and other resource agencies prior to submittal of a pre-construction notification. To request a pre-application meeting, please contact the District office listed in the "Contacts" section of this document. A request for a pre-application meeting should contain the project name, type of project, county, approximately acreage of impacts to waters of the U.S., the contact name, company name, and telephone number.

2. PCWA shall submit a pre-construction notification (PCN) consisting of a written request for verification under this RGP. The PCN shall contain the following information in order to be considered complete:

a. A letter or a completed Department of the Army Permit Application Form (ENG 4345), requesting authorization under the RGP.

b. The applicable Covered Activity as identified in the HCP.

c. A complete description of the proposed activity, including

(1) The activities purpose;

(2) Direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of each type of waters of the U.S. expected to result from the proposed activity, in acres and, if applicable, linear feet;

(3) The amount (in cubic yards) and type of fill material proposed to be discharged into each type of water of the U.S.; and

(4) The amount (in acres) and length (in linear feet) of each type of waters of the U.S. to be permanently filled and the amount and length of each type of waters of the U.S. to be temporarily filled. For waters of the U.S. to be temporarily filled, the approximate length of time the waters of the U.S. would be filled before restoration to pre-construction contours and conditions would occur;

d. The location of the activity (with latitude and longitude)

e. A brief narrative describing how the proposed activity would comply with all General Conditions of this RGP, or a statement that the General Condition does not apply or, for General Conditions 3 and 7, a description of why compliance with the General Condition is not practicable.

f. For each applicable avoidance and minimization measure identified in Chapter 6 of the HCP, a brief narrative describing how the activity would comply with each measures. Specifically, the narrative should describe how the proposed activity is in compliance with Avoidance and Minimization Measures associated with an aquatic resource as specified in the HCP.

g. A written statement explaining how the activity has been designed to avoid and minimize adverse effects, both temporary and permanent, to waters of the U.S. to the maximum extent practicable.

h. For all dewatering activities that propose structures or fill in waters of the U.S. that require authorization from the Corps:

(1) The proposed methods for dewatering

(2) The equipment that would be used to conduct dewatering

(3) The length of time the area is proposed to be dewatered

(4) The area (in acres) and length (in linear feet) of waters of the U.S. of the dewatering structure and/or fill;

(5) The method for removal of the dewatering structure and/or fill; and

(6) The method for restoration of the waters of the U.S. affected by the structure or fill following construction

i. For all temporary discharge of dredged and/or fill material into waters of the U.S.:

(1) The reason(s) why avoidance of temporary fill in waters of the U.S. is not practicable;

(2) A description of the proposed temporary fill, including the type and amount (in cubic yards) of material to be placed;

(3) The area (in acres) of waters of the U.S. and, for drainages (e.g. natural or relocated streams, creeks, rivers), the length (in linear feet) where the temporary fill is proposed to be placed; and

(4) A proposed plan for restoration of the temporary fill area to pre-project contours and conditions, including a plan for the re-vegetation of the temporary fill area, if vegetation would be removed or destroyed by the proposed temporary fill;

j. For linear transportation crossings that propose to alter the pre-construction course, condition, capacity or location of open waters, the PCN shall include sufficient justification to determine that the proposed activity would result in a net increase in aquatic resource functions and services. Functions and services to be considered in the justification include, but are not limited to: short- or long-term surface water storage, subsurface water storage, moderation of groundwater flow or discharge, dissipation of energy, cycling of nutrients, removal of elements and compounds, retention of particulates, export of organic carbon, and maintenance of plant and animal communities.

k. For replacement linear transportation crossings that would result in a reduction in the pre-construction bankfull width and depth of open waters of the U.S. at the crossing, as compared to the upstream and downstream open waters:

(1) Information on why it is not practicable to approximate the pre-construction bankfull width of the upstream and downstream open waters, and;

(2) Sufficient justification to determine that the reduction in the pre-construction bankfull width would result in a net increase in aquatic resource functions and services. Functions and services to be considered in the justification include, but are not limited to: short- or long-term surface water storage, subsurface water storage, moderation of groundwater flow or discharge, dissipation of energy, cycling of nutrients, removal of elements and compounds, retention of particulates, export of organic carbon, and maintenance of plant and animal communities.

l. A written statement identifying the compensatory mitigation proposed for the loss of each type of water of the U.S.

m. Project Figures:

(1) A vicinity map clearly depicting the location of the proposed activity.

(2) A plan-view, and cross-section view drawing, clearly depicting the location, size, and dimensions of the proposed permanent or temporary discharge of fill material into waters of the U.S., and the location of all waters of the U.S. on-site. The drawings shall contain a title block, legend and scale, amount (in cubic yards) and area (in acres) of fill in Corps jurisdiction, including both permanent and temporary fills/structures. The ordinary high water mark should be shown (in feet) based on National Geodetic Vertical Datum (NGVD) or other appropriate referenced elevation.

(3) All drawings shall be prepared in accordance with the South Pacific Division February 2016, *Updated Map and Drawing Standards for the South Pacific Division Regulatory Program*, or most recent update (available on the South Pacific Division website at: <http://www.spd.usace.army.mil/Missions/Regulatory/PublicNoticesandReferences.aspx/>)

n. Numbered and dated pre-project color photographs showing a representative sample of waters proposed to be impacted on the site, and all waters of the U.S. proposed to be avoided on and immediately adjacent to the project site. The compass angle and position of each photograph shall be identified on the plan-view drawing(s) required in subpart b of this Regional Condition;

o. A delineation of waters of the U.S., including wetlands, for the project site. Wetlands shall be delineated using the Corps 1987 Wetland Delineation Manual and 2008 Arid West Region Regional Supplement, or most recent manual in effect at the time of the proposal. The delineation report shall be conducted in accordance with the Sacramento District's Minimum Standards for Acceptance of Aquatic Resources Delineation Reports (available at [http://www.spk.usace.army.mil/Portals/12/documents/regulatory/jd/minimum-standards/Minimum Standards for Delineation with Template-final.pdf](http://www.spk.usace.army.mil/Portals/12/documents/regulatory/jd/minimum-standards/Minimum_Standards_for_Delineation_with_Template-final.pdf)), or updated standards adopted by the Sacramento District, unless specifically waived by the Sacramento District;

p. Two hard copies and one electronic copy of a cultural resources report meeting the Corps *Guidelines for Compliance with Section 106 of the National Historic Preservation Act of 1966* (http://www.spk.usace.army.mil/Portals/12/documents/regulatory/sec-106-tribal/FINAL_2014-03-24_Section-106-Guidelines.pdf).

q. For any proposals to waive the linear foot limits identified in *Term 6(a)* and *6(b)*, the PCN shall contain information on why the proposed activity would result in no more than minimal individual or cumulative effects, including the following:

(1) A narrative description of the stream. This should include known information on: volume and duration of flow; the approximate length, width, and depth of the waterbody and characteristics observed associated with an Ordinary High Water Mark (e.g. bed and bank, wrack line or scour marks); a description of the adjacent vegetation community and a

statement regarding the wetland status of the adjacent areas (i.e. wetland, non-wetland); surrounding land use; water quality; issues related to cumulative impacts in the watershed, and; any other relevant information;

(2) An analysis of the proposed impacts to the waterbody, in accordance with Procedure 2(a);

(3) Measures taken to avoid and minimize losses to waters of the U.S., including other methods of constructing the proposed activity(s); and

(4) A compensatory mitigation plan describing how the unavoidable losses are proposed to be offset, in accordance with 33 CFR 332.

3. Within 15-days following receipt of the PCN, the Corps will notify PCWA via letter or email if:

a. The proposed activity may qualify for authorization under the RGP;

b. The PCN is complete; and

c. If consultation under Section 7 of the ESA, Section 305(b)(4)(b) of the Magnuson-Stevens Fisheries Conservation and Management Act and/or Section 106 of the National Historic Preservation Act is required.

If the proposed activity does not qualify for authorization under the RGP, the notification will identify specific modifications necessary for the proposed activity to qualify for authorization under the RGP, and/or instructions on how to apply for authorization under a different permit. If the PCN is not complete, the notification will specifically identify the additional information required to be submitted.

4. Within 30-days following receipt of a complete PCN, the Corps will initiate any required consultations under Section 7 of the ESA, Section 305(b)(4)(B) of the Magnuson-Stevens Fisheries Conservation and Management Act, and/or Section 106 of the National Historic Preservation Act.

5. Within 15-days following completion of required consultations identified in 4, or, if consultation is not required, within 30-days following receipt of a complete PCN, the Corps will notify PCWA via letter if the activity is authorized under this RGP, subject to the terms and conditions of the authorization.

6. No work may proceed under the authority of this RGP until PCWA has been notified, in writing, by the Corps that the activity is authorized.

FURTHER INFORMATION:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to: Section 404 of the Clean Water Act (33 U.S.C. 1344), and/or Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other federal, state, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed federal projects.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where

appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. The permit duration, as described above, establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Activities not meeting the terms and conditions of this permit may be authorized through another type of permit from the Corps, such as a Nationwide Permit or Letter of Permission. The Corps will determine on a case-by-case basis whether an activity has a more than minimal impact, individually or cumulatively, on the aquatic environment or may be contrary to the public interest. The Corps may include additional special conditions to a verification under this permit to ensure the activity has minimal impact.

PERMIT DURATION: This permit is valid for **five** years from issuance, and will expire on **[DATE-same as above]**. The Corps may re-evaluate the terms and conditions of this permit at any time it deems necessary to protect the public interest. This permit may be re-issued, after public notice and documentation of the decision. **Activities under this permit must be verified in writing by the Corps. Verifications are valid until the permit expires.**

CONTACTS AND ADDITIONAL INFORMATION: For additional information about this RGP, please contact the U.S. Army Corps of Engineers, Sacramento District.

This permit becomes effective when the federal official, designated to act for the Secretary of the Army has signed below.

Michael S. Jewell
Chief, Regulatory Division
Sacramento District

Date



Placer County HCP/NCCP Letter of Permission Procedure

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG®

COVERED ACTIVITIES UNDER THE PLACER COUNTY HABITAT CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN WITH LESS THAN SIGNIFICANT IMPACT

DATE:

ACTION ID: SPK-2005-00485

AUTHORITY: 33 CFR 325.2(e)(1)(ii).

LOCATION: The Placer County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) Plan Area encompasses approximately 270,000 acres within western Placer County and eastern Sutter County. Within western Placer County, the Plan Area is bounded on the north by Nevada and Yuba County, on the east by the City of Auburn and California Highway 49, on the south by Sacramento County, and on the west by Sutter County. With the exception of activities conducted by the Placer County Water Agency (PCWA), the Plan Area in western Placer County excludes the Cities of Auburn, Rocklin, and Roseville, and Town of Loomis. Within Sutter County, the Plan Area includes 1,724 acres along the Coon Creek floodplain, and 33 miles of Auburn Ravine, Coon Creek, Cross Canal, and East Side Canal. The Plan Area Boundaries can be seen on the enclosed 2016, *Figure 1-1, Plan Area, Placer County Conservation Program – EIS/EIR*, prepared by ICF.

PURPOSE: The U.S. Army Corps of Engineers, Sacramento District (Corps) is establishing a Letter of Permission (LOP) procedure to efficiently authorize HCP/NCCP Covered Activities which involve discharges of dredged or fill material into waters of the United States (U.S.) under Section 404 of the Clean Water Act (CWA 404) with more than minimal but less than significant impacts on the aquatic environment. The HCP/NCCP LOP Procedure is an optional abbreviated permit process available to all applicants for Department of the Army (DA) permits for activities meeting the criteria and conditions described in this notice. If the proposed activity does not meet LOP criteria or the applicant chooses not to use this process, the activity may be authorized under a different permit type or procedure.

BACKGROUND: In accordance with Title 33 of the Code of Federal Regulations (CFR) Part 325, district engineers are authorized to use alternative procedures, including LOPs, to authorize activities under the Corps Regulatory Program. LOPs are a type of permit issued through an abbreviated processing procedure which includes coordination with Federal and state fish and wildlife agencies, as required by the Fish and Wildlife Coordination Act, and a public interest evaluation, but without the publishing of an individual public notice.

The Placer County Conservation Program (PCCP) is a regional approach to address issues related to planned development and species habitat conservation, consisting of the HCP/NCCP, County Aquatic Resources Program (CARP), and an In-Lieu Fee (ILF) program. The HCP/NCCP provides coverage for fourteen species of plants and wildlife, including seven that are federally-listed as threatened or

endangered. The Plan Permittees consist of Placer County, the City of Lincoln, South Placer Regional Transportation Authority (SPRTA), and PCWA. The U.S. Fish and Wildlife Service's Sacramento Field Office (USFWS) and National Marine Fisheries Service (NMFS) [have approved] the HCP/NCCP through a species incidental take permit (ITP) issued to the PCCP's Plan Permittees under Section 10 of the ESA. The CARP provides a program, implemented by Placer County and the City of Lincoln through local implementing ordinances, to evaluate activities that would impact aquatic resources considered to be waters of the U.S. or waters of the State. The ILF program provides compensatory mitigation for impacts associated with the Covered Activities, through funds paid to Placer County or the City of Lincoln.

PROPOSED CATEGORIES OF ACTIVITIES: This LOP procedure applies only to HCP/NCCP Covered Activities that (1) have been approved by Placer County or the City of Lincoln, in compliance with the HCP/NCCP and the **DATE**, CARP and implementing ordinances, or (2) are being conducted by SPRTA or PCWA in compliance with the HCP/NCCP, CARP and implementing ordinances. HCP/NCCP Covered Activities are described briefly below, and in greater detail in Chapter 2.6 of the HCP/NCCP.

Activities to be authorized under a LOP following the procedure described herein must be HCP/NCCP Covered Activities and comply with any applicable terms and conditions contained in the HCP/NCCP, CARP, and implementing ordinances. Applicants must receive a consistency determination from Placer County, the City of Lincoln, SPRTA, or PCWA that the proposed project is covered under the HCP/NCCP. Compliance with the HCP/NCCP requires applicants to implement the applicable and appropriate avoidance and minimization measures contained in Chapter 6 of the HCP/NCCP and in the CARP, as well as any other applicable terms and conditions as contained in the HCP/NCCP and CARP.

A LOP will be issued only for those activities which meet all of the procedures and criteria identified in this notice, including the general conditions, and which do not result in a potentially significant impact(s) on the human environment. The Corps reserves the use of its discretionary authority to determine that an activity may be authorized under a LOP, to add special conditions to LOP authorizations, or to determine that an activity may not be authorized by a LOP and will instead require authorization under another permit type.

For a HCP/NCCP Covered Activity to be authorized under an LOP following this procedure, impacts to waters of the U.S. shall be avoided and minimized to the maximum extent practicable. For purposes of the procedure, notwithstanding the Corps' discretionary authority described above, avoidance and minimization requirements shall be considered to be primarily satisfied when applicants have designed and implemented activities to comply with all applicable avoidance and minimization measures contained in both Chapter 6 of the HCP/NCCP and the CARP and implementing ordinances.

To qualify for a LOP under this procedure; activities must meet the following criteria:

1. The proposed activity does not result in a potentially significant impact(s) on the human environment that requires preparation of an environmental impact statement (EIS) under the National Environmental Policy Act (NEPA).

2. Compensatory mitigation for impacts to waters of the U.S. shall be accomplished at the ratios specified in Chapter 5 of the HCP/NCCP and Chapter 6.2.3 of the CARP HCP/NCCP, and shall be accomplished by payment into a Corps-approved HCP/NCCP in-lieu fee (ILF) program.

Covered Activities under the HCP/NCCP: The following HCP/NCCP Covered Activities, described in greater detail in Chapter 2 of the HCP/NCCP, are applicable to this LOP procedure, after authorization under the CARP.

1. **Valley Potential Future Growth (PFG) Area:** Discharges of dredged and/or fill material into waters of the U.S. associated with rural and urban land uses within the Valley PFG area in Plan Area A1, as shown on the **2016, Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR**. Specific activities included in this PGP within the Valley PFG include those Covered Activities identified in Chapter 2.6, Section 2.6.1 of the HCP/NCCP.

2. **Valley Conservation and Rural Development Area:** Discharges of dredged and/or fill material into waters of the U.S. associated with rural and urban land uses within the Valley Conservation and Rural Development Area in Plan Area A2, as shown on the **2016, Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR**. Specific activities included in this PGP within the Valley Conservation and Rural Development Area include those Covered Activities identified in Chapter 2.6, Section 2.6.2 of the HCP/NCCP.

3. **Foothills PFG Area:** Discharges of dredged and/or fill material into waters of the U.S. associated with rural and urban land uses within the Foothills PFG area in Plan Area A3, as shown on the **2016, Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR**. Specific activities included in this PGP within the Foothills PFG include those Covered Activities identified in Chapter 2.6, Section 2.6.3 of the HCP/NCCP.

4. **Foothills Conservation and Rural Development:** Discharges of dredged and/or fill material into waters of the U.S. associated with rural and urban land uses within the Foothills Conservation and Rural Development area in Plan Area A4, as shown on the **2016, Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR**. Specific activities included in this PGP within the Foothills PFG include those Covered Activities identified in Chapter 2.6, Section 2.6.4 of the HCP/NCCP.

5. **Regional Public Programs:** Discharges of dredged and/or fill material into waters of the U.S. associated with rural and urban land uses within Plan Area A or B, as shown on the **2016, Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR**. Specific activities included in this PGP for Regional Public Programs include those Covered Activities identified in Chapter 2, Section 2.6.5 of the HCP/NCCP.

6. **In-Stream Activities:** Activities resulting in the discharge of dredged and/or fill material into waters of the U.S. for activities within streams, reservoirs, or on-stream ponds in Plan Area A or B, as shown on the **2016, Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR**, and as described in Chapter 2, Section 2.6.6 of the HCP/NCCP, including, but not limited to, maintenance activities in the stream channel, along the stream bank, and on adjacent waters of the U.S. within the riparian corridor. These activities may include those described in 1 through 5 above.

7. **Conservation Programs:** Activities resulting in the discharge of dredged and/or fill material into waters of the U.S. associated with implementing the conservation strategy identified in Chapter 5 of the HCP/NCCP in Plan Area A or B, as shown on the 2016, *Figure 2-1 Plan Area Components, Placer County Conservation Program – EIS/EIR*, including, but not limited to, habitat enhancement, restoration, creation, translocation, and reserve management, and other activities, as described in Chapter 2, Section 2.6.7 of the HCP/NCCP.

EXCLUSIONS:

1. The LOP procedure does not apply to any activities in waters of the U.S. that are not considered Covered Activities under the HCP/NCCP.
2. The LOP procedure does not apply to any activities in waters of the U.S. that have a potential to significantly impact the human environment.

LOP PROCEDURE:

1. Before submitting an application:

The applicant must attend a pre-application meeting with the Corps. Applicants are encouraged to invite the applicable Plan Permittee (i.e. Placer County, City of Lincoln, SPRTA, or PCWA) and other applicable agencies to the pre-application meeting with the Corps.

2. Application submittal:

To be considered for authorization under an LOP, the application must include all information required for a standard permit application, pursuant to 33 CFR 325.1. The application package must be submitted to the Corps in both paper and electronic form (pdf), suitable for electronic transmittal and/or posting to an FTP site, and include the following:

- a. A cover letter from the applicant requesting an LOP under the HCP/NCCP LOP procedures for the proposed activity, referencing the Corps' identification number and including contact information for the applicant and their designated agents or primary points-of-contact. This must include mailing and e-mail addresses and telephone and fax numbers.
- b. A completed and signed Department of the Army Engineering Form 4345.
- c. A copy (hardcopy, and electronic on CD or through posting to an FTP site) of the CARP application submitted to Placer County or the City of Lincoln.
- d. An aquatic resources delineation for the activity area, conducted in accordance with the Corps' minimum standards for aquatic resource delineations, or information that an aquatic resources delineation has been verified (including Corps file number) and is still valid.

e. Site location map(s), including the proposed activity, clearly outlined on USGS 7.5' quad sheet drawings, with latitudes and longitudes for the site(s), name of the quad sheet(s) and directions to the site, as well as all appropriate aerial and other imagery available.

f. A complete description of the proposed activity, including all of the information identified under 33 CFR 325.1 (d) "Content of application."

g. Plan and profile views of the proposed work, relative to potential or approved waters of the U.S. (e.g., wetlands and open waters below the Ordinary High Water Mark), showing areas, types and acreages of waters and other aquatic resources to be impacted by the proposed activity. All available drawings must be provided and must show proposed impacts on appropriately scaled figures, in accordance with the Corps' map and drawing standards. All maps and drawings shall follow the South Pacific Division February 2016, Updated Map and Drawing Standards for the South Pacific Division Regulatory Program, or most recent update (available on the South Pacific Division website at: <http://www.spd.usace.army.mil/Missions/Regulatory/PublicNoticesandReferences.aspx/>), unless specifically waived by the Corps.

h. The total area (acreage), if applicable, length (linear feet), and types of aquatic resources to be directly and/or indirectly affected by the proposed activity, the volume (in cubic yards) and type of material to be discharged into each type of aquatic resources, a description of habitat types, including plant communities, within and surrounding the activity site, and a description of how the proposed activity would affect all of the above resources.

i. A description and graphical representation of how impacts to aquatic resources and associated functions (e.g., water quality and habitat) have been avoided and minimized to the maximum extent practicable on the project site. This may include a copy of the applicant's documentation provided to the HCP/NCCP Plan Permittees as required to demonstrate avoidance and minimization of impacts for compliance with the HCP/NCCP and/or CARP.

j. A description of potential indirect (secondary) and cumulative impacts to aquatic resources and the human environment in the watershed and vicinity of the proposed activity.

k. Documentation and record of all pre-application coordination with the Corps and other agencies (as applicable), including any activity-specific comments or concerns provided by agencies, as well as the applicant's response(s) to the comments or concerns.

l. Information, in report form, concerning on-site practicable alternatives and the relative environmental impacts of those alternatives as compared to the environmental impacts of the proposed activity, in accordance with 33 CFR 325.1 (e) and 323.6 (a). The information must address compliance with the Environmental Protection Agency's 404(b)(1) Guidelines at 40 CFR part 230.

m. A statement providing the proposed compensatory mitigation for offset of unavoidable losses of waters of the U.S., indicating proposed compliance with General Condition 3, *Compensatory Mitigation*.

n. Copies of state and local approvals, pending applications or approvals, and any other evidence that the proposed activity has been or is currently being reviewed by the appropriate state and

local agencies and is consistent with their land use plans and policies, particularly wetland policies, programs, ordinances and/or laws.

3. Review and Decision:

a. The Corps will review the applicant's submittal for completeness within approximately fifteen (15) calendar days of receipt. If the application is incomplete, the appropriate Corps staff person will notify the applicant and request the additional information necessary to complete the application for further processing within 30 days after receipt of a complete application.

b. If the Corps determines the application is complete but the activity cannot be authorized by a LOP, the Corps will notify the applicant within 15 calendar days of that determination and proceed to an alternate permitting process (General Permit or Standard Permit).

c. If the application is determined to be complete and appears to meet LOP criteria, the Corps will notify the applicant that the proposed activity is being evaluated for LOP authorization. The Corps will notify the applicable HCP/NCCP Plan Permittee, and applicable state and federal coordination agencies via e-mail of the proposed LOP for the activity, and request any comments within fifteen (15) calendar days of such notice. The Corps will also request any additional information necessary to complete processing of the permit application, and, if sufficient information has been submitted, initiate any required consultation(s) with other agencies, to the extent necessary (e.g., in lieu of programmatic consultations).

d. The Corps will review the comments received and, if otherwise complete (e.g., Endangered Species Act (ESA), National Historic Preservation Act (NHPA) consultations and 401 Water Quality Certification (WQC) completed), make a determination within 30 calendar days after the close of the comment period as to whether LOP authorization is warranted, and whether special conditions are needed. If the Corps determines the activity (1) meets the criteria for LOP authorization, (2) would have a less than significant impact on aquatic resources and the human environment, (3) meets the requirements of the U.S. Environmental Protection Agency's Section 404(b)(1) Guidelines for Specification of Disposal Sites, (4) would not be contrary to the public interest, (4) is in compliance with other applicable laws (e.g. ESA, NHPA, Section 401 WQC), and (5) has a consistency determination from Placer County and/or the City of Lincoln that the project is covered under the HCP/NCCP, an LOP will be issued.

e. If at any time during the process the Corps determines the activity may not be authorized by a LOP, Corps staff will immediately notify the applicant, terminate the LOP process, and proceed to an alternate permitting process, as described in C(3)(b) above.

f. Evidence of Section 401 Water Quality Certification must be provided to the Corps before any final LOP decision is made. A LOP will not be issued until and unless all necessary certifications, consultations and/or authorizations (e.g., 401 Water Quality Certification, ESA and/or NHPA) have been completed and/or issued.

g. The Corps will add special and/or general conditions to LOP authorizations as necessary.



Regional General Permit [#]

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG®

Minimal Impact Activities Conducted under the Placer County Conservation Program In-Lieu Fee Program

EFFECTIVE:

EXPIRES: (5 years from effective date)

The U.S. Army Corps of Engineers, Sacramento District (Corps), hereby issues a regional general permit (RGP) for minimal impact activities conducted under the Placer County Conservation Program (PCCP) In-Lieu Fee (ILF) Program, resulting in the discharge of dredged and/or fill material into waters of the United States (U.S.) resulting in no more than minimal individual and cumulative impacts. The activities authorized would be conducted to meet the Conservation Strategy as identified in the Placer County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP).

An activity is verified under the RGP when the Corps, as the Chair of the interagency review team (IRT) of the PCCP ILF Program, approves the ILF Site under the ILF Program.

ISSUING OFFICE: U.S. Army Corps of Engineers, Sacramento District

ACTION ID: SPK-2005-00485

AUTHORITY: Section 404 of the Clean Water Act (CWA 404)

LOCATION: The PCCP Plan Area encompasses approximately 270,000 acres within western Placer County and eastern Sutter County. Within western Placer County, the Plan Area is bounded on the north by Nevada and Yuba County, on the east by the City of Auburn and California Highway 49, on the south by Sacramento County, and on the west by Sutter County. With the exception of activities conducted by the Placer County Water Agency (PCWA), the Plan Area in western Placer County excludes the Cities of Auburn, Loomis, Rocklin, and Roseville. Within Sutter County, the Plan Area includes 1,724 acres along the Coon Creek floodplain, and 33 miles of Auburn Ravine, Coon Creek, Cross Canal, and East Side Canal. The Plan Area Boundaries can be seen on the enclosed **2016, Figure 1-1, Plan Area, Placer County Conservation Program – EIS/EIR**, prepared by ICF.

PURPOSE: This RGP is intended to expedite authorization under Section 404 of the Clean Water Act for establishment, re-establishment, enhancement, or rehabilitation activities that result in a net increase in aquatic resource functions and services and are approved by the Corps under the ILF Program. The RGP is premised on the approval of an activity by the Corps, in consultation with the IRT, under the ILF Program, conducted by the Placer Conservation Authority (PCA) in partnership with the HCP/NCCP Permittees (Placer County, City of Lincoln, South Placer Regional Transportation Authority [SPRTA], and PCWA). This RGP eliminates the need for project applicants to seek separate authorization from the Corps for those activities approved by the Corps under the ILF Program. This RGP will reduce time and paperwork, and improve efficiency for the Corps, PCA, and the HCP/NCCP Permittees for those activities approved under the ILF Program.

BACKGROUND: The PCCP is a regional approach to address issues related to planned development and species habitat conservation, consisting of the HCP/NCCP, County Aquatic Resources Program (CARP), and the ILF Program. The HCP/NCCP provides coverage for fourteen species of plants and wildlife, including seven that are federally-listed as threatened or endangered. The U.S. Fish and Wildlife Service's Sacramento Field Office (USFWS) and National Marine Fisheries Service (NMFS) [have approved] the HCP/NCCP through a species incidental take permit (ITP) issued to the PCCP's Plan Permittees under Section 10 of the ESA. The CARP provides a program, implemented by Placer County and the City of Lincoln through local implementing ordinances, to evaluate activities that would impact aquatic resources considered to be waters of the U.S. or waters of the State. The ILF Program provides compensatory mitigation for impacts associated with the Covered Activities, through funds paid to Placer County or the City of Lincoln.

ACTIVITIES COVERED: This RGP authorizes discharges of dredged and/or fill material into waters of the U.S. associated with establishment, re-establishment, enhancement, and rehabilitation activities, provided the activities result in a net increase in aquatic resource functions and services and are approved by the Corps under the ILF Program. The activities authorized under this RGP includes only those activities required to meet the conservation strategy identified in Chapter 7 of the HCP/NCCP.

EXCLUSIONS:

1. This RGP may not be used to authorize discharges of dredged and/or fill material into waters of the U.S. for activities that do not result in a net increase in aquatic resource functions and services.
2. This RGP may not be used to authorize discharges of dredged and/or fill material into waters of the U.S. for activities that are not approved by the Corps through the ILF Program.
3. This RGP may not be used to authorize discharges of dredged and/or fill material into waters of the U.S. for activities that do not comply with the conservation strategy identified in Chapter 7 of the HCP/NCCP, as determined by the U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, and National Marine Fisheries Service.
4. After-the-fact authorizations: This RGP may not be used to authorize activities that resulted in the discharge of dredged or fill material into waters of the U.S. without Department of the Army (DA) authorization.

TERMS OF AUTHORIZATION:

1. Activity Completion: Activities authorized by the Corps under this RGP are valid until the expiration date of the RGP or by the date identified by the Corps in the approved ILF project documentation appended to the ILF Program instrument, whichever date is sooner. If approved by the Corps under the ILF Program, activities authorized under this RGP that are under construction, or under contract for construction in reliance upon this authorization, will remain authorized provided the activity is completed within 12 months of expiration of the RGP.
2. RGP Authorization: Concurrent with Corps approval of an ILF project resulting in discharges of dredged and/or fill material into waters of the U.S.

3. Compliance with Placer County HCP/NCCP Conditions: Activities to be authorized under this RGP must meet the conservation strategy identified in Chapter 7 of the HCP/NCCP.

4. Discretionary Authority: The Corps has the discretion to suspend, modify, or revoke authorizations under this RGP. This discretionary authority may be used by the Corps to further condition or restrict the applicability of the RGP for cases in which it has concerns associated with the Clean Water Act Section 404(b)(1) Guidelines, or regarding any factor of the public interest. Should the Corps determine that a proposed activity may have more than minimal individual or cumulative adverse impacts to aquatic resources or otherwise be contrary to the public interest, the Corps will modify the authorization to reduce or eliminate those adverse effects, or notify the project applicant that the proposed activity is not authorized by the RGP and provide instructions on how to apply for authorization under another type of DA permit. Activities not meeting the terms and conditions of this permit may be authorized through another type of permit from the Corps, such as a NWP, Letter of Permission, or Standard Permit. The Corps will determine on a case-by-case basis, as needed, whether an activity has a more than minimal impact, individually or cumulatively, on the aquatic environment or may be contrary to the public interest. The Corps may restore authorization under the RGP at any time it determines the reason for asserting discretionary authority has been resolved or satisfied by a condition, project modification, or new information. The Corps may also use its discretionary authority to modify, suspend, or revoke the RGP at any time.

5. Avoidance and Minimization: Impacts to waters of the U.S. shall be avoided and minimized to the maximum extent practicable. For purposes of the RGP, notwithstanding the Corps' discretionary authority described above, this term shall be considered satisfied when project applicants have designed and implemented activities to comply with all applicable avoidance and minimization measures contained in Chapters 5 and 6 of the HCP/NCCP.

6. Single and Complete: The activity must be a single and complete linear or non-linear project, as defined in the Section F of the January 6, 2017, Federal Register Notice for *Issuance and Reissuance of Nationwide Permits; Final Rule* (82 FR 1860), which can be found at: http://www.usace.army.mil/Portals/2/docs/civilworks/nwp/2017/nwp2017_final_rule_FR_06jan2017.pdf?ver=2017-01-06-092409-457

7. Section 401 Water Quality Certification: In order for authorization to be valid under this RGP, an approved Section 401 Water Quality Certification (WQC) or waiver thereof is required to be obtained and evidence thereof in possession by Placer County or the City of Lincoln, prior to the commencement of activities authorized by this RGP (see General Condition 7 [*Water Quality Certification*]).

GENERAL CONDITIONS:

1. Permit Transfer: If an ILF site associated with this permit is sold, the permittee shall transfer the verification to the new owner by submitting a letter to the Corps, to validate the transfer. The letter must contain the name and address of the transferee, as well as the following statement and signature of the transferee:

When the structures or work authorized by this regional general permit (RGP) are still in existence at the time the property is transferred, the terms and conditions of this RGP, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this RGP

and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(Transferee)

(Date)

2. Tribal Rights: No activity or its operation shall impair reserved Tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

3. Discovery of Previously Unknown Remains and Artifacts (or - Unanticipated Cultural Resources Discoveries): If the permittee discovers any previously unknown historic, cultural or archeological remains and/or artifacts while accomplishing the activity authorized by this RGP, the permittee shall immediately notify the Corps of what has been found, and to the maximum extent practicable, shall avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. Notification to the Corps shall include a copy of the CARP authorization issued by Placer County or the City of Lincoln. The Corps will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. Water Quality Certification: Water Quality Certification (WQC), or waiver thereof, under Section 401 of the Clean Water Act is required for activities to be authorized by this RGP. The project applicant shall comply with the terms and conditions of any individual or programmatic WQC provided by the State Water Resources Control Board and/or Central Valley Regional Water Quality Control Board.

FURTHER INFORMATION:

1. Congressional Authorities: Section 404 of the Clean Water Act (33 U.S.C. 1344)
2. Limits of this authorization:
 - a. The Corps has authority to determine if an activity complies with the terms and conditions of the RGP.
 - b. This permit does not obviate the need to obtain other federal, state, or local authorizations required by law.
 - c. This permit does not grant any property rights or exclusive privileges.
 - d. This permit does not authorize any injury to the property or rights of others.
 - e. This permit does not authorize interference with any existing or proposed federal projects.
3. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data: The determination of the Corps that issuance of this RGP is not contrary to the public interest was made in reliance on the information provided by the HCP/NCCP Plan Permittees.
5. Reevaluation of Permit Decision: The Corps may reevaluate its decision on this RGP at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. The project applicant fails to comply with the terms and conditions of this permit.
 - b. The information provided by the project applicant in support of a permit application proves to have been false, incomplete, or inaccurate (see 4 above).
 - c. Significant new information surfaces which the Corps did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5.

PERMIT DURATION: This RGP is valid for five (5) years from the date of issuance. **It will expire on [Day, Month, 20XX].** At least sixty (60) calendar days prior to expiration, the Corps will issue a public notice, with an opportunity for public comment, describing the reasons for reissuing the RGP for another five years with or without modification, or not reissuing the RGP. If the Corps has not reissued the RGP by the expiration date, the RGP will no longer be valid. This RGP may also be modified, suspended, or revoked by the Corps at any time deemed necessary. In such instance, the Corps will issue a public notice concerning the proposed action. Authorizations under this RGP are valid until the permit expires. An activity authorized by this RGP that has commenced, or is under contract to commence, will have 12 months from the date of the RGP expiration to be completed.

CONTACTS AND ADDITIONAL INFORMATION: For additional information about this RGP, please contact the U.S. Army Corps of Engineers, Sacramento District.

This permit becomes effective when the federal official, designated to act for the Secretary of the Army has signed below.

DRAFT

DRAFT

[Name]
Chief, Regulatory Division
Sacramento District

Date

DRAFT

Appendix D
Notices and Scoping

Notice of Intent (NOI)

pygargus) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

Applicant: Texas Memorial Museum/ University of Texas at Austin, Austin, TX, PRT-005834

The applicant requests a permit to export and re-import non-living museum specimens of endangered and threatened species previously accessioned into the applicant's collection for scientific research. This notification covers activities to be conducted by the applicant over a five-year period.

Marine Mammals

The public is invited to comment on the following application for a permit to conduct certain activities with marine mammals. The application was submitted to satisfy requirements of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361, *et seq.*) and the regulations governing marine mammals (50 CFR Part 18). Written data, comments, or requests for copies of the complete applications or requests for a public hearing on this application should be submitted to the Director (address above). Anyone requesting a hearing should give specific reasons why a hearing would be appropriate. The holding of such a hearing is at the discretion of the Director.

Applicant: Robert Daggett, PRT-099289

The applicant requests a permit to import a polar bear (*Ursus maritimus*) sport hunted from the Lancaster Sound polar bear population in Canada for personal, noncommercial use.

Dated: February 11, 2005.

Monica Farris,

Senior Permit Biologist, Branch of Permits, Division of Management Authority.

[FR Doc. 05-4357 Filed 3-4-05; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Preparation of an Environmental Impact Statement for Issuance of an Incidental Take Permit Associated With a Habitat Conservation Plan for Western Placer County, CA

AGENCIES: Fish and Wildlife Service, Interior; National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Commerce; Department of the Army, Corps of Engineers, Defense.

ACTION: Notice of intent.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA), we, the U.S. Fish and Wildlife Service (Service), are issuing this notice to advise the public that we intend to gather information necessary to prepare, in cooperation with the National Oceanic and Atmospheric Administration's Marine Fisheries Service (NOAA) and U.S. Army Corps of Engineers (Corps), an Environmental Impact Statement (EIS) and Environmental Impact Report (EIR) for the proposed Placer County Conservation Plan (PCCP). The Service is the lead agency for this EIS, and NOAA and the Corps are cooperating agencies.

Placer County Planning Department, the Resource Conservation District, the City of Lincoln, the Placer County Water Agency, and the South Placer Regional Transportation Authority (Applicants) intend to apply to the Service and NOAA for 50-year Endangered Species Act (ESA) permits. The permits are needed to authorize the incidental take of species that could occur as a result of implementation activities proposed to be covered under the PCCP.

The Service, in cooperation with NOAA and the Corps, provides this notice to: (1) Describe the proposed action and possible alternatives; (2) advise other Federal and State agencies, affected Tribes, and the public of our intent to prepare an EIS/EIR; (3) announce the initiation of a public scoping period; and (4) obtain suggestions and information on the scope of issues and alternatives to be included in the EIS/EIR.

DATES: Written comments should be received on or before April 6, 2005.

Public meetings will be held on: Tuesday, March 15, 2005, from 6 p.m. to 8 p.m.; Wednesday, March 16, 2005, from 6 p.m. to 8 p.m.; and, Thursday, March 17, 2005, from 7:30 p.m. to 9:30 p.m.

ADDRESSES: The public meetings will be held at the following locations: (1) Tuesday, March 15, 2005, at the City of Roseville Corporation Yard, Rooms 2 and 3, 2005 Hilltop Circle, Roseville, CA 95747; (2) Wednesday, March 16, 2005, at Placer County Planning Commission Chambers, 11414 B Avenue, Auburn, CA 95603; and, (3) Thursday, March 17, 2005, at City of Lincoln McBean Pavilion, 65 McBean Park Drive, Lincoln, CA 95648.

Information, written comments, or questions related to the preparation of the EIS/EIR and NEPA process should be submitted to Lori Rinek, Chief, Conservation Planning and Recovery Division, U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2800 Cottage Way, W-2605, Sacramento, California 95825; FAX (916) 414-6713.

FOR FURTHER INFORMATION CONTACT: Jesse Wild, Fish and Wildlife Biologist, or Lori Rinek, Chief, Conservation Planning and Recovery Division at the Sacramento Fish and Wildlife Office at (916) 414-6600.

SUPPLEMENTARY INFORMATION:

Reasonable Accommodation

Persons needing reasonable accommodations in order to attend and participate in the public meeting should contact Lori Rinek as soon as possible (*see FOR FURTHER INFORMATION CONTACT*). In order to allow sufficient time to process requests, please call no later than one week before the public meeting. Information regarding this proposed action is available in alternative formats upon request.

Background

Section 9 of the ESA and Federal regulations prohibit the "take" of a fish and wildlife species listed as endangered or threatened. Under the ESA, the following activities are defined as take: Harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect listed animal species, or attempt to engage in such conduct (16 U.S.C. 1538). However, under section 10(a) of the ESA, we may issue permits to authorize "incidental take" of listed species. "Incidental take" is defined by the ESA as take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Regulations

governing permits for threatened species and endangered species, respectively, are at 50 CFR 17.32 and 50 CFR 17.22.

Take of listed plant species is not prohibited under the ESA and cannot be authorized under a section 10 permit. We propose to include plant species on the permit in recognition of the conservation benefits provided for them under the PCCP. All species included on the permit would receive assurances under the Service's "No Surprises" regulation, if at the time of issuance of the incidental take permit the "No Surprises" regulation is in effect (63 FR 8859).

Currently, the Applicants intend to request permits authorizing the incidental take of 29 animal species (8 federally listed and 21 unlisted animal species) for 50 years during the course of conducting otherwise lawful land use or development activities on public and private land in Western Placer County. The permit would also cover 5 currently unlisted plants. Listed species proposed to be covered that are administered by the Service are the federally-endangered vernal pool tadpole shrimp (*Lepidurus packardii*); the federally-threatened bald eagle (wintering) (*Haliaeetus leucocephalus*), California red-legged frog (*Rana aurora draytonii*), California tiger salamander (*Ambystoma californiense*), giant garter snake (*Thamnophis gigas*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), and vernal pool fairy shrimp (*Branchinecta lynchi*). The listed species proposed to be covered that is administered by NOAA is the federally-threatened central valley steelhead (*Oncorhynchus mykiss*).

The 25 unlisted species (20 animal and 5 plant species) proposed to be covered under the PCCP that fall within the Service's jurisdiction are the State-threatened Swainson's hawk (*Buteo swainsoni*), California black rail (*Laterallus jamaicensis*), and bank swallow (nesting) (*Riparia riparia*); the State-endangered yellow-billed cuckoo (*Coccyzus americanus occidentalis*) and Bogg's Lake hedge-hyssop (*Gratiola heterosepala*); and the American peregrine falcon (wintering) (*Falco peregrinus anatum*), Cooper's hawk (*Accipiter cooperii*), ferruginous hawk (wintering) (*Buteo regalis*), grasshopper sparrow (*Ammodramus savannarum*), loggerhead shrike (*Lanius ludovicianus*), Modesto song sparrow (*Melospiza melodia mailliardi*), northern harrier (nesting) (*Circus cyaneus*), rough-legged hawk (wintering) (*Buteo lagopus*), sharp-shinned hawk (*Accipiter striatus*), tricolored blackbird (nesting) (*Agelaius tricolor*), western burrowing owl (*Athene cunicularia hypugaea*), yellow

warbler (nesting) (*Dendroica petechia*), yellow-breasted chat (nesting) (*Icteria virens*), foothill yellow-legged frog (*Rana boylei*), northwestern pond turtle (*Clemmys marmorata marmorata*), western spadefoot toad (*Scaphiopus hammondi*), Ahart's dwarf rush (*Juncus leiospermus var. ahartii*), dwarf downingia (*Downingia pusilla*), legenera (*Legenera limosa*), and Red Bluff dwarf rush (*Juncus leiospermus var. leiospermus*). The currently unlisted species proposed to be covered that falls within NOAA's jurisdiction is the central valley fall/late fall-run chinook salmon (*Oncorhynchus tshawytscha*). Species may be added or deleted during the course of PCCP development based on further analysis, new information, agency consultation, and public comment.

The planning area that the PCCP proposes to cover consists of approximately 270,000 acres in Western Placer County, California. Western Placer County is bordered on the north by Yuba and Nevada Counties, on the west by Sutter County, on the south by Sacramento County, and on the east by the upper boundaries of the watersheds which contain the eastern limits of the City of Auburn. Excluded areas include the cities of Roseville, Rocklin, Loomis, and Auburn. Infill and new growth in these areas are not proposed to be covered by the permits based on the PCCP. The PCCP would be the first of three independently viable conservation plans that together encompass all of Placer County. We anticipate that planning for the two other conservation plans will be initiated beginning in Spring 2005; however, the conservation strategies in this PCCP will not rely on the other two.

Proposed implementation activities that may be covered under the PCCP include direct actions by Applicants and indirect actions by Applicants that would authorize or induce urban development and associated infrastructure, such as County and/or city projects related to road maintenance/construction, water delivery infrastructure, drainage, flood control, sanitary systems, solid waste management, and new capital facility construction. Other proposed covered activities may include fuel load management, resource management plan implementation, habitat restoration activities, and recreational projects (such as parks, trails, boat ramps). Impacts to agriculture may also be included in the EIS/EIR, because the agencies may be asked to cover some aspects of agricultural practices in the proposed permits if the actions are associated with those of the Applicants.

Service and NOAA Actions

Under the PCCP, the effects of proposed covered activities on covered species are expected to be minimized and mitigated through participation in a conservation program, which would be fully described in the PCCP. Covered activities would be carried out in accordance with the PCCP which includes a program designed to ensure the continued conservation of natural communities and threatened and endangered species in Western Placer County, and to resolve potential conflicts between otherwise lawful activities and the conservation of habitats and species on non-Federal land in Western Placer County. Components of this conservation program are now under consideration by the Service, NOAA, and the Applicants. These components will likely include avoidance and minimization measures, monitoring, adaptive management, and mitigation measures consisting of preservation, restoration, and enhancement of habitat.

Although other public and private entities or individuals have participated in development of the PCCP and may benefit by the issuance of incidental take permits, Placer County has accepted responsibility for coordinating the preparation of the PCCP, submission of the permit applications, and preparation of an EIS, under the Service's supervision, for Service and Cooperating Agency review and approval. As a Cooperating Agency, NOAA may use the EIS analysis for the purposes of supporting a decision as to whether to issue an incidental take permit to the Applicants based on the proposed PCCP. Development of the PCCP has involved a public input process that has included open meetings of a Biological Stakeholder Working Group and public workshops with the Placer County Board of Supervisors. It is anticipated that the PCCP will be implemented through the incidental take permit and an Implementation Agreement.

Corps Actions Included in PCCP

The Applicants are expected to apply to the Corps for a Clean Water Act (CWA) Section 404 Programmatic General Permit (PGP). As a Cooperating Agency, the Corps may use the EIS analysis for the purposes of supporting the decision whether to issue the proposed PGP. Section 404 of the CWA regulates and requires Corps authorization for certain discharges of dredged or fill material into waters of the United States (33 CFR 323.3). A PGP is among the types of general permits

which can be issued for any category of activities involving discharges of dredged or fill material if the Corps makes certain determinations (33 U.S.C. 1344(e)). Regulations concerning processing of Corps permits are at 33 CFR part 325. Corps regulations promulgated under the CWA define dredged or fill material in detail at 33 CFR 323.2.

Non-Federal Actions Included in PCCP

A Natural Community Conservation Plan (NCCP) is being incorporated into the PCCP in coordination with the California Department of Fish and Game (CDFG) under the State of California's Natural Community Conservation Planning Act (NCCPA). The Applicants are expected to pursue an incidental take authorization from CDFG in accordance with section 2835 of the NCCPA. The California Endangered Species Act (CESA) prohibits the "take" of wildlife species listed as endangered or threatened by the California Fish and Game Commission (California Fish and Game Code, section 2080). The CESA defines the term "take" as: Hunt, pursue, catch, capture or kill, or attempt to engage in such conduct (California Fish and Game Code, section 86). Pursuant to section 2835 of the NCCPA (California Fish and Game Code section 2835), CDFG may issue a permit that authorizes the take of any CESA listed species or other species whose conservation and management is provided for in a CDFG-approved NCCP.

The Applicants are also expected to apply to CDFG for a Master Streambed Alteration Agreement (California Fish and Game Code, section 1600); and to apply to the Regional Water Quality Control Board for CWA Section 401 water quality certification in compliance with the California Porter-Cologne Water Quality Control Act.

Although the EIS will analyze the environmental impacts associated with all of the activities in the PCCP, the focus of our decision based on this EIS will be effects to proposed covered species and the issuance of the Services' ESA permits. Pursuant to the California Environmental Quality Act (CEQA), a separate Notice of Preparation for the EIR will be posted by the County and issued through the California State Clearinghouse concurrently with this Notice.

Environmental Impact Statement/ Report

Jones and Stokes Associates has been selected to prepare the EIS/EIR. The joint document will be prepared in compliance with NEPA and CEQA. Although Jones and Stokes Associates

will prepare the EIS/EIR, the Service, as the NEPA Lead Agency, will be responsible for the purpose, need, scope and content of the document for NEPA purposes, and the Corps and NOAA will be Cooperating Agencies for NEPA. The County, as the CEQA Lead Agency, will be responsible for the scope and content of the document for CEQA purposes. Responsible Agencies for CEQA purposes include CDFG, the permitting entity pursuant to California Fish and Game Codes 1600 and 2835, and Regional Water Quality Control Board, the permitting entity pursuant to Section 401 of the CWA.

The EIS/EIR will consider the proposed action, the issuance of an ESA incidental take permit, no action (no permit), and a reasonable range of alternatives. A detailed description of the proposed action and alternatives will be included in the EIS/EIR. The alternatives to be considered for analysis in the EIS/EIR may include: Variations of the geographical coverage of the permits, variations in the amount and type of conservation; variations of the scope or type of covered activities or covered species; variations in permit duration; variations on the types of Federal and State permits issued under the program; no project/no action; or, a combination of these elements.

The EIS/EIR will also identify potentially significant impacts on biological resources, land use, air quality, water quality, mineral resources, water resources, economics, and other environmental resource issues that could occur directly or indirectly with implementation of the proposed action and alternatives. For all potentially significant impacts, the EIS/EIR will identify mitigation measures where feasible to reduce these impacts to a level below significance.

The following primary issues are to be addressed during the scoping and planning process for the PCCP and EIS/EIR: (1) The determination of potential effects of each alternative on species and natural communities covered under the proposed HCP/NCCP; (2) consideration of whether the level and extent of urban development defined under each alternative can be adequately mitigated within the lands in the conservation opportunity area; (3) consideration of whether an adequate system of reserves can be established in the conservation area and whether such a reserve system will support habitat of covered species equal to or greater than the habitat lost from urban development; (4) determination of whether the direct and indirect impacts of covered urban development and other activities will be adequately mitigated

(issues to be addressed will include land use, traffic, air quality, cultural resources, water resources, and biological resources); and (5) consideration of cumulative impacts.

Environmental review of the PCCP will be conducted in accordance with the requirements of NEPA (42 U.S.C. 4321 *et seq.*), its implementing regulations (40 CFR 1500-1508), other applicable regulations, and Service and NOAA procedures for compliance with those regulations. We are publishing this notice in accordance with section 1501.7 of NEPA to obtain suggestions and information from other agencies and the public on the scope of issues and alternatives to be addressed in the EIS/EIR. The primary purpose of the scoping process is to identify important issues raised by the public, related to the proposed action of issuing the ESA permit for the PCCP. Written comments from interested parties are invited to ensure that the full range of issues related to the permit request is identified. Comments will only be accepted in written form. You may submit written comments by mail, facsimile transmission, or in person (*see ADDRESSES*). All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

Dated: March 1, 2005.

Ken McDermond,

Deputy Manager, California/Nevada Operations Office, Sacramento, California.
[FR Doc. 05-4316 Filed 3-4-05; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Grant Availability to Federally-Recognized Indian Tribes for Projects Implementing Traffic Safety on Indian Reservations

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Surface Transportation and Uniform Relocation Assistance Act of 1987, and as authorized by the Secretary of Transportation, the Bureau of Indian Affairs intends to make funds available to federally-recognized Indian tribes on an annual basis for implementing traffic safety projects, which are designed to reduce the number of traffic crashes, deaths, injuries and property damage within Indian country. Because of the limited funding available for this

Notice of Preparation (NOP)

NOTICE OF PREPARATION

RECEIVED
MAY 20 2005

To: State Clearinghouse
Responsible Agencies
Trustee Agencies
Interested Parties

PLANNING DEPT.

Subject: Notice of Preparation of a Draft Environmental Impact Report

Lead Agency: Placer County Planning Department
11414 "B" Avenue, Auburn, CA 95603
Contact: (530) 886-3000/Fax: (530) 886-3080
Email: ljlawren@placer.ca.gov

POSTED 3/28/05
through 05/18/2005
JIM McGAULEY, COUNTY CLERK
By [Signature]
Deputy Clerk

Project Title: Placer County Conservation Plan - Phase 1

Project Applicant:

The Placer County Planning Department will be the Lead Agency and will prepare an Environmental Impact Report for the project identified below. We need to know your views as to the scope and content of the environmental information which is germane to your interests or statutory responsibilities in connection with the proposed project. If you represent an agency, your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, vicinity map, brief description of the probable environmental effects, project application, and Initial Study are contained in the attached materials.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, **but not later than 5:00 p.m. April 6, 2005.**

Please send your response to **Lori Lawrence, Placer County Planning Department** by mail, fax or email to the address shown above. We request the name of a contact person for your agency.

The Placer County Planning Department will hold a Scoping Meeting in connection with the proposed project. The Scoping Meeting will be held to receive comments from the public and other interested parties and agencies regarding the issues that should be addressed in the Environmental Impact Report. **The Scoping Meetings will be held as follows:**

City of Roseville
Corporation Yard, Rooms 2&3
2005 Hilltop Circle
Roseville, CA 95747

Tuesday, March 15, 2005 at 6:00 p.m.

Placer County
Planning Commission Chambers
11414 B Avenue
Auburn, CA 95603

Wednesday, March 16, 2005 at 6:00 p.m.

City of Lincoln
McBean Pavilion
65 McBean Park Drive
Lincoln, CA 95648

Thursday, March 17, 2005 at 7:30 p.m.

Date: 3-07-05

Signature: [Signature]
Title: Assistant Dir. of Planning

Reference: California Code of Regulations, Title 14 (CEQA Guidelines) Sections 15082(a), 15103, 15375



PLACER COUNTY PLANNING DEPARTMENT

Reserved for Date Stamp

AUBURN OFFICE

11414 B Avenue

Auburn, CA 95603

530-886-3000/FAX 530-886-3080

Website: www.placer.ca.gov/planning E-Mail : planning@placer.ca.gov

TAHOE OFFICE

565 W. Lake Blvd./P. O. Box 1909

Tahoe City CA 96145

530-581-6280/FAX 530-581-6282

INITIAL PROJECT APPLICATION

(For Office Use Only)

Zoning Various, Map # -, Environmental Determination: Exempt #, File #: PEIR T20050226, G.P. Designation PC General Plan, Lincoln General Plan - various, Applicable General Plan/Community Plan: PC GP, Lincoln GP, Geographical Area Western P.C., Sphere of Influence various, Airport Overflight Lincoln, Tax Rate Area Various, Major Project: Yes No X

-- TO BE COMPLETED BY THE APPLICANT --

1. Project Name Placer County Conservation Plan - Phase 1, 2. Property Owner N/A, Mailing Address, Telephone, Fax, E-Mail, 3. Applicant Placer County Planning Dept., Mailing Address 11414 B. Ave. Auburn, CA. 95603, Telephone (530) 886-3000, Fax (530) 886-3080, E-Mail, 4. Size of Property (acreage or square footage) 221,600 acres, 5. Assessor's Parcel Number(s) N/A; 221,600 acres of Western Placer County, 6. Project Location Western Placer County; Auburn area west to the county boundary with Sutter County., (Be specific: cross streets, distance and direction from nearest intersection, etc.) 7. What actions, approvals, or permits by Placer County does the proposed project require? Additional Building Site, Administrative Approval, Administrative Review Permit, Certificate of Compliance, Conditional Use Permit, Design Review, Environmental Impact Assessment Quest., Extension of Time, General Plan Amendment, Major Subdivision (5+ parcels), Minor Boundary Adjustment, Minor Subdivision (4 and under parcels), Minor Use Permit, Project undertaken by County, Rezoning, Variance, Other (Explain)

Does the proposed project need approval by other governmental agencies? X Yes No. If so, which agencies? Us. Fish + Wildlife Service, NOAA Fisheries, California Department of Fish + Game

8. Which agencies, utility companies provide the following services? **This information must be ACCURATE!**

Electricity Various Fire Protection Various Sewer Various
Telephone Various Natural Gas Various Water Various
High School Various Elementary School Various Other —

9. Describe the project in detail so that a person unfamiliar with the project would understand the purpose, size, phasing, duration and construction activities associated with the project. In response to this question, please attach additional pages, if necessary.

See attached

10. I hereby authorize the above-listed applicant to make application for project approvals by Placer County, to act as my agent regarding the above-described project, and to receive all notices, correspondence, etc. from Placer County regarding this project, or

11. As owner I will be acting as applicant. In addition, as owner, I will defend, indemnify, and hold Placer County harmless from any defense costs, including attorneys' fees or other loss connected with any legal challenge, brought as a result of an approval concerning this entitlement. I also agree to execute a formal agreement to this effect on a form provided by the County and available for my inspection.

12. The signature below authorizes any member of the Placer County Development Review Committee (DRC), and other County personnel as necessary, to enter the property/structure(s) that is(are) the subject of this application.

Signature(s) of Owner(s):

Please Print

Loren E. Clark

Loren E. Clark

If application is for a Boundary Line Adjustment, signature of both the transferring and acquiring property owners are required. Boundary Line Adjustments shall not be used to create new parcels.

Signature of Transferring Property Owner

Please Print

Signature of Acquiring Property Owner

Please Print

The Planning Department is prohibited from accepting applications on tax delinquent properties pursuant to Board of Supervisors direction.

Prior to the commencement of any grading and/or construction activities on the property in question, that are based upon the entitlements conferred by Placer County permit approval(s), the applicant should consult with the California Department of Fish & Game (DFG) to determine whether or not a Streambed Alteration Agreement [§1603, CA Fish & Game Code] is required. The applicant should also consult with the U.S. Army Corps of Engineers to determine whether or not a permit is required for these activities pursuant to Section 404 of the Clean Water Act. Fees may be required to be paid to the Department of Fish and Game for their participation in the environmental review process as required by State law. **The applicant's signature on this application form signifies an acknowledgement that this statement has been read and understood.**



PLACER COUNTY PLANNING DEPARTMENT

Reserved for Date Stamp

AUBURN OFFICE

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Auburn, CA 95603
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TAHOE OFFICE

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Tahoe City CA 96145
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E-Mail: planning@placer.ca.gov

ENVIRONMENTAL IMPACT ASSESSMENT QUESTIONNAIRE

Receipt No. _____ Filing Fee: _____

Pursuant to the policy of the Board of Supervisors, the Planning Department cannot accept applications on tax delinquent property or property with existing County Code violations.

SEE FILING INSTRUCTIONS ON LAST PAGE OF THIS APPLICATION FORM

- 1. Project Name (same as on IPA) Placer County Conservation Plan - Phase I
2. What is the general land use category for the project? (e.g.: residential, commercial, agricultural, or industrial, etc.) See attached
3. What is the number of units or gross floor area proposed? See attached
4. Are there existing facilities on-site (buildings, wells, septic systems, parking, etc.)? Yes X No
If yes, show on site plan and describe: See attached
5. Is adjacent property in common ownership? Yes No Acreage
Assessor's Parcel Numbers See attached
6. Describe previous land use(s) of site over the last 10 years: See attached

GEOLOGY & SOILS

NOTE: Detailed topographic mapping and preliminary grading plans may be required following review of the information presented below.

- 7. Have you observed any building or soil settlement, landslides, slumps, faults, steep areas, rock falls, mud flows, avalanches or other natural hazards on this property or in the nearby surrounding area? Yes No X
8. How many cubic yards of material will be imported? Exported? Describe material sources or disposal sites, transport methods and haul routes: See attached
9. What is the maximum proposed depth and slope of any excavation? See attached
Fill?
10. Are retaining walls proposed? Yes No X If yes, identify location, type, height, etc:
11. Would there be any blasting during construction? Yes No X If yes, explain:
12. How much of the area is to be disturbed by grading activities? See attached
13. Would the project result in the direct or indirect discharge of sediment into any lakes or streams?
Yes X No If yes, explain: See attached
14. Are there any known natural economic resources such as sand, gravel, building stone, road base rock, or mineral deposits on the property? Yes X No If yes, describe: See attached

DRAINAGE & HYDROLOGY

NOTE: *Preliminary drainage studies may be required following review of the information presented below.*

- DPW 15. Is there a body of water (lake, pond, stream, canal, etc.) within or on the boundaries of the property?
Yes No If yes, name the body of water here and show location on site plan: See attached
- DEH 16. If answer to #15 is yes, would water be diverted from this water body? Yes No
- DEH 17. If yes, does applicant have an appropriative or riparian water right? Yes No
- DEH 18. Where is the nearest off-site body of water such as a waterway, river, stream, pond, lake, canal, irrigation ditch, or year-round drainage-way? Include name, if applicable: does applicant have an appropriative or riparian water right? Yes No See attached
What percentage of the project site is presently covered by impervious surfaces? See attached
After development? _____
- DPW 19. Would any run-off of water from the project enter any off-site canal/stream? Yes No
- DEH If answer is yes, identify: See attached
- DEH 20. Will there be discharge to surface water of waste waters other than storm water run-off? Yes No
If yes, what materials will be present in the discharge? _____
What contaminants will be contained in storm water run-off? _____
- DPW 21. Would the project result in the physical alteration of a body of water? Yes No If so, how? See attached
Will drainage from this project cause or exacerbate any downstream flooding condition? Yes No If yes, explain: _____
- DPW 22. Are any of the areas of the property subject to flooding or inundation? Yes No If yes, accurately identify the location of the 100-year floodplain on the site plan.
- DPW 23. Would the project alter drainage channels or patterns? Yes No If yes, explain: _____
- DEH See attached

VEGETATION AND WILDLIFE

NOTE: *Detailed studies or exhibits such as tree surveys and wetland delineations may be required following review of the information presented below. Such studies or exhibits may also be included with submittal of this questionnaire. (See Filing Instructions #8 and #9 for further details.)*

- PLNG 24. Describe vegetation on the site, including variations throughout the property: See attached
- PLNG 25. Estimate how many trees of 6-inches diameter or larger would be removed by the ultimate development of this project as proposed: See attached
- PLNG 26. Estimate the percentage of existing trees which would be removed by the project as proposed See attached
- PLNG 27. What wildlife species are typically found in the area during each of the seasons? See attached
- PLNG 28. Are rare or endangered species of plants or animals (as defined in Section 15380 of the California Environmental Quality Act Guidelines) found in the project area? Yes, see attached
- PLNG 29. Are any Federally listed threatened or endangered plants, or candidates for listing, present on the project site as proposed? If uncertain, a list is available in the Planning Department: Yes, see attached
- PLNG 30. Will the project as proposed displace any rare or endangered species (plants/animals)? Yes, see attached

- PLNG 31. What changes to the existing animal communities' habitat and natural communities will the project cause as proposed? See attached
- PLNG 32. Is there any rare, natural community (as tracked by the California Department of Fish and Game Natural Diversity Data Base) present on the proposed project? Yes, see attached
- PLNG 33. Do wetlands or stream environment zones occur on the property (i.e., riparian, marsh, vernal pools, etc.)? Yes No
- PLNG 34. If yes, will wetlands be impacted or affected by development of the property? Yes No
- PLNG 35. Will a Corps of Engineers wetlands permit be required? Yes No
- PLNG 36. Is a letter from the U.S. Army Corps of Engineers regarding the wetlands attached? Yes No

FIRE PROTECTION

- DPW 37. How distant are the nearest fire protection facilities? See attached
Describe: _____
- DPW 38. What is the nearest emergency source of water for fire protection purposes? See attached
Describe the source and location: _____
- DPW 39. What additional fire hazard and fire protection service needs would the project create? See attached
What facilities are proposed with this project? _____
For single access projects, what is the distance from the project to the nearest through road? _____
Are there off-site access limitations that might limit fire truck accessibility, i.e. steep grades, poor road alignment or surfacing, substandard bridges, etc.? Yes No If yes, describe: _____

NOISE

NOTE: *Project sites near a major source of noise, and projects which will result in increased noise, may require a detailed noise study prior to environmental determination.*

- DEH 40. Is the project near a major source of noise? If so, name the source(s): _____
See attached
- DEH 41. What noise would result from this project - both during and after construction? See attached

AIR QUALITY

NOTE: *Specific air quality studies may be required by the Placer County Air Pollution Control District (APCD). It is suggested that applicants with residential projects containing 20 or more units, industrial, or commercial projects contact the APCD before proceeding.*

- APCD 42. Are there any sources of air pollution within the vicinity of the project? If so, name the source(s): _____
See attached
- APCD 43. What are the type and quantity of vehicle and stationary source (e.g. woodstove emissions, etc.) air pollutants which would be created by this project at full buildout? Include short-term (construction) impacts: N/A
- APCD 44. Are there any sensitive receptors of air pollution located within one quarter mile of the project (e.g. schools, hospitals, etc.)? _____ Will the project generate any toxic/hazardous emissions?
See attached
- APCD 45. What specific mobile/stationary source mitigation measures, if any, are proposed to reduce the air quality impact(s) of the project? Quantify any emission reductions and corresponding beneficial air quality impacts on a local/regional scale. See attached

APCD 46. Will there be any land clearing of vegetation for this project? _____ How will vegetation be disposed?
See attached

WATER

NOTE: *Based upon the type and complexity of the project, a detailed study of domestic water system capacity and/or groundwater impacts may be necessary).*

DPW 47. For what purpose is water presently used onsite? See attached

What and where is the existing source? See attached

Is it treated water intended for domestic use? See attached

What water sources will be used for this project? See attached

Domestic: _____ Irrigation: _____

Fire Protection: _____ Other: _____

What is the projected peak water usage of the project? See attached

Is the project within a public domestic water system district or service area? See attached

If yes, will the public water supplier serve this project? See attached

What is the proposed source of domestic water? See attached

What is the projected peak water usage of the project? See attached

DEH 48. Are there any wells on the site? Yes If so, describe depth, yield, contaminants, etc: See attached
Show proposed well sites on the plan accompanying this application.

AESTHETICS

NOTE: *If the project has potential to visually impact an area's scenic quality, elevation drawings, photos or other depictions of the proposed project may be required.*

PLNG 49. Is the proposed project consistent/compatible with adjacent land uses and densities? See attached

PLNG 50. Is the proposed project consistent/compatible with adjacent architectural styles? See attached

PLNG 51. Would aesthetic features of the project (such as architecture, height, color, etc.) be subject to review? _____
By whom? See attached

PLNG 52. Describe signs and lighting associated with the project: See attached

PLNG 53. Is landscaping proposed? No If so, describe and indicate types and location of plants on a plan.

ARCHAEOLOGY/HISTORY

NOTE: *If the project site is on or near an historical or archaeological site, specific technical studies may be required for environmental determination.*

PLNG 54. What is the nearest historic site, state historic monument, national register district, or archaeological site?
See attached

PLNG 55. How far away is it? See attached

PLNG 56. Are there any historical, archaeological or culturally significant features on the site (i.e. old foundations, structures, Native American habitation sites, etc.)? See attached

SEWAGE

NOTE: *Based upon the type and complexity of the project, a detailed analysis of sewage treatment and disposal alternatives may be necessary to make an environmental determination.*

DEH 57. How is sewage presently disposed of at the site? See attached

DEH 58. How much wastewater is presently produced daily? See attached

DEH 59. What is the proposed method of sewage disposal? See attached

Is there a plan to protect groundwater from wastewater discharges? Yes _____ No _____ If yes, attach a draft of this plan.

DEH 60. How much wastewater would be produced daily? See attached

DEH 61. List all unusual wastewater characteristics of the project, if any. What special treatment processes are necessary for these unusual wastes? N/A

Will pre-treatment of wastewater be necessary? Yes ___ No If yes, attach a description of pre-treatment processes and monitoring system.

DEH 62. Is the groundwater level during the wettest time of the year less than 8 feet below the surface of the ground within the project area? See attached

DEH 63. Is this project located within a sewer district? See attached
If so, which district? _____ Can the district serve this project? _____

DEH 64. Is there sewer in the area? Yes

DEH 65. What is the distance to the nearest sewer line? See attached

HAZARDOUS MATERIALS

Hazardous materials are defined as any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment (including oils, lubricants, and fuels).

DEH 66. Will the proposed project involve the handling, storage or transportation of hazardous materials? Yes ___ No

DEH 67. If yes, will it involve the handling, storage, or transportation at any one time of more than 55 gallons, 500 pounds, or 200 cubic feet (at standard temperature and pressure) of a product or formulation containing hazardous materials? Yes ___ No ___ N/A

DEH 68. If you answered yes to question #66, do you store any of these materials in underground storage tanks? Yes ___ No N/A If yes, please contact the Environmental Health Division at (916) 889-7335 for an explanation of additional requirements.

SOLID WASTE

DEH 69. What types of solid waste will be produced? N/A
How much? _____ How will it be disposed of? _____

PARKS/RECREATION

PLNG 70. How close is the project to the nearest public park or recreation area? See attached
Name the area _____

SOCIAL IMPACT

PLNG 71. How many new residents will the project generate? See attached

PLNG 72. Will the project displace or require relocation of any residential units? See attached

PLNG 73. What changes in character of the neighborhood (surrounding uses such as pastures, farmland, residential) would the project cause? See attached

PLNG 74. Would the project create/destroy job opportunities? See attached

PLNG 75. Will the proposed development displace any currently productive use? See attached
If yes, describe: _____

TRANSPORTATION/CIRCULATION

Note: Detailed Traffic Studies prepared by a qualified consultant may be required following review of the information presented below.

DPW 76. Does the proposed project front on a County road or State Highway? Yes No ___
If yes, what is the name of the road? See attached

DPW 77. If no, what is the distance to the nearest County road? N/A
Name of road? _____

- DPW 78. Would any non-auto traffic result from the project (trucks, trains, etc.)? Yes ___ No ___ N/A
If yes, describe type and volume: _____
- DPW 79. What road standards are proposed within the development? N/A
Show typical street section(s) on the site plan.
- DPW 80. Will new entrances onto County roads be constructed? Yes X No ___ See attached
If yes, show location on the site plan.
- DPW 81. Describe any proposed improvements to County roads and/or State Highways:
N/A
- DPW 82. How much additional traffic is the project expected to generate? (Indicate average daily traffic (ADT), peak hour volumes, identify peak hours. Use Institute of Transportation Engineers' (ITE) trip generation rates where project specific data is unavailable): None, See attached
- DPW 83. Would any form of transit be used for traffic to/from the project site? N/A
- DPW 84. What are the expected peak hours of traffic to be caused by the development (i.e., Churches: Sundays, 8:00 a.m. to 1:00 p.m.; Offices: Monday through Friday, 8:00 a.m. to 9:00 a.m., and 4:00 p.m. to 6:00 p.m.)? ___
N/A
- DPW 85. Will project traffic affect an existing traffic signal, major street intersection, or freeway interchange? Yes ___ No N/A. If yes, explain: _____
- DPW 86. What bikeway, pedestrian, equestrian, or transit facilities are proposed with the project? _____
N/A

Name and title (if any) of person completing this Questionnaire:

Signature: *James E. Cluck* Date: 3-07-05
 Title: _____ Telephone: _____

EIAQ Supplemental
Placer County Conservation Plan - Phase 1

1. Placer County Conservation Plan (PCCP) - Phase 1
2. The PCCP is a planning document that outlines the conservation of biological resources while permitting a number of covered development activities. Land uses within the planning area include rural residential, industrial, agriculture, and commercial designations.
3. The PCCP does not propose any new homesites or building floor area; however, permitting the covered activities will result in an increase in urban uses.
4. A number of residential, commercial, industrial and agricultural facilities occur throughout the Phase 1 landscape.
5. The planning area spans the entire western portion of Placer County, from the Auburn area west to the Placer County line. Adjacent counties include Yuba, Sutter, Sacramento, and Nevada counties. Areas not covered include the Cities of Auburn, Rocklin, Roseville and the Town of Loomis.
6. The Phase 1 area has been used for a variety of agricultural activities, including rice production, cattle grazing, row crop production, and orchards, as well as for a variety of residential, industrial, professional, recreational, institutional and commercial uses.

GEOLOGY & SOILS

7. No
8. The PCCP will result in the establishment of a number of ecological reserves, to be located throughout the Phase 1 planning area. The locations of these reserves are not known at this time. Portions of the reserve sites may be restored to enhance natural wildlife habitat. An unknown amount of material will be imported and exported as a result of grading activities in the ecological reserve areas.
9. Restoration activities in the ecological reserve areas may result in grading activity; however the depth and slope of excavation is unknown at this time.
10. No
11. No
12. Approximately 12,000 acres of the Phase 1 area will be restored through the implementation of the PCCP.
13. Yes, grading activities in ecological reserve areas could result in sediment discharge into streams. Winterization and other erosion control measures will be implemented to mitigate impacts.

14. The Phase 1 planning area spans over 221,000 acres. Natural economic resources likely occur throughout the planning area.

DRAINAGE & HYDROLOGY

15. Yes, the planning area encompasses portions of the Dry Creek, Pleasant Grove, Curry Creek, Auburn Ravine, Coon Creek, and Bear River watersheds. Numerous canals, wetlands, and ponds occur throughout the Phase 1 planning area as well.
16. Yes, restoration activities may result in the diversion of water from existing water bodies.
17. No, not at this time.
18. See answer to question 15.
19. Yes, runoff from potential restoration activities may enter watercourses located within the ecological reserve areas.
20. No
21. Yes, restoration activities may modify existing wetlands and stream beds and banks to enhance habitat characteristics.
22. Yes, the Phase 1 planning area contains the floodplains of numerous streams, including Dry Creek, Auburn Ravine, Coon Creek, and Pleasant Grove Creek.
23. Yes, restoration activities may modify existing wetlands and stream beds and banks to enhance habitat characteristics.

VEGETATION AND WILDLIFE

24. Vegetative characteristics within the planning area include grassland, vernal pool complex, oak woodland, riparian woodland, streams and other wetlands.
25. An undetermined amount of trees may be removed as a result of restoration activities occurring within ecological reserve areas. It is possible that some PCCP covered activities will result in tree removal; however, those impacts will be addressed at the time of each individual project's environmental review. For the most part, woodlands are to be conserved and/or restored as a part of the implementation of the PCCP.
26. This number is difficult to estimate, as the extent of the reserve sites and restoration activities is not known at this time. This issue will be addressed in the CEQA/NEPA documentation completed for the PCCP.
27. The planning area supports numerous species of common and special-status birds, invertebrates, amphibians, reptiles, and small and large mammals.
28. Yes, the planning area supports rare and endangered plants and animals.
29. Yes, the planning area supports Federally listed threatened and endangered species.
30. Yes, the implementation of the PCCP will result in the issuance of take permits for endangered and threatened species. Measures provided in the PCCP will

mitigate for these impacts and this issue will be addressed in the CEQA/NEPA documentation prepared for this project.

31. Issuance of take permits associated with PCCP implementation and some proposed restoration activities will result in modifications to existing natural communities and wildlife habitat.
32. Yes, the planning area contains vernal pool complex, which is tracked by the CNDDDB.
33. Yes, wetlands and stream zones occur throughout the Phase 1 planning area.
34. Yes, restoration activities may result in modifications to existing wetlands or stream environment zones.
35. Restoration activities will require a Corps permit.
36. No

FIRE PROTECTION

37. The PCCP is a planning document that outlines the conservation of biological resources while permitting a number of covered development activities. The planning area addressed in the document spans the entire western portion of the County, from the Auburn area west to the County line. Fire protection services are located throughout western Placer County.
38. The planning area supports numerous streams, including Dry Creek, Auburn Ravine, and Coon Creek.
39. Ecological reserve areas established within the planning area will support an undetermined amount of public use. The introduction of the public into areas currently not accessed will increase the fire hazard in these areas. This issue will be addressed in the CEQA/NEPA documentation prepared for this project.

NOISE

40. The PCCP is a planning document that outlines the conservation of biological resources while permitting a number of covered development activities. The planning area addressed in the document spans the entire western portion of the County, from the Auburn area west to the County line. Numerous noise sources are likely located within the Phase 1 area.
41. Temporary noise may occur as a result of construction activities located with the ecological reserve areas. This issue will be addressed in the CEQA/NEPA document prepared for the project.

AIR QUALITY

42. The PCCP is a planning document that outlines the conservation of biological resources while permitting a number of covered development activities. The planning area addressed in the document spans the entire western portion of the County, from the Auburn area west to the County line. Multiple air pollution sources exist within the

vicinity of the planning area including numerous industrial facilities and major traffic corridors.

43. N/A

44. The PCCP is a planning document that outlines the conservation of biological resources while permitting a number of covered development activities. The planning area addressed in the document spans the entire western portion of the County, from the Auburn area west to the County line. Multiple sensitive receptors are located within ¼ mile of the planning area. The proposed project is not anticipated to generate any toxic or hazardous emissions.

45. This issue will be addressed in the CEQA/NEPA document prepared for this project.

46. Vegetation may be cleared during the restoration of ecological reserve areas. It is not known at this time how this vegetation will be disposed.

WATER

47. The PCCP is a planning document that outlines the conservation of biological resources while permitting a number of covered development activities. The planning area addressed in the document spans the entire western portion of the County, from the Auburn area west to the County line. Water within the planning area is currently used for residential, commercial, industrial, and agricultural purposes.

48. See answer to Question 47. Numerous wells occur within the planning area.

AESTHETICS

49. The proposed project does not propose any residential, commercial, or industrial development.

50. The proposed project does not propose any residential, commercial, or industrial development.

51. The proposed project does not propose any residential, commercial, or industrial development.

52. Signs and lighting may be installed in the ecological reserve areas. These issues will be addressed in the CEQA/NEPA document prepared for this project.

53. No landscaping is proposed for this project.

ARCHAEOLOGY/HISTORY

54. The PCCP is a planning document that outlines the conservation of biological resources while permitting a number of covered development activities. The planning area addressed in the document spans the entire western portion of the County, from the Auburn area west to the County line. Numerous historical and archaeological resources may be present throughout the planning area.

55. See answer to Question 54.

56. Numerous historical and archaeological resources may be present throughout the planning area. Within the ecological reserve areas, such features would likely be preserved. Impacts to these resources will be addressed in the CEQA/NEPA document prepared for this project.

SEWAGE

57. The PCCP is a planning document that outlines the conservation of biological resources while permitting a number of covered development activities. The planning area addressed in the document spans the entire western portion of the County, from the Auburn area west to the County line. Numerous residences, commercial, and industrial facilities are located in the planning area. As a result, sewage is disposed of in a variety of ways.

58. Numerous residences, commercial, and industrial facilities are located in the planning area.

59. The PCCP is a planning document that outlines the conservation of biological resources while permitting a number of covered development activities. Implementation of the PCCP is not expected to generate large volumes of additional sewage.

60. The PCCP is a planning document that outlines the conservation of biological resources while permitting a number of covered development activities. Implementation of the PCCP is not expected to generate large volumes of wastewater.

61. N/A

62. The PCCP spans a large area of western Placer County. The groundwater levels fluctuate throughout this area.

63. The PCCP spans a large area of western Placer County and spans a number of sewer districts.

64. Yes, sewer is located within the planning area.

65. The PCCP spans a large area of western Placer County, covering multiple sewer lines.

HAZARDOUS MATERIALS

66. No

67. N/A

68. N/A

SOLID WASTE

69. N/A

PARKS/RECREATION

70. The PCCP spans a large area of western Placer County, covering multiple parks and recreation areas.

SOCIAL IMPACT

71. The PCCP is a planning document and will not result in new County residents.
72. See answer to Question 71.
73. Implementation of the PCCP will result in the establishment of ecological reserve areas throughout the Phase 1 planning area.
74. The implementation of the PCCP may result in the establishment of up to 13 new jobs in the County.
75. No new development is proposed through this project. Establishment of ecological reserve areas has the potential to affect existing agricultural activities. This issue will be addressed in the CEQA/NEPA document prepared for this project.

TRANSPORTATION/CIRCULATION

76. The PCCP is a planning document that outlines the conservation of biological resources while permitting a number of covered development activities. The planning area addressed in the document spans the entire western portion of the County, from the Auburn area west to the County line. Numerous County roads are located within the boundary of the planning area.
77. N/A
78. N/A
79. N/A
80. New entrances onto County roads may be constructed associated with the establishment of future ecological reserve areas.
81. N/A
82. The PCCP is not anticipated to generate additional traffic.
83. N/A
84. N/A
85. N/A
86. N/A

Placer County Conservation Plan - Phase 1 Project Background

Introduction

EIR/EIS

A joint EIR/EIS is being prepared for the Placer County Conservation Plan (PCCP) Phase 1 in compliance with California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) requirements. As provided for under Section 15170 of CEQA, "a lead agency may work with a federal agency to prepare a joint environmental document." The joint EIR/EIS being prepared for the PCCP is such a document. Placer County is the state lead agency for the preparation of the EIR/EIS; the U.S. Fish and Wildlife Service (Service) is the federal lead agency for the preparation of the EIR/EIS. National Oceanic and Atmospheric Administration's Marine Fisheries Service (NOAA Fisheries) and the U.S. Army Corps of Engineers (Corps) are cooperating agencies for the preparation of the EIS document; California Department of Fish and Game (CDFG) is the cooperating agency for the preparation of the EIR document.

The EIR/EIS will evaluate the potential environmental impacts of the PCCP. The PCCP is a Habitat Conservation Plan/Natural Community Conservation Plan that will be used to support application for a federal permit under Section 10(a)(1)(B) of the Endangered Species Act (ESA) and a state permit under Section 2835 of the Natural Community Conservation Planning Act (NCCPA). The PCCP also contains the County Aquatic Resources Program (CARP), which is intended to satisfy the requirements for issuance of a Master Streambed Alteration Agreement, programmatic Clean Water Act (CWA) section 401 water quality certification, a CWA section 404 programmatic general permit (PGP) and a U.S. Army Corps of Engineers (Corps) Letter of Permission Procedures (LOP). Together, the HCP/NCCP (pertaining to protection of species and habitat) and the CARP (pertaining to protection of aquatic resources) comprise the PCCP.

NOP/NOI

CEQA Section 15082 states that once a decision is made to prepare an EIR, the lead agency must prepare an NOP to inform all responsible agencies that an EIR will be prepared. The NOP must be sent to each governmental agency expected to be involved in approving or funding elements of the project. The NOP is required to provide sufficient information about the project description and the potential environmental effects to enable the agencies to make a meaningful response regarding the scope and content of the information that they believe should be included in the EIR.

Concurrent with the NOP, an NOI is being issued by the Service for publication in the Federal Register in compliance with Section 1501.7 of NEPA. The NOI and NOP will be released for a 30-day public review on March 7, 2005. The NOI and NOP provide parallel opportunities for early public input and comment. Interested parties may respond to one notice or the other, but need not respond to both. All responses to the NOP and NOI will be incorporated into the EIR/EIS as a whole.

Project Area

The Placer County Conservation Plan (PCCP) Phase 1 boundary spans approximately 221,600 acres in Western Placer County, California (see attached figure). Western Placer County is bordered on the north by Yuba and Nevada Counties, on the west by Sutter County, on the south by Sacramento County, and on the east by the upper boundaries of the Coon Creek watershed east of the City of Auburn. Excluded areas include the Cities of Roseville, Rocklin, Auburn and the Town of Loomis. All or a portion of the spheres of influence for these cities, amounting to 3,500 acres, is also excluded. Infill and new growth in these areas are not proposed to be covered by the permits based on the PCCP. Additional information on the environmental setting can be found in the 2004 Natural Resources Report for Western Placer County.

The PCCP would be the first of three independently viable conservation plans that together would encompass all of Placer County. The conservation strategies in this PCCP will not rely on the other two conservation plans but will recognize opportunities for improved land conservation, connectivity between reserve areas, and program administration.

The project area considered in Phase 1 of the PCCP contains significant areas of urbanization along the Interstate 80 corridor in Roseville and Rocklin and along the Highway 65 corridor in Lincoln. Flat agricultural and annual grasslands are present in the most westerly portions of the project area. As the topography changes to foothills in the northeastern and eastern areas (around Loomis, Newcastle, and Auburn), rural residential land uses within foothill woodland dominate the landscape.

Project Description

Project Purpose

The purpose of the PCCP is to promote biological and natural community conservation within western Placer County, while allowing compatible urban development to proceed according to local land use plans. The PCCP includes mechanisms intended to ease the burden of time, effort, and money needed for project proponents to comply with regulatory requirements, and to allow governmental agencies to more efficiently coordinate the implementation of their disparate obligations. For the County, the establishment and implementation of the PCCP will help achieve goals and policies identified in the Placer County General Plan and help implement objectives of the County's Placer Legacy Open Space and Agricultural Conservation Program, such as preserving the diversity of natural plant and animal communities, and preserving agricultural land and open space.

Background

Section 9 of the ESA and federal regulations prohibit the "take" of fish and wildlife species listed as endangered or threatened. Under the ESA, the following activities are defined as *take*: harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed animal species, or attempt to engage in such conduct (16 USC 1538). However, under Section 10(a) of the ESA, the Service and NOAA Fisheries may issue permits to authorize "incidental take" of listed species. *Incidental take* is defined by the ESA as "take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity." All species included on the permit would be subject to provisions under the Service's "No Surprises" regulation if the "No Surprises" regulation is in

effect at the time of issuance of the incidental take permit (63 FR 8859).

Take of listed plant species is not prohibited under the ESA and cannot be authorized under a Section 10 permit. However, plant species will be included in the PCCP in recognition of the conservation benefits provided for them under the PCCP.

The California Endangered Species Act (CESA) prohibits the "take" of wildlife species listed as endangered or threatened by the California Fish and Game Commission (California Fish and Game Code, Section 2080). The CESA defines *take* as "hunt, pursue, catch, capture or kill, or attempt to engage in such conduct" (California Fish and Game Code, Section 86). Pursuant to Section 2835 of the NCCPA (California Fish and Game Code Section 2835), CDFG may issue a permit that authorizes the take of any CESA listed species or other species whose conservation and management is provided for in a CDFG-approved NCCP.

Proposed Project

The proposed project is the issuance of incidental take permits, a Section 404 Programmatic General Permit (PGP) and Letter of Permission Procedures (LOP). The incidental take permits would be supported by the implementation of the PCCP (HCP/NCCP). Authorization of the PGP/LOP would be supported by the implementation of the County Aquatic Resources Program (CARP), a component of the PCCP, that would cover direct and indirect incidental take of listed species resulting from urban development on lands that have already been designated for urban development in the Placer County General Plan and the City of Lincoln General Plan, and on specifically identified lands outside of the existing Placer County General Plan urban growth boundary.

The Applicants are: (1) the Placer County Planning Department; (2) the Placer County Resource Conservation District; (3) the City of Lincoln; (4) the Placer County Water Agency; and (5) the South Placer Regional Transportation Authority. Subject to satisfactory completion of environmental review and, as described below, receipt of approvals from the Authorizing Agencies, the governing bodies of each of the Applicants will approve the PCCP and will then take a variety of steps to incorporate into their respective policies the procedures and substantive criteria described in the PCCP. Such steps may include adoption of ordinances and/or resolutions, or issuance of direction to their respective staffs. As the Applicant having the broadest geographic area and range of jurisdictional powers, the County of Placer is the Lead Agency, for purposes described within the California Environmental Quality Act.

The Authorizing Agencies are: (1) with respect to issuance of incidental take permits under section 10(a)(1)(B) of the federal Endangered Species Act (ESA), the U.S. Fish and Wildlife Service (Service) and National Oceanic and Atmospheric Administration's Marine Fisheries Service (NOAA); (2) with respect to issuance of a take authorization under section 2835 of the Natural Community Conservation Planning Act (NCCP Act) and a Master Streambed Alteration Agreement under California Fish and Game Code section 1602, the California Department of Fish and Game (CDFG); (3) with respect to issuance of a federal Clean Water Act section 404 Programmatic General Permit (PGP) and Letter of Permission Procedures (LOP) the U.S. Army Corps of Engineers (Corps); (4) with respect to issuance of a programmatic Clean Water Act section 401 water quality certification in compliance with the California Porter-Cologne Water Quality Control Act, the Regional Water Quality Control Board (RWQCB). The United States Environmental Protection Agency (USEPA) is also directly involved in the process for issuance

of Corps permits under Section 404 of the Clean Water Act, but USEPA will not itself be issuing an authorization.

The PCCP will satisfy the requirements for issuance of a number of programmatic authorizations by the federal and state Authorizing Agencies, which are the permits and authorizations described in the preceding paragraph. Among the requirements for issuance of an incidental take permit under the ESA is preparation of a habitat conservation plan (HCP). Among the requirements for issuance of a take authorization under California Fish and Game Code section 2835 is preparation of a Natural Community Conservation Plan (NCCP). Among the requirements for issuance of a programmatic general permit (PGP) under Clean Water Act section 404 is the preparation of a program for the protection of aquatic resources, which the Applicants here have named a County Aquatic Resources Program (CARP). The CARP is also intended to satisfy the requirements for issuance of a Master Streambed Alteration Agreement, programmatic Clean Water Act section 401 water quality certification, and Corps LOP. Together, the HCP/NCCP (pertaining to protection of species and habitat) and the CARP (pertaining to protection of aquatic resources) comprise the PCCP.

After the PCCP has been approved by the Authorizing Agencies and the programmatic permits have been issued, the procedure for obtaining authorizations for individual site-level covered activities is intended to be more orderly and streamlined than the currently-available procedures for obtaining project-by-project authorizations from multiple state and federal regulatory agencies. Persons wishing to perform individual site-level activities that otherwise may be prohibited due to impacts upon species, habitat, natural communities, or aquatic resources, will first follow the procedural and substantive requirements of the PCCP. Under the PCCP, the Applicants will conduct an initial environmental review of proposed projects. That review procedure—and the PCCP's associated approval criteria, such as required findings, mitigation ratios, and mitigation fees—will anticipate and integrate the requirements of the various federal and state regulatory programs that are represented by each of the programmatic permits. If the project proponent's proposed activity meets certain thresholds and other requirements specified in the PCCP, their activity will be "covered" by the PCCP. When the Applicant issues its own local authorization for a "covered activity," the activity can then also be authorized under the state and federal programmatic permits issued in connection with the PCCP. In this manner, within the Phase 1 boundary, the PCCP will be used to provide comprehensive environmental review and mitigation for future conversions of land that impact species, habitat, natural communities, or aquatic resources.

The term of the programmatic take authorizations issued by the Service, NOAA, and CDFG will be 50 years. In accordance with statutory requirements, the term of the programmatic aquatic resources authorizations issued by the Corps, EPA, CDFG, and the RWQCB will be 5 years and will specify procedures and criteria for renewal upon the conclusion of each 5-year period.

It is likely that the proposed project will be modified and other alternatives introduced during the course of PCCP development based on further analysis, new information, agency consultation, and public comment.

The EIR/EIS will consider the proposed project, the issuance of ESA incidental take permits, no action (no permits), and a reasonable range of alternatives. A detailed description of the proposed project and alternatives will be included in the EIR/EIS. Alternatives to be considered for analysis in the EIR/EIS may include variations of the geographical coverage of the permits, variations in the amount and type of conservation, variations of the scope or type of covered activities or covered species, variations in permit duration, variations of the types of federal and state permits issued under the project, no project/no action, or a combination of these elements.

The EIR/EIS will also identify potentially significant impacts on biological resources, land use, air quality, water quality, mineral resources, water resources, economics, and other environmental resource issues that could occur directly or indirectly with implementation of the proposed project and alternatives. For all potentially significant impacts where feasible, the EIR/EIS will identify mitigation measures to reduce these impacts to a level below significant.

Covered Activities

The activities that are anticipated to be covered by the programmatic permits associated with the PCCP include certain otherwise lawful activities relating to urban development on: (1) lands that have previously been designated for urban development in the Placer County General Plan and the City of Lincoln General Plan; and (2) certain lands outside of the existing County and City of Lincoln General Plan urban growth boundary where growth may occur if growth demands projected by the California State Department of Finance, the Sacramento Area Council of Governments, and other sources are met.

Covered Species

The Applicants intend to request permits authorizing the incidental take of 29 animal species (7 federally listed, 4 state listed, 2 federally and state listed, 1 federal candidate for listing, and 15 otherwise sensitive animal species) for 50 years during the course of conducting otherwise lawful land use or development activities on public and private land in western Placer County. The permit would also cover one state listed and 4 currently unlisted plants species.

Listed species administered by the USFWS include a) endangered species: vernal pool tadpole shrimp (*Lepidurus packardii*); b) threatened species: vernal pool fairy shrimp (*Branchinecta lynchi*); valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*); bald eagle (wintering) (*Haliaeetus leucocephalus*); California red-legged frog (*Rana aurora draytoni*); giant garter snake (*Thamnophis gigas*); and California tiger salamander (*Ambystoma californiense*).

Listed species administered by CDFG include a) endangered species: Bogg's Lake Hedge-hyssop (*Gratiola heterosepala*); Bald eagle (wintering) (*Haliaeetus leucocephalus*); American peregrine falcon (wintering) (*Falco peregrinus anatum*); b) threatened species: Swainson's Hawk (*Buteo swainsoni*); California black rail (*Laterallus jamaicensis*); giant garter snake (*Thamnophis gigas*); Bank swallow (nesting) (*Riparia riparia*).

Listed species administered by NOAA Fisheries include a) endangered species: Sacramento winter-run chinook salmon (*Oncorhynchus tshawytscha*); b) threatened species: Central Valley steelhead (*Oncorhynchus mykiss*); and c) candidate species: Central Valley fall/late fall-run chinook salmon (*Oncorhynchus tshawytscha*).

The following 15 unlisted animal species may become listed during the term of the permit: Foothill yellow-legged frog (*Rana boylei*); California burrowing owl (*Athene cunicularia*); Western spadefoot toad (*Scaphiopus hammondi*); Northwestern pond turtle (*Clemmes marmorata marmorata*); Northern harrier (nesting) (*Circus cyaneus*); Ferruginous hawk (wintering) (*Buteo regalis*); Rough-legged hawk (wintering) (*Buteo lagopus*); Cooper's hawk (*Accipiter cooperii*); Loggerhead shrike (*Lanius ludovicianus*); Yellow warbler (nesting) (*Dendroica petechia*); Yellow-breasted chat (nesting) (*Icteria virens*); Modesto song sparrow (*Melospiza melodia mailliardi*); Grasshopper sparrow (*Ammodramus savannarum*); Tricolored blackbird (nesting) (*Agelaius tricolor*); and Yellow-billed cuckoo (*Coccyzus americanus*).

The following four unlisted plant species may become listed during the term of the permit: dwarf downingia (*Downingia pusilla*); legenere (*Legenere limosa*); Ahart's dwarf rush (*Juncus leiospermus* var. *ahartii*); and Red Bluff dwarf rush (*Juncus leiospermus* var. *leiospermus*).

Species may be added or deleted during the course of PCCP development and implementation based on further analysis, new information, agency consultation, future listings, and public comment.

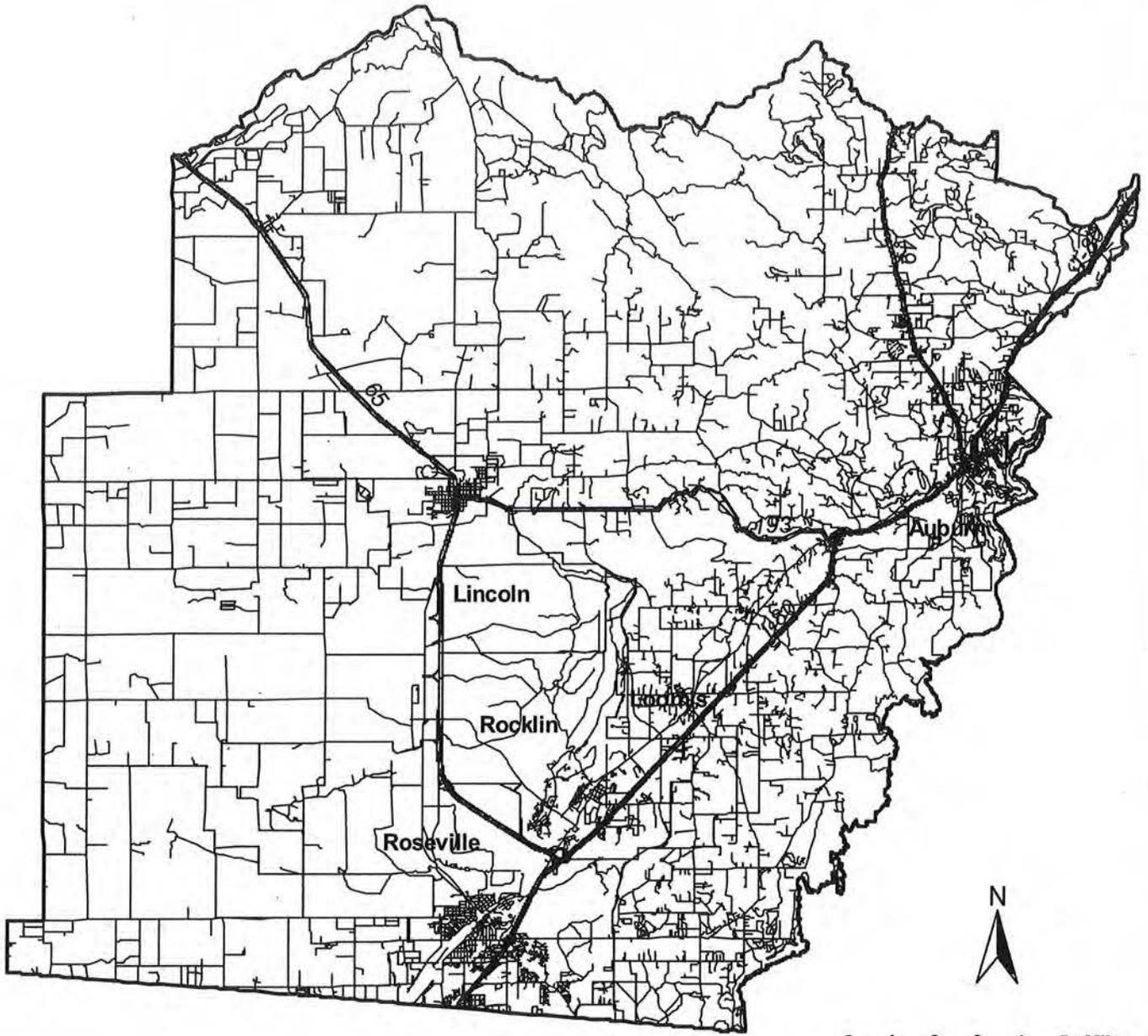
Under the PCCP, the effects of proposed covered activities on covered species are expected to be minimized and mitigated through participation in a conservation program, which will be fully described in the PCCP. Covered activities would be carried out in accordance with the PCCP, which will include a program designed to ensure the continued conservation of natural communities and threatened and endangered species in western Placer County and to resolve potential conflicts between otherwise lawful activities and the conservation of habitats and species on non-federal land in western Placer County. Components of this conservation program are now under consideration by CDFG, the RWQCB, the Service, NOAA Fisheries, the Corps, and the Applicants. These components will likely include avoidance and minimization measures, monitoring, adaptive management, and mitigation measures consisting of habitat preservation, restoration, and enhancement.

Development of the PCCP has involved a public input process that has included open meetings of a Biological Stakeholder Working Group and public workshops with the Placer County Board of Supervisors. It is anticipated that the PCCP will be implemented through the incidental take permit and an Implementation Agreement.

Statement of Probable Effects

The following primary issues are to be addressed during the scoping and planning process for the PCCP and EIR/EIS: (1) potential effects of each alternative on species and natural communities covered under the proposed PCCP; (2) level and extent of urban development defined under each alternative and whether it can be adequately mitigated within the lands in the conservation opportunity area; (3) whether an adequate system of reserves can be established in the conservation area and whether such a reserve system would support habitat of covered species equal to or greater than the habitat lost from urban development; (4) direct and indirect impacts of covered urban development and other activities and whether such impacts would be adequately mitigated (issues to be addressed will include land use, traffic, air quality, cultural resources, water resources, and biological resources); and (5) cumulative impacts.

Placer County Conservation Plan



LEGEND

-  Conservation Plan Boundary
-  Cities
-  Roads

DRAFT

Source:
Map: TRA, February 22, 2005

Map07_Roads.pdf



PLACER COUNTY PLANNING DEPARTMENT

11414 B Avenue, Auburn, CA 95603 (530) 886-3000/FAX (530) 886-3080

INITIAL STUDY

In accordance with the policies of the Placer County Board of Supervisors regarding implementation of the California Environmental Quality Act, this document constitutes the Initial Study on the proposed project. This Initial Study provides the basis for the determination whether the project may have a significant effect on the environment. If it is determined that the project may have a significant effect on the environment, an Environmental Impact Report will be prepared. New information obtained or more detailed analysis performed in connection with the preparation of an Environmental Impact Report may result in determinations and discussions of significance below differing from those in the Environmental Impact Report.

I. BACKGROUND

TITLE OF PROJECT: Placer County Conservation Plan - Phase 1

Environmental Setting: The Placer County Conservation Plan (PCCP) Phase 1 boundary spans approximately 221,600 acres in Western Placer County, California. Western Placer County is bordered on the north by Yuba and Nevada Counties, on the west by Sutter County, on the south by Sacramento County, and on the east by the upper boundaries of the Coon Creek watershed east of the City of Auburn. Excluded areas include the Cities of Roseville, Rocklin, Loomis, and Auburn and 3,500 acres of their spheres of influence area. Infill and new growth in these areas are not proposed to be covered by the permits based on the PCCP. Additional information on the environmental setting can be found in the 2004 Natural Resources Report for Western Placer County.

Project Description: The proposed project is presented here. It is likely that the proposed project may be modified and other alternatives introduced during the course of developing the PCCP, based on further analysis, new information, agency consultation, and public comment. The proposed project is the establishment, within and among the Applicants and Authorizing Agencies, of the conservation plan and conservation program described in the PCCP.

The purpose of the PCCP is to promote biological and natural community conservation within western Placer County, while allowing compatible urban development to proceed according to local land use plans. The PCCP includes mechanisms intended to ease the burden of time, effort, and money needed for project proponents to comply with regulatory requirements, and to allow governmental agencies to more efficiently coordinate the implementation of their disparate obligations. For the County, the establishment and implementation of the PCCP will help achieve goals and policies identified in the Placer County General Plan and help implement objectives of the County's Placer Legacy Open Space and Agricultural Conservation Program, such as preserving the diversity of natural plant and animal communities, and preserving agricultural land and open space.

The Applicants are: (1) the Placer County Planning Department; (2) the Placer County Resource Conservation District; (3) the City of Lincoln; (4) the Placer County Water Agency; and (5) the South Placer Regional Transportation Authority. Subject to satisfactory completion of environmental review and, as described below, receipt of approvals from the Authorizing Agencies, the governing bodies of each of the Applicants will approve the PCCP and will then take a variety of steps to incorporate into their respective policies the procedures and substantive criteria described in the PCCP. Such steps may include adoption of ordinances and/or resolutions, or issuance of direction to their respective staffs. As the Applicant having the broadest geographic area and range of jurisdictional powers, the County of Placer is the Lead Agency, for purposes described within the California Environmental Quality Act.

Environmental Issues

No Impact Less Than Significant Impact Potentially Significant Unless Mitigation Incorporated Potentially Significant Impact

The Authorizing Agencies are: (1) with respect to issuance of incidental take permits under section 10(a)(1)(B) of the federal Endangered Species Act (ESA), the U.S. Fish and Wildlife Service (Service) and National Oceanic and Atmospheric Administration’s Marine Fisheries Service (NOAA); (2) with respect to issuance of a take authorization under section 2835 of the Natural Community Conservation Planning Act (NCCP Act) and a Master Streambed Alteration Agreement under California Fish and Game Code section 1602, the California Department of Fish and Game (CDFG); (3) with respect to issuance of a federal Clean Water Act section 404 Programmatic General Permit (PGP) and Letter of Permission Procedures (LOP) the U.S. Army Corps of Engineers (Corps); (4) with respect to issuance of a programmatic Clean Water Act section 401 water quality certification in compliance with the California Porter-Cologne Water Quality Control Act, the Regional Water Quality Control Board (RWQCB). The United States Environmental Protection Agency (USEPA) is also directly involved in the process for issuance of Corps permits under Section 404 of the Clean Water Act, but USEPA will not itself be issuing an authorization.

The PCCP will satisfy the requirements for issuance of a number of programmatic authorizations by the federal and state Authorizing Agencies, which are the permits and authorizations described in the preceding paragraph. Among the requirements for issuance of an incidental take permit under the ESA is preparation of a habitat conservation plan (HCP). Among the requirements for issuance of a take authorization under California Fish and Game Code section 2835 is preparation of a Natural Community Conservation Plan (NCCP). Among the requirements for issuance of a programmatic general permit (PGP) under Clean Water Act section 404 is the preparation of a program for the protection of aquatic resources, which the Applicants here have named a County Aquatic Resources Program (CARP). The CARP is also intended to satisfy the requirements for issuance of a Master Streambed Alteration Agreement, programmatic Clean Water Act section 401 water quality certification, and Corps LOP. Together, the HCP/NCCP (pertaining to protection of species and habitat) and the CARP (pertaining to protection of aquatic resources) comprise the PCCP.

After the PCCP has been approved by the Authorizing Agencies and the programmatic permits have been issued, the procedure for obtaining authorizations for individual site-level covered activities is intended to be more orderly and streamlined than the currently-available procedures for obtaining project-by-project authorizations from multiple state and federal regulatory agencies. Persons wishing to perform individual site-level activities that otherwise may be prohibited due to impacts upon species, habitat, natural communities, or aquatic resources, will first follow the procedural and substantive requirements of the PCCP. Under the PCCP, the Applicants will conduct an initial environmental review of proposed projects. That review procedure—and the PCCP’s associated approval criteria, such as required findings, mitigation ratios, and mitigation fees—will anticipate and integrate the requirements of the various federal and state regulatory programs that are represented by each of the programmatic permits. If the project proponent’s proposed activity meets certain thresholds and other requirements specified in the PCCP, their activity will be “covered” by the PCCP. When the Applicant issues its own local authorization for a “covered activity,” the activity can then also be authorized under the state and federal programmatic permits issued in connection with the PCCP. In this manner, within the Phase 1 boundary, the PCCP will be used to provide comprehensive environmental review and mitigation for future conversions of land that impact species, habitat, natural communities, or aquatic resources.

The term of the programmatic take authorizations issued by the Service, NOAA, and CDFG will be 50 years. In accordance with statutory requirements, the term of the programmatic aquatic resources authorizations issued by the Corps, EPA, CDFG, and the RWQCB will be 5 years and will specify procedures and criteria for renewal upon the conclusion of each 5-year period.

The activities that are anticipated to be covered by the programmatic permits associated with the PCCP include certain otherwise lawful activities relating to urban development on: (1) lands that have previously been designated for urban development in the Placer County General Plan and the City of Lincoln General Plan; and (2) certain lands outside of the existing County General Plan urban growth boundary where growth may occur if growth demands projected by the California State Department of Finance, the Sacramento Area Council of Governments, and other sources are met.

The Applicants intend to request permits authorizing the incidental take of 29 animal species (7 federally listed, 4 state listed, 2 federally and state listed, 1 federal candidate for listing, and 15 otherwise sensitive animal species) for 50 years

Environmental Issues

No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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during the course of conducting otherwise lawful land use or development activities on public and private land in western Placer County. The permit would also cover one state listed and 4 currently unlisted plant species.

Listed species administered by the USFWS include a) endangered species: vernal pool tadpole shrimp (*Lepidurus packardi*); b) threatened species: vernal pool fairy shrimp (*Branchinecta lynchi*); valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*); bald eagle (wintering) (*Haliaeetus leucocephalus*); California red-legged frog (*Rana aurora draytoni*); giant garter snake (*Thamnophis gigas*); and California tiger salamander (*Ambystoma californiense*).

Listed species administered by CDFG include a) endangered species: Bogg's Lake Hedge-hyssop (*Gratiola heterosepala*); Bald eagle (wintering) (*Haliaeetus leucocephalus*); American peregrine falcon (wintering) (*Falco peregrinus anatum*); b) threatened species: Swainson's Hawk (*Buteo swainsoni*); California black rail (*Laterallus jamaicensis*); giant garter snake (*Thamnophis gigas*); Bank swallow (nesting) (*Riparia riparia*).

Listed species administered by NOAA Fisheries include a) endangered species: Sacramento winter-run chinook salmon (*Oncorhynchus tshawytscha*); b) threatened species: Central Valley steelhead (*Oncorhynchus mykiss*); and c) candidate species: Central Valley fall/late fall-run chinook salmon (*Oncorhynchus tshawytscha*).

The following 15 unlisted animal species may become listed during the term of the permit: Foothill yellow-legged frog (*Rana boylei*); California burrowing owl (*Athene cunicularia*); Western spadefoot toad (*Scaphiopus hammondi*); Northwestern pond turtle (*Clemmes marmorata marmorata*); Northern harrier (nesting) (*Circus cyaneus*); Ferruginous hawk (wintering) (*Buteo regalis*); Rough-legged hawk (wintering) (*Buteo lagopus*); Cooper's hawk (*Accipiter cooperii*); Loggerhead shrike (*Lanius ludovicianus*); Yellow warbler (nesting) (*Dendroica petechia*); Yellow-breasted chat (nesting) (*Icteria virens*); Modesto song sparrow (*Melospiza melodia mailliardi*); Grasshopper sparrow (*Ammodramus savannarum*); Tricolored blackbird (nesting) (*Agelaius tricolor*); and Yellow-billed cuckoo (*Coccyzus americanus*).

The following four unlisted plant species may become listed during the term of the permit: dwarf downingia (*Downingia pusilla*); legenere (*Legenere limosa*); Ahart's dwarf rush (*Juncus leiospermus* var. *ahartii*); and Red Bluff dwarf rush (*Juncus leiospermus* var. *leiospermus*).

Species may be added or deleted during the course of PCCP development and implementation based on further analysis, new information, agency consultation, future listings, and public comment.

Under the PCCP, the effects of proposed covered activities on covered species are expected to be minimized and mitigated through participation in a conservation program, which would be fully described in the PCCP. Covered activities would be carried out in accordance with the PCCP which includes a program designed to ensure the continued conservation of natural communities and threatened and endangered species in western Placer County, and to resolve potential conflicts between otherwise lawful activities and the conservation of habitats and species on non-Federal land in western Placer County. Components of this conservation program are now under consideration by CDFG, the RWQCB, the Service, NOAA, the Corps, USEPA, and the Applicants. These components will likely include avoidance and minimization measures, monitoring, adaptive management, and mitigation measures consisting of preservation, restoration, and enhancement of habitat and aquatic resources.

II. EVALUATION OF ENVIRONMENTAL IMPACTS:

- A. A brief explanation is required for all answers except "No Impact" answers.
- B. "Less than Significant Impact" applies where the project's impacts are negligible and do not require any mitigation to reduce impacts.

Environmental Issues	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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- C. "Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The County, as lead agency, must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from Section IV, EARLIER ANALYSES, may be cross-referenced).
- D. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- E. All answers must take account of the entire action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts [CEQA, Section 15063 (a) (1)].
- F. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration [Section 15063(c)(3)(D)]. Earlier analyses are discussed in Section IV at the end of the checklist.
- G. References to information sources for potential impacts (e.g., general plans/community plans, zoning ordinances) should be incorporated into the checklist. Reference to a previously prepared or outside document should include a reference to the pages or chapters where the statement is substantiated. A source list should be attached, and other sources used, or individuals contacted, should be cited in the discussion.

1. LAND USE PLANNING. Would the proposal:

a. Conflict with general plan/community plan/specific plan designation(s) or zoning, or policies contained within such plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with applicable environmental plans or policies adopted by responsible agencies with jurisdiction over the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Be incompatible with existing land uses in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Affect agricultural and timber resources or operations (e.g., impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Result in a substantial alteration of the present or planned land use of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

1(a). Some growth would be "covered" under the PCCP in areas outside of existing County and City general plan

Environmental Issues

No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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designations. The purpose of the PCCP is to promote biological and natural community conservation within western Placer County, while allowing compatible urban development to proceed according to local land use plans. The PCCP is not intended to encourage or constrain urban development in itself, but rather to ensure that projected urban development will not compromise the long-term viability of natural and agricultural resources in the Phase I planning area. Implementation of the PCCP will not cause or fully authorize any urban development; nor will the PCCP prohibit development. All urban development proposals with the potential to impact natural and agricultural resources will be subject to separate environmental review and must comply with the Applicants' various environmental and other requirements. The PCCP will not cause the direct or indirect impacts of future urban development. However, the PCCP will result in the issuance of state and federal permits that may be necessary for some urban development projects to be implemented. For that reason, for purposes of this Initial Study, it is assumed that the impacts of future urban development should be considered in the decision of whether to prepare an EIR. The EIR may independently question, evaluate and discuss the extent to which an analysis of future urban development impacts, other than biological and agricultural impacts within the scope of the PCCP, is warranted.

1(b). The PCCP does not apply to local jurisdictions not participating in the plan (i.e. the cities of Rocklin, Roseville, Auburn and the Town of Loomis) and, therefore, will not alter or conflict with existing environmental policies established within these jurisdictions. The PCCP will be reviewed and approved by all resource agencies with jurisdiction over the planning area and is intended to become the overarching local environmental policy for species, habitat, and aquatic resources regulation. The final PCCP document will either be consistent with current policy and/or standards of the federal and state Authorizing Agencies or will replace those policies and standards.

1(c). It is unknown exactly what type of urban uses will be proposed within the PCCP Phase 1 plan area, and it is unknown what the location of uses will be. However, it is likely that some land uses will be incompatible with one another during the 50-year permit term within the Phase 1 area.

1(d). Development of urban uses on land converted from agriculture will affect soils and farmlands.

1(f). The purpose of the PCCP is to promote biological and natural community conservation within western Placer County, while allowing compatible urban development to proceed according to local land use plans. The PCCP is not intended to encourage or constrain urban development in itself, but rather to ensure that projected urban development will not compromise the long-term viability of natural and agricultural resources in the Phase I planning area. Implementation of the PCCP will not cause or fully authorize any urban development; nor will the PCCP prohibit development. All urban development proposals with the potential to impact natural and agricultural resources will be subject to separate environmental review and must comply with the Applicants' various environmental and other requirements. The PCCP will not cause the direct or indirect impacts of future urban development. However, the PCCP will result in the issuance of state and federal permits that may be necessary for some urban development projects to be implemented. For that reason, for purposes of this Initial Study, it is assumed that the impacts of future urban development should be considered in the decision of whether to prepare an EIR. The EIR may independently question, evaluate and discuss the extent to which an analysis of future urban development impacts, other than biological and agricultural impacts within the scope of the PCCP, is warranted.

2. POPULATION AND HOUSING. Would the proposal:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a. Cumulatively exceed official regional or local population projections? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Environmental Issues	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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- c. Displace existing housing, especially affordable housing?

Comments:

2(a). The PCCP covers and provides a 50-year comprehensive mitigation strategy for growth within the planning area, addressing sensitive species and natural communities. To prepare this strategy, a 2050 population and employment projection was prepared. Overall, this projection is consistent with regional and local population projections, including Sacramento Area Council of Governments (SACOG) Blueprint, the Department of Finance, and the City of Lincoln projections. This impact is considered less than significant.

2(b). The purpose of the PCCP is to promote biological and natural community conservation within western Placer County, while allowing compatible urban development to proceed according to local land use plans. The PCCP is not intended to encourage or constrain urban development in itself, but rather to ensure that projected urban development will not compromise the long-term viability of natural and agricultural resources in the Phase I planning area. Implementation of the PCCP will not cause or fully authorize any urban development; nor will the PCCP prohibit development. All urban development proposals with the potential to impact natural and agricultural resources will be subject to separate environmental review and must comply with the Applicants' various environmental and other requirements. The PCCP will not cause the direct or indirect impacts of future urban development. However, the PCCP will result in the issuance of state and federal permits that may be necessary for some urban development projects to be implemented. For that reason, for purposes of this Initial Study, it is assumed that the impacts of future urban development should be considered in the decision of whether to prepare an EIR. The EIR may independently question, evaluate and discuss the extent to which an analysis of future urban development impacts, other than biological and agricultural impacts within the scope of the PCCP, is warranted.

3. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:

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|--|-------------------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Unstable earth conditions or changes in geologic substructures? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Significant disruptions, displacements, compaction or overcrowding of the soil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Substantial change in topography or ground surface relief features? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. The destruction, covering or modification of any unique geologic or physical features? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Any significant increase in wind or water erosion of soils, either on or off the site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. Changes in deposition or erosion or changes in siltation which may modify the channel of a river, stream, or lake? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Exposure of people or property to geologic and geomorphological (i.e. avalanches) hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Environmental Issues

No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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Comments:

3(b). Implementation of the PCCP will result in the restoration of annual grassland, vernal pool, riparian, woodland and stream communities. These restoration activities may require soil grading, excavation, and compaction. The amount of soil movement and excavation required is anticipated to be substantial and may span thousands of acres of the Phase 1 landscape. This level of soil disturbance is considered a potentially significant impact unless mitigation measures are incorporated to minimize these effects.

3(c). The grading activities associated with restoration of ecological reserve areas will result in the modification of the ground surface and topography. These activities will substantially and permanently alter the topography of the reserve areas, which are anticipated to cover thousands of acres of the Phase 1 planning area. Such modification would be considered a potentially significant impact unless mitigation measures are incorporated to minimize these effects.

3(e). The restoration activities proposed within the ecological reserve areas will result in the excavation, movement, and grading of soil. The exposure of soil will increase the potential for erosion within these disturbed areas until the soil becomes stable and the sites establish a vegetative layer. These restoration activities are expected to occur throughout thousands of acres within the ecological reserve system and may result in a potentially significant increase in the erosion rates of these soils. This impact is considered potentially significant unless mitigation is incorporated into the project design. The EIR/S prepared for this project will address this impact and provide mitigation measures to reduce the associated levels of impact on the environment.

3(f). Activities associated with the restoration of riparian corridors, floodplains, and wildlife habitat may result in the deposition of materials and/or sedimentation, which could substantially alter stream and river channels. Modifications to stream and river channels can affect a number of water-related properties including water flow, conveyance, absorption rates, and the active floodplain. These restoration activities are estimated to occur on potentially hundreds of acres within the Phase 1 planning area. As a result, these potential modifications are considered potentially significant impacts and will need to be addressed in the EIR/S prepared for this project.

4. WATER. Would the proposal result in:

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|---|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Exposure of people or property to water related hazards such as flooding? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Discharge into surface waters or other alterations of surface water quality (e.g., temperature, dissolved oxygen, or turbidity)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Changes in the amount of surface water in any water body? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Changes in currents, or the course or direction of water movements? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. Change in the quantity of groundwater, either through direct additions of withdrawals, or through interception of an aquifer by cuts or excavations, or through substantial loss of groundwater recharge capability? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Environmental Issues

No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| g. Altered direction or rate of flow of groundwater? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Impacts to groundwater quality? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| i. Substantial reduction in the amount of groundwater otherwise available for public water supplies? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| j. Impacts to the watershed of important surface water resources, including but not limited to, Lake Tahoe, Folsom Lake, Hell Hole Reservoir, Rock Creek Reservoir, Sugar Pine Reservoir, French Meadows Reservoir, Combie Lake, and Rollins Lake? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments:

4(a). The PCCP analyzes the potential for future growth in the planning area in order to provide a 50-year comprehensive mitigation strategy that addresses sensitive species and natural communities. To prepare this strategy, a 2050 population and employment projection was prepared to identify the general location of where growth may occur. This growth will result in an overall increase in paved surfaces, such as parking lots, streets, and commercial, industrial and residential developments. The introduction of non-porous surfaces, such as road pavement, to areas previously supporting natural soil increases runoff and permanently alters surface water absorption rates. In addition, the natural drainage patterns are affected by the grading and soil movement activities associated with these types of urban development. Modifications to existing drainage patterns, absorption rates, and runoff rates have the potential to adversely affect water quality, temperature, and supply of streams and rivers within the watershed of disturbance and downstream of such disturbances. Ground water aquifers supply can also be directly affected through decreased absorption rates. Potential changes in absorption rates, drainage patterns, or the rate and amount of surface runoff are site-specific issues that likely cannot be analyzed in a meaningful way in an EIR on a broad regional plan such as the PCCP. Nonetheless, for purposes of this Initial Study and the decision as to whether to prepare an EIR, this impact is considered potentially significant.

4(b). Implementation of the PCCP may result in the expansion of the floodplain in areas established as ecological reserves. This will expose these properties to an increased opportunity for flooding; however, they will have been acquired for the purposes of such restoration activities and floodplain expansion will effectively decrease the exposure of adjacent downstream properties for flooding. Consequently, this is considered a less than significant impact.

4(c). The PCCP analyzes the potential for future growth in the planning area in order to provide a 50-year comprehensive mitigation strategy that addresses sensitive species and natural communities. This potential growth will result in an overall increase in paved surfaces, such as parking lots, streets, and commercial, industrial and residential developments. The introduction of non-porous surfaces, such as road pavement, to areas previously supporting natural soil increases runoff and permanently alters surface water absorption rates. In addition, the natural drainage patterns are affected by the grading and soil movement activities associated with these types of urban development. Modifications to existing drainage patterns, absorption rates, and runoff rates have the potential to adversely affect water quality, temperature, and supply of streams and rivers within the watershed of disturbance and downstream of such disturbances. Ground water aquifers supply can also be directly affected through decreased absorption rates.

Activities associated with habitat restoration, a required component of the PCCP, will result in discharge to surface waters and also have the potential to alter water quality conditions of the streams within the Phase 1 planning area. These activities may include modifications to stream banks to increase the floodplain capacity, revegetation of riparian woodlands to increase suitable habitat for target species, distribution of gravel to enhance salmonid spawning habitat, installation of fish ladders to aid in fish passage, and numerous other restoration projects that will be required to implement the goals and objectives of the PCCP. The potential for discharging into surface water systems and the possibility of modifying water quality conditions are considered potentially significant impacts unless mitigation is incorporated into the project design.

Environmental Issues	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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4(d). It is unknown if there would be impacts to amounts of surface water associated with the expansion of urban areas. Nonetheless, for purposes of this Initial Study and the decision as to whether to prepare an EIR, this impact is considered potentially significant.

Implementation of the PCCP will result in the establishment of approximately 57,000 acres in ecological reserves. These areas will need to be managed and some lands will be restored to enhance the existing biological habitat values. However, these activities are not anticipated to result in changes in the amount of surface water in any streams or ponds located within the Phase I planning area. As to the reserve system, this impact is considered less than significant.

4(e). Implementation of the PCCP will result in restoration of streams and riparian systems. These activities could range from the installation of rock weirs, addition of gravel, installation of fish ladders, and levee pull-backs, to a number of other activities required to fulfill the goals and objectives of the PCCP. All of these potential restoration activities are associated with the stream corridor and could result in changes in stream currents or the course of water movement. These modifications are considered potentially significant unless mitigation is incorporated into the project design.

5. AIR QUALITY. Would the proposal:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Violate any air quality standard or contribute to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Expose sensitive receptors to pollutants? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Have the potential to increase localized carbon monoxide levels at nearby intersections in exceedance of adopted standards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Create objectionable odors? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comments:

5(a), (b), (c), (d). Implementation of the PCCP will not directly result in violations of air quality standards or contribute to an existing violation. The purpose of the PCCP is to promote biological and natural community conservation within western Placer County, while allowing compatible urban development to proceed according to local land use plans. The PCCP is not intended to encourage or constrain urban development in itself, but rather to ensure that projected urban development will not compromise the long-term viability of natural and agricultural resources in the Phase I planning area. Implementation of the PCCP will not cause or fully authorize any urban development; nor will the PCCP prohibit development. All urban development proposals with the potential to impact natural and agricultural resources will be subject to separate environmental review and must comply with the Applicants' various environmental and other requirements. The PCCP will not cause the direct or indirect impacts of future urban development. However, the PCCP will result in the issuance of state and federal permits that may be necessary for some urban development projects to be implemented. For that reason, for purposes of this Initial Study, it is assumed that the impacts of future urban development should be considered in the decision of whether to prepare an EIR. The EIR may independently question, evaluate and discuss the extent to which an analysis of future urban development impacts, other than biological and agricultural impacts within the scope of the PCCP, is warranted.

6. TRANSPORTATION/CIRCULATION. Would the proposal result in:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Increased vehicle trips or traffic congestion? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Environmental Issues

No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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| b. Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Inadequate emergency access or access to nearby uses? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Insufficient parking capacity on-site or off-site? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Hazards or barriers for pedestrians or bicyclists? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g. Rail, waterborne, or air traffic impacts? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments:

6(a). Implementation of the PCCP will not directly result in traffic congestion or increased vehicle trips because the approval of the PCCP will not directly increase population growth or result in an additional infrastructure need. The purpose of the PCCP is to promote biological and natural community conservation within western Placer County, while allowing compatible urban development to proceed according to local land use plans. The PCCP is not intended to encourage or constrain urban development in itself, but rather to ensure that projected urban development will not compromise the long-term viability of natural and agricultural resources in the Phase I planning area. Implementation of the PCCP will not cause or fully authorize any urban development; nor will the PCCP prohibit development. All urban development proposals with the potential to impact natural and agricultural resources will be subject to separate environmental review and must comply with the Applicants' various environmental and other requirements. The PCCP will not cause the direct or indirect impacts of future urban development. However, the PCCP will result in the issuance of state and federal permits that may be necessary for some urban development projects to be implemented. For that reason, for purposes of this Initial Study, it is assumed that the impacts of future urban development should be considered in the decision of whether to prepare an EIR. The EIR may independently question, evaluate and discuss the extent to which an analysis of future urban development impacts, other than biological and agricultural impacts within the scope of the PCCP, is warranted.

Notwithstanding the above, one of the covered activities of the PCCP is the development of the Placer Parkway highway facility. The construction of this facility and its related indirect, growth inducing and cumulative impact, is a covered activity of the PCCP. A conclusion that this facility is covered under the PCCP would relate only to the categories of impacts that are encompassed under the programmatic authorizations issued in connection with the PCCP, including impacts to species, habitat, natural communities, and aquatic resources. Such coverage would not encompass all governmental authorizations that were necessary for the Placer Parkway highway facility to be constructed. The impacts associated with the construction of this facility are considered potentially significant.

7. BIOLOGICAL RESOURCES. Would the proposal result in impacts to:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Endangered, threatened or rare species or their habitats (including, but not limited to plants, fish, insects, animals, and birds)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Locally occurring natural communities (e.g., oak woodlands, mixed conifer, annual grasslands, etc.)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Environmental Issues

No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c. Significant ecological resources including: | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 1) Wetland areas including vernal pools; | | | | |
| 2) Stream environment zones; | | | | |
| 3) Critical deer winter ranges (winter and summer), migratory routes and fawning habitat; | | | | |
| 4) Large areas of non-fragmented natural habitat, including but not limited to Blue Oak Woodlands, Valley Foothill Riparian, vernal pool habitat; | | | | |
| 5) Identifiable wildlife movement zones, including but not limited to, non-fragmented stream environment zones, avian and mammalian routes, and known concentration areas of waterfowl within the Pacific Flyway; | | | | |
| 6) Important spawning areas for anadromous fish? | | | | |

Comments:

7(a). Implementation of the PCCP will result in direct and indirect take of federal and state listed endangered, threatened, and otherwise sensitive species. Take permits will be issued for any of the covered activities listed in the PCCP. These activities include infrastructure and facility improvements, residential, commercial and industrial development, public facility improvements, restoration projects, the indirect, growth-inducing and cumulative impacts of providing new infrastructure and many other types of development. The PCCP analyzes the estimated impact to these species and outlines a comprehensive conservation strategy to mitigate for this impact. The conservation strategy focuses on mitigation to improve population viability and aid in recovery, preserve and enhance species habitat, and implement avoidance measures to minimize species impacts. While the impacts to endangered, threatened, and sensitive species are significant, these impacts are addressed through mitigation outlined in the PCCP and will be addressed in the EIR/S prepared for this project. This impact is considered potentially significant unless mitigation is incorporated.

7(b). Through permitting the covered activities, the PCCP anticipates the disturbance of approximately 51,000 acres of oak woodlands, grasslands, vernal pools, riparian woodlands, and other wetland vegetative communities in the Phase 1 planning area. The PCCP analyzes the estimated impact to these communities as a result of the projected 2050 future growth analysis and outlines a comprehensive strategy to conserve these communities within the Phase 1 planning area. While the impacts to natural communities are significant, these impacts are addressed through mitigation outlined in the PCCP and will be addressed in the EIR/S prepared for this project. This impact is considered potentially significant unless mitigation is incorporated.

7(c). Implementation of the PCCP will result in the issuance of permits authorizing direct and indirect impacts to a number of significant ecological resources including wetlands, stream corridors, existing non-fragmented habitat, spawning habitat for anadromous fish, and many other types of significant ecological resources. Resource disturbance is anticipated on over 51,000 acres of the Phase 1 planning area. Impacts to these resources are considered potentially significant unless mitigation is incorporated. The PCCP provides mitigation to minimize this disturbance and this impact will also be analyzed in the EIR/S prepared for this project.

8. ENERGY AND MINERAL RESOURCES. Would the proposal:

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a. Conflict with adopted energy conservation plans? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Use non-renewable resources in a wasteful and inefficient manner? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Environmental Issues	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| c. Result in the loss of availability of a known mineral resource that would be of future value to the region and state residents? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|

9. HAZARDS. Would the proposal involve:

- | | | | | |
|---|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| a. A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Possible interference with an emergency response plan or emergency evacuation plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The creation of any health hazard or potential health hazard? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Exposure of people to existing sources of potential health hazards? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Increased fire hazard in areas with flammable brush, grass, or trees? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comments:

9(e). The PCCP reserve system will span approximately 57,000 acres. Although public access will not be permitted within the entire system, a large subset of this land will likely be open to the public for passive recreation purposes. An increase in human activity levels and the introduction of automobiles, and off-road vehicles to a site where human activities were once limited/prohibited, has the potential to increase the site's fire hazard. This impact is considered potentially significant unless mitigation is incorporated into the project design and is addressed in the EIR/S for the project.

10. NOISE. Would the proposal result in:

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a. Increases in existing noise levels? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Exposure of people to noise levels in excess of County standards? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

11. PUBLIC SERVICES. Would the proposal have an effect upon, or result in need for new or altered government services, in any of the following areas:

- | | | | | |
|------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Fire Protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Sheriff Protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Schools? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Environmental Issues	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d. Maintenance of public facilities, including roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Other governmental services? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comments:

11(a). The PCCP reserve system will span approximately 57,000 acres. Although public access will not be permitted within the entire system, a large subset of this land will likely be open to the public for passive recreation purposes. An increase in human activity levels and the introduction of automobiles, and off-road vehicles to a site where human activities were once limited/prohibited has the potential to increase the site's fire hazard. This impact is considered potentially significant unless mitigation is incorporated into the project design and is addressed in the EIR/S for the project.

11(b). Some of the ecological reserves established through the PCCP may permit the public to use designated reserve sites for passive recreation. An increase in human activity in areas once accommodating limited public access has the potential to increase levels of vandalism, theft, or other activities requiring monitoring from the County sheriff's office. This impact is considered potentially significant unless mitigation is incorporated into the project design and addressed in the EIR/S for the project.

11(d). Some of the ecological reserves established through the PCCP may permit the public to use designated reserve sites for passive recreation. Opening these sites for public use may result in the need for additional roads, road improvements, and public facilities. This increase in public services need would be considered a potentially significant impact unless mitigation is incorporated into the project design and addressed in the EIR/S for the project.

11(e). Implementation of the PCCP will require an increase in the County staff and resources needed to issue PCCP permits, monitor program status, and report to the permitting agencies. This increase in service level is considered potentially significant unless mitigation is incorporated into the project design and addressed in the EIR/S for the project.

12. UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Power or natural gas? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Communication systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Local or regional water treatment or distribution facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Sewer, septic systems, or wastewater treatment and disposal facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Storm water drainage? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Solid waste materials recovery or disposal? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Local or regional water supplies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comments:

12(a), (b), (c), (d), (e), (f), & (g). The purpose of the PCCP is to promote biological and natural community conservation

Environmental Issues

No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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within western Placer County, while allowing compatible urban development to proceed according to local land use plans. The PCCP is not intended to encourage or constrain urban development in itself, but rather to ensure that projected urban development will not compromise the long-term viability of natural and agricultural resources in the Phase I planning area. Implementation of the PCCP will not cause or fully authorize any urban development; nor will the PCCP prohibit development. All urban development proposals with the potential to impact natural and agricultural resources will be subject to separate environmental review and must comply with the Applicants' various environmental and other requirements. The PCCP will not cause the direct or indirect impacts of future urban development. However, the PCCP will result in the issuance of state and federal permits that may be necessary for some urban development projects to be implemented. For that reason, for purposes of this Initial Study, it is assumed that the impacts of future urban development should be considered in the decision of whether to prepare an EIR. The EIR may independently question, evaluate and discuss the extent to which an analysis of future urban development impacts, other than biological and agricultural impacts within the scope of the PCCP, is warranted.

13. AESTHETICS. Would the proposal:				
a. Affect a scenic vista or scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a demonstrable negative aesthetic effect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Create adverse light or glare effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14. CULTURAL RESOURCES. Would the proposal:				
a. Disturb paleontological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Disturb archaeological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Affect historical resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Have the potential to cause a physical change, which would affect unique ethnic cultural values?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Restrict existing religious or sacred uses within the potential impact area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

14(a). The implementation of the PCCP, including the establishment and management of reserve systems and construction of proposed restoration activities, has the potential to affect paleontological resources through soil grading and excavation required for restoration. Restoration activities are proposed throughout thousands of the 57,000 acre PCCP reserve system. Because the exact footprint of the reserve system is not known at this time, the extent of paleontological resources within the reserve system is not known. However, it is likely that these resources occur within the Phase I planning area where restoration activities may take place. Any potential impacts to paleontological resources are considered potentially significant unless mitigation is incorporated into the project design and addressed in the EIR/S for this project.

14(b). The implementation of the PCCP, including the establishment and management of reserve systems and

Environmental Issues

No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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construction of proposed restoration activities, has the potential to affect archaeological resources through soil grading and excavation required for restoration. Restoration activities are proposed throughout thousands of the 57,000 acre PCCP reserve system. Because the exact footprint of the reserve system is not known at this time, the extent of archaeological resources within the reserve system is not known. However, it is likely that these resources occur within the Phase 1 planning area. Any potential impacts to archaeological resources are considered potentially significant unless mitigation is incorporated into the project design and addressed in the EIR/S for this project.

14(c). The implementation of the PCCP, including the establishment and management of reserve systems and construction of proposed restoration activities, has the potential to affect historical resources through soil grading and excavation required for restoration. Restoration activities are proposed throughout thousands of the 57,000 acre PCCP reserve system. Because the exact footprint of the reserve system is not known at this time, the extent of historical resources within the reserve system is not known. In general, historical resources would be avoided and restoration activities would work around any existing structures. Although unlikely, it is possible that historical resources would be affected as a result of PCCP implementation. These impacts are considered potentially significant unless mitigation is incorporated into the project design and addressed in the EIR/S for this project.

15. RECREATION. Would the proposal:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a. Increase the demand for neighborhood or regional parks or other recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Affect existing recreational opportunities? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments:

15(a). The PCCP will remove some obstacles to growth in the plan area, and it assumed for purposes of this question and the issue of whether to prepare an EIR, that any increased population represents at least some increased demand.

15(b). The PCCP is likely to increase the availability of recreational lands in excess of the lands that could be acquired under standard nexus fee based programs such as the Quimby Act.

III. MANDATORY FINDINGS OF SIGNIFICANCE

- | | | |
|---|-----------------------------|---|
| A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory? | NO <input type="checkbox"/> | YES <input checked="" type="checkbox"/> |
| B. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | NO <input type="checkbox"/> | YES <input checked="" type="checkbox"/> |

Environmental Issues	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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- C. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? NO YES

IV. EARLIER ANALYSIS

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effect has been adequately analyzed in an earlier EIR or Negative Declaration [State CEQA guidelines Section 15063(c)(3)(D)]. In this case a discussion should identify the following on attached sheets.

- A. **Earlier analyses used.** Identify earlier analyses and state where they are available for review.
- B. **Impacts adequately addressed.** Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards. Also, state whether such effects were addressed by mitigation measures based on the earlier analysis.
- C. **Mitigation measures.** For effects that are checked as "Potentially Significant Unless Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

Authority: Public Resources Code Sections 21083 and 21087.
 Reference: Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 31083.3, 21093, 21094, 21151; *Sundstrom v. County of Mendocino*, 202 Cal. App. 3d 296 (1988); *Leonoff v. Monterey Board of Supervisors*, 222 Cal. App. 3d 1337 (1990).

V. OTHER RESPONSIBLE AND TRUSTEE AGENCIES WHOSE APPROVAL IS REQUIRED

- | | |
|---|---|
| <input checked="" type="checkbox"/> California Department of Fish and Game | <input checked="" type="checkbox"/> Local Agency Formation Commission (LAFCo) |
| <input checked="" type="checkbox"/> California Department of Transportation (e.g. Caltrans) | <input type="checkbox"/> California Department of Health Services |
| <input checked="" type="checkbox"/> California Regional Water Quality Control Board | <input type="checkbox"/> California Integrated Waste Management Board |
| <input checked="" type="checkbox"/> California Department of Forestry | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input checked="" type="checkbox"/> U.S. Army Corp of Engineers | <input type="checkbox"/> California Department of Toxic Substances |
| <input checked="" type="checkbox"/> U.S. Fish and Wildlife Service | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> National Marine Fisheries Service | |

VI. DETERMINATION (to be completed by the Lead Agency)

- A. I find that the proposed project is categorically exempt (Class ____) from the provisions of CEQA.
- B. I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- C. I find that although the proposed project **COULD** have a significant effect on the environment, there

WILL NOT be a significant effect in this case because the mitigation measures described herein have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

- D. I find that the proposed project is within the scope of impacts addressed in an previously adopted Negative Declaration, and that only minor technical changes and/or additions are necessary to ensure its adequacy for the project. An **ADDENDUM TO THE PREVIOUSLY-ADOPTED NEGATIVE DECLARATION** will be prepared.
- E. I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required (i.e. Project, Program, or Master EIR).
- F. I find that the proposed project **MAY** have a significant effect(s) on the environment, and at least one effect has not been adequately analyzed in an earlier document pursuant to applicable legal standards. Potentially significant impacts and mitigation measures that have been adequately addressed in an earlier document are described on attached sheets (see Section IV above). An **ENVIRONMENTAL IMPACT REPORT** will be prepared to address those effect(s) that remain outstanding (i.e. focused, subsequent, or supplemental EIR).
- G. I find that the proposed project is within the scope of impacts addressed in a previously certified EIR, and that some changes and/or additions are necessary, but none of the conditions requiring a Subsequent or Supplemental EIR exist. An **ADDENDUM TO THE PREVIOUSLY-CERTIFIED EIR** will be prepared.
- H. I find that the proposed project is within the scope of impacts addressed in a previously-certified Program EIR, and that no new effects will occur nor new mitigation measures are required. Potentially significant impacts and mitigation measures that have been adequately addressed in an earlier document are described on attached sheets, including applicable mitigation measures that are imposed upon the proposed project (see Section IV above). **NO FURTHER ENVIRONMENTAL DOCUMENT** will be prepared [see CEQA Guidelines, Section 15168(c)(2)], 15180, 15181, 15182, 15183.
- I. Other

VII. ENVIRONMENTAL REVIEW COMMITTEE (Persons/Departments Consulted):

Planning Department
Department of Public Works
Environmental Health Services
Air Pollution Control District

Signature: *John E. Clark*
ENVIRONMENTAL REVIEW COMMITTEE CHAIRPERSON

7-07-05
Date

T:\CMD\CMDP\LORNEIAQ\

Scoping Comments



PLACER COUNTY PLANNING DEPARTMENT

11414 B Avenue/Auburn, California 95603/Telephone (530) 886-3000/FAX (530) 886-3080
Web Page: <http://www.placer.ca.gov/planning> E-Mail: ljlawren@placer.ca.gov

April 11, 2005

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

Subject: **Placer County Conservation Plan
Notice of Preparation**

Dear Mr. Clark:

The Notice of Preparation (NOP) review period for the subject proposal ended **April 8, 2005**. Comments regarding the NOP are attached for your review and response in the Environmental Impact Report (EIR). Any additional comments that may be received will be forwarded to you.

If you have any questions, please feel free to contact me.

Sincerely,

Lori Lawrence

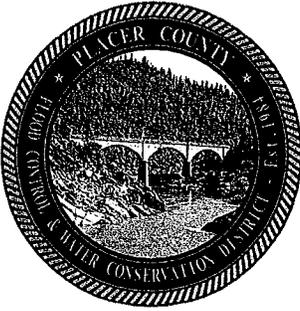
Lori Lawrence
Planning Technician

Attached comments: ✓ Placer County Flood Control and Water Conservation District
✓ Placer County Department of Facility Services, Special Districts
✓ State of California Department of Fish & Game
✓ State of California Department of Conservation
✓ State of California Department of Transportation
✓ City of Lincoln

cc: US Fish & Wildlife Service
ERC members

✓ US Dept of Interior - Fish + Wildlife
✓ state Clearinghouse

*missing p. 2 (never received)
or mis-pagination*



PLACER COUNTY
FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Tim Hackworth, Executive Director
Brian Keating, District Engineer
Andrew Darrow, Development Coordinator

March 18, 2005

RECEIVED
MAR 21 2005

PLANNING DEPT.

Lori Lawrence
Placer County Planning Department
11414 B Avenue
Auburn, CA 95603

RE: Placer County Conservation Plan – Phase 1 / Notice of Preparation of a Draft EIR

Dear Lori:

We have reviewed the Notice of Preparation for the subject project's Draft EIR and have the following comments.

The proposed development has the potential to create the following impacts:

- a.) Increases in peak flow rates at downstream locations.
- c.) Overloading of the actual or designed capacity of existing stormwater and flood-carrying facilities.
- d.) The alteration of 100-year floodplain boundaries.

Future EIRs must specifically quantify the incremental effects of each of the above impacts due to the land use and density changes proposed by the subject project, and must propose mitigation measures where appropriate.

The District requests the opportunity to review future environmental documentation for the subject project. Please call me at (530) 889-7541 if you have any questions regarding these comments.

A handwritten signature in cursive script, appearing to read "Andrew Darrow".

Andrew Darrow, P.E.
Development Coordinator

d:\data\letters\cn05-69.doc

MEMORANDUM
DEPARTMENT OF FACILITY SERVICES
COUNTY OF PLACER

To: **Lori Lawrence/Planning**

Date: **April 4, 2005**

From: **Ed Wydra**

Subject: **Placer County Conservation Plan – Phase 1**

This document is primarily a planning document that will be used for master planning the western portion of the County. Areas, projected for higher density, will likely be served by public sewer and their boundaries should be delineated, as such, for future public sewer master planning. Uses in the areas outside these boundaries identified for public sewer should expect to dispose of sewer via septic systems or other approved methods and should be so annotated where appropriate.



DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

Sacramento Valley - Central Sierra Region

1701 Nimbus Road, Suite A

Rancho Cordova, CA 95670

916/358-2900



March 30, 2005

RECEIVED
APR 05 2005

PLANNING DEPT.

Ms. Lori Lawrence
Placer County Planning Department
11414 B Avenue
Auburn, CA 95603

Dear Ms. Lawrence:

The Department of Fish and Game (Department) has reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Placer County Conservation Plan - Phase 1 (PCCP). The NOP includes a County Initial Project Application and Environmental Impact Assessment Questionnaire, and an Initial Study prepared by the County. The project proposes development of a conservation plan for about 221,600 acres in western Placer County, from the City of Auburn to the Placer/Sutter County line, and is designated as Phase 1 of a three phase county project ultimately designed to incorporate all lands in Placer County. The County is the lead agency for the PCCP under the California Environmental Quality Act (CEQA).

The Department has been working cooperatively with Placer County for several years on this project and provides comments to you on the NOP as a trustee and responsible agency under CEQA. The Department is a trustee agency with respect to the PCCP because the Department has jurisdiction by law over fish and wildlife trust resources that may be affected by the project. The Department is a responsible agency with respect to the PCCP because the County intends to seek the Department's approval of the Plan under the Natural Community Conservation Planning Act (NCCP or NCCP Act). The County also intends to seek a related take authorization under the NCCP for certain covered species and activities, and certain assurances regarding mitigation and the conservation strategy. These actions under the NCCP Act would permit the incidental take of fish and wildlife species covered by the PCCP which results from certain development and conservation activities also covered by the Plan. Some of the species proposed for coverage under the PCCP are currently protected by the State and Federal Endangered Species Acts, and others may become protected during the term of the permit.

The Department is also a responsible agency with respect to the PCCP because the County intends to seek Department approval of a streambed alteration agreement. The streambed agreement will govern certain development and conservation activities covered by the PCCP that involve rivers, lakes, and streams where those activities have the potential to substantially adversely affect fish and wildlife resources. The streambed alteration agreement will authorize certain covered activities as long as those activities occur in a manner consistent with reasonable measures provided in the PCCP to protect the affected fish and wildlife resources. As both a trustee and responsible agency under CEQA, the Department limits its comments on the NOP to environmental issues that concern its statutory responsibility.

The NOP describes the PCCP as a Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) and a County Aquatic Resources Program (CARP). The County, Placer County Resource Conservation District, City of Lincoln, Placer County Water Agency, and the South Placer Regional Transportation Authority intend to rely on the HCP/NCCP and CARP that comprise the PCCP to support applications for various State and federal permits and entitlements. The NOP identifies the Department, Regional Water Quality Control Board, U.S. Fish & Wildlife Service (Service), U.S. Army Corps of Engineers, and the National Oceanic and Atmospheric Administration's Marine Fisheries Service as authorizing agencies. With respect to the Federal agencies, the Service is the lead agency for environmental review of the PCCP under the National Environmental Policy Act (NEPA). The County and Service are coordinating to prepare a joint EIR/EIS under CEQA and NEPA. The Service also recently initiated its scoping effort under NEPA with Federal Register notice of its intent to prepare an EIS for the PCCP.

With respect to the scope and content, and fish and wildlife resources specifically, the joint EIR/EIS must address the environmental impacts that may result with approval and implementation of the PCCP. To do so, the joint EIR/EIS should include a thorough description of the existing environmental conditions in and around the PCCP plan area. This environmental baseline should be used to analyze the direct and reasonably foreseeable indirect physical changes to the existing conditions that may result with implementation of the project. The joint EIR/EIS should also analyze whether the project-related changes to the environment are significant based on thresholds identified by the County to gauge the significance of project impacts. Moreover, where significant impacts to the environment may occur, the joint EIR/EIS should discuss feasible mitigation measures and alternatives to avoid or substantially lessen these effects to the extent feasible under CEQA.

To provide a complete analysis of environmental impacts, the joint EIR/EIS should also include a detailed description of the PCCP. The description should focus on the specific activities, known as covered activities, proposed for approval by the various authorizing agencies under the PCCP, including the County, and the activities associated with implementing the project that may cause physical changes to the

environment. The Department expects the covered activities permitted by the authorizing agencies to include conservation and restoration activities, and urban development activities that, at present, are described only in general terms in the NOP (See, e.g., Initial Study, § 7(a), p. 11 "covered activities . . . include infrastructure and facility improvements, residential, commercial and industrial development, public facility improvements, restoration projects, the indirect, growth-inducing and cumulative impacts of providing new infrastructure and many other types of development").

The joint EIR/EIS must more clearly describe all the covered activities associated with approval and implementation of the PCCP, and the direct and reasonably foreseeable indirect environmental impacts that may result with implementation of the project. The Department understands, at this point, the exact location, type and extent of covered activities is not known. Likewise, the Department recognizes approval of the PCCP will not fully authorize urban development. Yet, approval and implementation of the PCCP, as described in the NOP, will result in reasonably foreseeable direct and indirect impacts on the environment from both development and conservation activities covered by the plan. These impacts may affect biological resources proposed for coverage under the PCCP, as well as biological resources that are not proposed for coverage under the plan. The lack of project-specific detail for covered activities may affect the amount of information that can be included in the joint EIR/EIS. The lack of project-specific detail regarding covered urban development activities does not obviate the need under the CEQA for the County to address all the direct and reasonably foreseeable indirect impacts on fish and wildlife resources that may result with approval and implementation of the PCCP. Moreover, this analysis is necessary even though covered urban development activities will be subject to separate environmental review under CEQA at some point in the future. The joint EIR/EIS must address all project impacts to the extent feasible at this juncture.

The joint EIR/EIS should also address a reasonable range of project alternatives. The NOP indicates alternatives to the proposed PCCP that may be considered, including variations of the scope or type of covered activities or covered species, variations in permit duration, variations of the types of federal and state permits issued under the project, no project/no action, or a combination of these elements. The Department agrees these elements will help devise a reasonable range of project alternatives. We are also available to further refine the range of alternatives considered in the joint EIR/EIS if that would be helpful. Finally, we emphasize that a key component of an adequate alternatives analysis is an explanation of how the lead agency selected the alternatives actually considered. The joint EIR/EIS should include that discussion.

Ms. Lawrence
March 30, 2005
Page 5

In closing, the Department appreciates the opportunity to review the NOP for the PCCP. We continue to believe the PCCP is a responsible and coherent approach to urban growth pressures and commend Placer County's continuing efforts in that regard. We look forward to continued cooperation and support for your effort. If the Department can be of further assistance, please contact Mr. Jeff Finn at (530) 477-0308 or Mr. Kent Smith, Habitat Conservation Planning Supervisor at (916) 358-2382.

Sincerely,



Larry L. Eng, Ph.D.
Acting Regional Manager

cc: Ms. Lori Rinek
Mr. Ken Sanchez
Mr. Jesse Wild
U.S. Fish and Wildlife Service
2800 Cottage Way
Sacramento, CA 95825

Mr. Kent Smith
Department of Fish and Game
Sacramento Valley-Central Sierra Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670

Mr. Steve Puccini
Mr. John Mattox
Ms. Gail Presley
Ms. Brenda Johnson
Department of Fish and Game
1416 Ninth Street
Sacramento, CA 95814

**DEPARTMENT OF CONSERVATION****DIVISION OF LAND RESOURCE PROTECTION**

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEB SITE conservation.ca.gov

April 5, 2005

RECEIVED
APR 08 2005

Ms. Laurie Lawrence
Placer County Planning Department
11414 B Avenue
Auburn, CA 95603

PLANNING DEPT.

Subject: Notice of Preparation of a Draft Environmental Impact Report /Statement (DEIR/S) for the Placer County Conservation Plan – Phase I, SCH# 2005032050, Placer County

Dear Ms Lawrence:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the NOP for the referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's impacts on agricultural land and resources.

Project Description

The project is the preparation and implementation of the Placer County Conservation Plan that identifies biological resources and permits several development activities located in western Placer County. The project area consists of 221,000 acres. About 12,000 acres of the Phase I area is to be restored to natural habitat. Other proposed aspects of the project will result in the conversion of agricultural lands to other uses. The project area is currently in agriculture (rice production, grazing, row crops, orchards) and residential and urban uses.

Agricultural Setting of the Project

The DEIR/S should describe the project setting in terms of the actual and potential agricultural productivity of the land. The Division's Important Farmland Map for Placer County should be utilized to identify agricultural land within the project site and in the surrounding area that may be impacted. Acreages for each land use designation should be identified for both areas. Likewise, the County's Williamson Act Map should

be utilized to identify potentially impacted contract, Farmland Security Zone (FSZ) and agricultural preserve land by acreage and whether it is prime or nonprime agricultural land according to definition in Government Code §51201(c). Maps of the Important Farmland and Williamson Act land should be included in the DEIR.

We also recommend including the following items of information to further characterize the agricultural land resource setting of the project:

- Current and past agricultural use of the project area. Include data on the types of crops grown, crop yields and farm gate sales values.
- To help describe the full agricultural resource value of the soils of the site, we recommend the use of economic multipliers to assess the total contribution of the site's potential or actual agricultural production to the local, regional and state economies. State and Federal agencies such as the UC Cooperative Extension Service and USDA are sources of economic multipliers.

Project Impacts on Agricultural Land

The Department recommends that the following be included in the DEIR/S in the analysis of project impacts.

- Type, amount, and location of farmland lost to each aspect of project implementation. The conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance is considered a potentially significant adverse impact.
- A discussion of conflicts with Williamson Act contracts, including termination in order to accommodate the project. The DEIR/S should also discuss the impacts that conflicts or termination would have on nearby properties under contract; i.e., growth-inducing impacts from the perspective that the removal of contract protection removes a barrier to development and results in an incentive to shift to a more intensive land use such as urban development. The termination of a Williamson Act contract is considered a potentially significant adverse impact.
- Indirect impacts on current and future agricultural operations; e.g., land-use conflicts, increases in land values and taxes, vandalism, population, traffic, water availability, etc.
- Growth-inducing impacts, including whether leapfrog development is involved.
- Incremental project impacts leading to cumulatively considerable impacts on agricultural land. These impacts would include impacts from the proposed project as well as impacts from past, current and probable future projects. The Division's farmland conversion tables may provide useful historical data.
- Impacts on agricultural resources may also be quantified and qualified by use of established thresholds of significance (CEQA Guidelines §15064.7). The Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model, a semi-quantitative rating system for establishing the

environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is recommended by CEQA and is available from the Division at the contact listed below. The federal sponsors may refer to the following link for determining significance of impact when restoring wildlife habitat and riparian vegetation: See Appendix C, Page 161 for LESA for riparian and wildlife:

http://www.itc.nl/~rossiter/Docs/NRCS/LESA_Guidebook.pdf

Williamson Act Lands

The Department recommends that the following information be included in the DEIR/S regarding Williamson Act land impacted by the project.

As a general rule, land can be withdrawn from Williamson Act contract only through the nine-year nonrenewal process. Immediate termination via cancellation is reserved for "extraordinary", unforeseen situations (See Sierra Club v. City of Hayward (1981) 28 Cal.3d 840, 852-855). Furthermore, it has been held that "cancellation is inconsistent with the purposes of the (Williamson) act if the objectives to be served by cancellation should have been predicted and served by nonrenewal at an earlier time, or if such objectives can be served by nonrenewal now" (Sierra Club v. City of Hayward). Given the extended phasing and time periods involved in the City's GP, it appears feasible to utilize the nonrenewal process if contract termination is necessary for GP development.

- If cancellation is proposed, notification must be submitted to the Department when the County or City accepts the application as complete (Government Code §51284.1). The board or council must consider the Department's comments prior to approving a tentative cancellation. Required findings must be made by the board or council in order to approve tentative cancellation. Cancellation involving FSZ contracts include additional requirements. We recommend that the DEIR include discussion of how cancellations involved in this project would meet required findings. However, notification must be submitted separately from the CEQA process and CEQA documentation. (The notice should be mailed to Debbie Sareeram, Interim Director, Department of Conservation, c/o Division of Land Resource Protection, 801 K Street MS 18-01, Sacramento, CA 95814-3528.)
- Is annexation proposed? Pursuant to Government Code §51243, if a city annexes land under Williamson Act contract, the city must succeed to all rights, duties and powers of the county under the contract unless conditions in §51243.5 apply to give the city the option to not succeed to the contract. A Local Agency Formation Commission (LAFCO) must notify the Department within 10 days of a city's proposal to annex land under contract (Government Code §56753.5). A LAFCO must not approve a change to a sphere of influence or annexation of contracted land to a city

unless specified conditions apply (Government Code §§51296.3, 56426, 56426.5, 56749 and 56856.5).

- Termination of a Williamson Act/FSZ contract by acquisition can only be accomplished by a public agency, having the power of eminent domain, for a public improvement. The Department must be notified in advance of any proposed public acquisition (Government Code §51290 - 51292), and specific findings must be made. The property must be acquired in accordance with eminent domain law by eminent domain or in lieu of eminent domain in order to void the contract (§51295). The public agency must consider the Department's comments prior to taking action on the acquisition. School districts are precluded from acquiring land under FSZ contract. We recommend discussion in the DEIR/S of whether such action is envisioned by this project and how the acquisition will meet the required findings. However, notification must be submitted separately from the CEQA process and CEQA documentation to the address noted above.
- If any part of the site is to continue under contract, or remain within an agricultural preserve, after project completion, the DEIR/S should discuss the proposed uses for those lands. Uses of contracted and preserve land must meet compatibility standards identified in Government Code §51238 - 51238.3, 51296.7. Otherwise, contract termination (see above) must occur prior to the initiation of the land use, or the preserve must be disestablished.
- An agricultural preserve is a zone authorized by the Williamson Act, and established by the local government, to designate land qualified to be placed under contract. Preserves are also intended to create a setting for contract-protected lands that is conducive to continuing agricultural use. Therefore, the uses in an agricultural preserve must be restricted by zoning, or other means so as not to be incompatible with the agricultural use of contracted land within the preserve (Government Code §51230). The DEIR/S should also discuss any proposed general plan designation or zoning within agricultural preserves affected by the project.

Mitigation Measures

The Department encourages the use of agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. If a Williamson Act contract is terminated, or if growth inducing or cumulative agricultural impacts are involved, we recommend that this ratio be increased. We highlight this measure because of its acceptance and use by lead agencies as mitigation under CEQA. This follows a rationale similar to that of wildlife habitat mitigation. The loss of agricultural land represents a permanent reduction in the State's agricultural land resources. Agricultural conservation easements will protect a portion of those remaining resources and lessen project impacts in accordance with CEQA Guideline §15370. We suggest that the proponents consider a working landscape approach in implementation of the various components of the project.

Mitigation using agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance, and the search for replacement lands conducted regionally or statewide, and not limited strictly to lands within the project's surrounding area.

Other forms of mitigation may be appropriate for this project, including the following:

- Protecting farmland in the project area or elsewhere in the County through the use of less than permanent long-term restrictions on use such as 20-year Farmland Security Zone contracts (Government Code §51296 et seq.) or 10-year Williamson Act contracts (Government Code §51200 et seq.).
- Directing a mitigation fee to invest in supporting the commercial viability of the remaining agricultural land in the project area, County or region through a mitigation bank that invests in agricultural infrastructure, water supplies, marketing, etc.
- The Department also has available listing of approximately 30 "conservation tools" that have been used to conserve or mitigate project impacts on agricultural land. This compilation report may be requested from the Division at the address or phone number below.

Although the direct conversion of agricultural land and other agricultural impacts are often deemed to be unavoidable by an agency's CEQA analysis, mitigation measures must nevertheless be considered. The adoption of a Statement of Overriding Consideration does not absolve the agency of the requirement to implement feasible mitigation that lessens a project's impacts. A principal purpose of an EIR is to present a discussion of mitigation measures in order to fully inform decision-makers and the public about ways to lessen a project's impacts. In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and, therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation. Rather, the criterion is feasible mitigation that lessens a project's impacts. Pursuant to CEQA Guideline 15370, mitigation includes measures that "avoid, minimize, rectify, reduce or eliminate, or compensate" for the impact. For example, mitigation includes "*Minimizing impacts by limiting the degree or magnitude of the action and its implementation (§15370(b))*" or "*Compensating for the impact by replacing or providing substitute resources or environments (§15370(e))*."

All measures ostensibly feasible should be included in the DEIR/S. Each measure should be discussed, as well as the reasoning for selection or rejection. A measure brought to the attention of the Lead Agency should not be left out unless it is infeasible on its face.

Ms. Laurie Lawrence
April 5, 2005
Page 6 of 6

Finally, when presenting mitigation measures in the DEIR/S, it is important to note that mitigation should be specific, measurable actions that allow monitoring to ensure their implementation and evaluation of success. A mitigation consisting only of a statement of intention or an unspecified future action may not be adequate pursuant to CEQA.

Information about agricultural conservation easements, the Williamson Act and provisions noted above is available on the Department's website or by contacting the Division at the address and phone number listed below. The Department's website address is:

<http://www.conservation.ca.gov/dlrp/index.htm>

Thank you for the opportunity to comment on this NOP. The Department looks forward to receiving your response, including a copy of the DEIR/S. If you have questions on our comments or require technical assistance or information on agricultural land conservation, please contact Jeannie Blakeslee at 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 323-4943.

Sincerely,



Dennis J. O'Bryant
Acting Assistant Director

cc: State Clearinghouse

DEPARTMENT OF TRANSPORTATION

DISTRICT 3, SACRAMENTO AREA OFFICE

Venture Oaks -MS 15

P.O. BOX 942874

SACRAMENTO, CA 94274-0001

PHONE (916) 274-0614

FAX (916) 274-0648

TTY (530) 741-4509

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APR 21 2005*Flex your power!
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April 8, 2005

05PLA0021

SCH# 2005032050

Placer County Conservation Plan – Phase I

Notice of Preparation

Ms. Lori Lawrence

Placer County Planning Department

11414 B Avenue

Auburn, CA 95603

Dear Ms. Lawrence:

Thank you for the opportunity to comment on the Placer County Conservation Plan (PCCP) – Phase I. Our comments are as follows:

- The PCCP should address potential impacts created for areas dedicated solely for the preservation of biological resources that do not know or have boundaries, (i.e., various species of birds, animals, reptiles, plants, habitat.) There will be many impacts from setting aside conservation areas, and creating permitting for the “take” of certain species. The PCCP could potentially have major impacts on transportation/circulation if future transportation facilities are not identified, and areas set aside for construction. There could also be major impacts to modifying drainage with any future projects.
- The planned concentration of development along I-80 and SR 65 will require improvements on these facilities to accommodate the increasing travel demands on these regionally significant corridors. Right-of-way preservation along the state highways should be considered to provide additional areas for road expansion.

If you have any questions regarding these comments, please contact Bob Justice at (916) 274-0616.

Sincerely,

A handwritten signature in cursive script that reads "Katherine Eastham".

KATHERINE EASTHAM, Chief
Office of Transportation Planning – Southwest and East

c: State Clearinghouse

bc: Jim Philipp, Hydraulics
James Adams, Right-of-Way Engineering
Bob Justice, Regional Planning

BJ/bj



City Manager's Office

Gerald F. Johnson
City Manager
916-645-4070 x211
Fax: 916-645-8903

March 18, 2005

Jesse Wild
U.S. Fish and Wildlife Service
2800 Cottage Way W-2605
Sacramento, CA 95825-1846

RECEIVED
MAR 29 2005

PLANNING DEPT.

Re: Placer County Conservation Plan

Dear Ms. Wild:

I had the pleasure of attending your community workshop in Lincoln on March 17, 2005. Several concerns were raised that warrant comment. First was the proposal to require 1:1 mitigation for rice land. This seems inappropriate since rice land is the antithesis of natural habitat. When I asked if the owner of rice land could switch to cotton, I was assured that no mitigation would be required. Again, I would have to question the logic of mitigating rice land when it is taken out of production for urban development but not for cotton. If there is no legal necessity to require mitigation for rice land, then that requirement should be eliminated from the plan.

Another area of concern is the apparent reluctance to credit mitigation outside the County. There is no need to belabor the obvious. Endangered species care nothing about political jurisdictions. Viable habitat is viable habitat.

A related concern is the Plan's proposed disallowance of created habitat and the discounting of restored habitat. Examples of successful created and restored habitat are many. Again, viable habit is viable habitat. Endangered species do not know the difference.

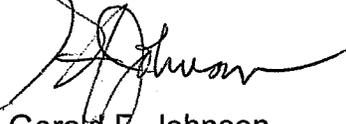
For the Conservation Plan to be successful it must encourage compact urban development to reduce the footprint of the built environment. To do this, allowance must be made for the creation and restoration of viable habitat and mitigation outside the immediate area. The alternative is to encourage suburban sprawl that leap frogs over habitat and spreads out all over the rural landscape.

By allowing created and restored viable habitat to compete with naturally occurring habitat, mitigation banks will remain affordable. If mitigation areas are severely restricted, like any limited commodity, they will escalate in value to the

point they are unaffordable. The consequence will be unaffordable housing and severely constrained employment opportunities. By giving full mitigation credit for created and restored viable habitat, the free market will keep land prices in check.

Thank you for the opportunity to comment on the Plan. The City of Lincoln looks forward to working with you to develop an effective Conservation Plan that protects endangered species and accommodates anticipated growth using smart growth principles.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Johnson", written over a faint circular stamp or watermark.

Gerald F. Johnson
City Manager

cc: Mayor and Council
Rodney Campbell, Dir. of Community Development
Loren Clark, Asst. Dir. of Planning, Placer County



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846

In reply refer to:
1-1-05-CP-0119

Justin Cutler
Chief, Sacramento Office
U.S. Army Corps of Engineers
1325 J Street
Sacramento, California 95814-2922

RECEIVED
NOV 12 2004
NOV 10 2004
PLANNING DEPT.

Subject: Request for U.S. Army Corps of Engineers Participation as a Cooperating Agency in the Environmental Impact Analyses for the Placer County Conservation Plan

Dear Mr. Cutler:

The U.S. Fish and Wildlife Service (Service) is preparing to initiate public scoping for the Placer County Conservation Plan and Environmental Impact Statement (EIS). As the lead agency for this project, we are seeking your cooperation based on your jurisdiction by law and special expertise on environmental issues that should be addressed in the Placer County Conservation Plan EIS.

We are inviting the U.S. Army Corps of Engineers to be a "Cooperating Agency" in this project as defined by the Council on Environmental Quality's (CEQ) Regulations for Implementing the National Environmental Policy Act (NEPA), Section 1508.5. If you decide to act as a Cooperating Agency for the Placer County Conservation Plan EIS, we hope you will commit personnel adequate to develop pertinent information and to prepare environmental analyses based on your expertise and area of jurisdiction, with direction from the Service. The Service will focus the efforts of Cooperating Agencies on topics for which the U.S. Army Corps of Engineers has expertise and appropriate data or information. We will use the environmental analyses and proposals of Cooperating Agencies to the extent possible, consistent with our responsibility as lead agency.

If your agency is not inclined, or does not have the resources to act in a Cooperating Agency status, but would like to be involved in the Placer County Conservation Plan EIS process, a potential forum for involvement is through Placer County's Interagency Working Group meetings. We appreciate help from our Cooperating Agencies in determining alternatives to the proposed action for the EIS. We encourage you to consider the unique role of Cooperating Agency in this project, and determine which role, if any, is most appropriate for your purposes.

Thank you for your continued interest in the Placer County Conservation Plan. Please be advised that a response to this invitation to be a Cooperating Agency is required under CEQ regulation

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40CFR 1501.6(c). Should you decide not to accept, you must respond in writing and submit a copy of your reply to the CEQ. Please feel free to direct questions regarding the planning process to Jesse Wild or Laura Valoppi at (916) 414-6600. Questions regarding Cooperating Agencies and NEPA may be directed to Julie Concannon (503) 231-6747.

Sincerely,

A handwritten signature in cursive script that reads "Lori Rinek".

Lori Rinek
Division Chief, Endangered Species Program

cc:

Loren Clark, Placer County Planning Department, Auburn, California

John Baker, National Oceanic and Atmospheric Administration, Fisheries, Sacramento, California

Jeff Finn, California Department of Fish and Game, Rancho Cordova, California



STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

lori



Arnold Schwarzenegger
Governor

Sean Walsh
Director

Notice of Preparation

March 10, 2005

RECEIVED
MAR 15 2005

To: Reviewing Agencies

PLANNING DEPT.

Re: Placer County Conservation Plan - Phase I
SCH# 2005032050

Attached for your review and comment is the Notice of Preparation (NOP) for the Placer County Conservation Plan - Phase I draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Lori Lawrence
Placer County Planning Department
11414 B Avenue
Auburn, CA 95603

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

for Erin Larson
Scott Morgan
Associate Planner, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2005032050
Project Title Placer County Conservation Plan - Phase I
Lead Agency Placer County Planning Department

Type NOP Notice of Preparation
Description The Placer County Conservation Plan (PCCP) is a planning document that outlines the conservation of biological resources.

Lead Agency Contact

Name Lori Lawrence
Agency Placer County Planning Department
Phone 530.886.3000 **Fax**
email
Address 11414 B Avenue
City Auburn **State** CA **Zip** 95603

Project Location

County Placer
City Auburn, Loomis, Rocklin, Roseville
Region
Cross Streets
Parcel No. Various
Township

	Range	Section	Base
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Proximity to:

Highways Various
Airports Various
Railways Various
Waterways Various
Schools Various
Land Use Various

Project Issues

Reviewing Agencies Resources Agency; Department of Conservation; Department of Water Resources; Department of Parks and Recreation; Office of Historic Preservation; Department of Fish and Game, Region 2; Native American Heritage Commission; Regional Water Quality Control Bd., Region 5 (Sacramento); California Highway Patrol; Caltrans, District 3; Caltrans, Division of Aeronautics; Public Utilities Commission

Date Received 03/10/2005 **Start of Review** 03/10/2005 **End of Review** 04/08/2005

Resources Agency

- Resources Agency
Nadell Gayou
- Dept. of Boating & Waterways
David Johnson
- California Coastal Commission
Elizabeth A. Fuchs
- Colorado River Board
Gerald R. Zimmerman
- Dept. of Conservation
Roseanne Taylor
- California Energy Commission
Environmental Office
- Dept. of Forestry & Fire Protection
Allen Robertson
- Office of Historic Preservation
Wayne Donaldson
- Dept of Parks & Recreation
B. Noah Tilghman
Environmental Stewardship Section
- Reclamation Board
DeeDee Jones
- Santa Monica Mountains Conservancy
Paul Edelman
- S.F. Bay Conservation & Dev't. Comm.
Steve McAdam
- Dept. of Water Resources
Resources Agency
Nadell Gayou

- Fish & Game Region 3
Robert Floerke
- Fish & Game Region 4
William Laudermilk
- Fish & Game Region 5
Don Chadwick
Habitat Conservation Program
- Fish & Game Region 6
Gabrina Gatchel
Habitat Conservation Program
- Fish & Game Region 6 I/M
Tammy Allen
Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Game M
George Isaac
Marine Region

Other Departments

- Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture
- Depart. of General Services
Public School Construction
- Dept. of General Services
Robert Sleppy
Environmental Services Section
- Dept. of Health Services
Veronica Rameriz
Dept. of Health/Drinking Water

Independent Commissions, Boards

- Coachella Valley Mountains Conservancy
- Delta Protection Commission
Debby Eddy
- Office of Emergency Services
Dennis Castrillo
- Governor's Office of Planning & Research
State Clearinghouse
- Native American Heritage Comm.
Debbie Treadway

Fish and Game

- Depart. of Fish & Game
Scott Flint
Environmental Services Division
- Fish & Game Region 1
Donald Koch
- Fish & Game Region 2
Banky Curtis

- Public Utilities Commission
Ken Lewis
- San Gabriel & Lower LA Rivers
- San Joaquin River Conservancy
- State Lands Commission
Jean Sarino
- Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Business, Trans & Housing

- Caltrans - Division of Aeronautics
Sandy Hesnard
- Caltrans - Planning
Terri Pencovic
- California Highway Patrol
John Olejnik
Office of Special Projects
- Housing & Community Development
Lisa Nichols
Housing Policy Division

Dept. of Transportation

- Caltrans, District 1
Mike Eagan
- Caltrans, District 2
Don Anderson
- Caltrans, District 3
Jeff Pulverman
- Caltrans, District 4
Tim Sable
- Caltrans, District 5
David Murray
- Caltrans, District 6
Marc Bimbaum
- Caltrans, District 7
Cheryl J. Powell

- Caltrans, District 8
John Pagano
- Caltrans, District 9
Gayle Rosander
- Caltrans, District 10
Tom Dumas
- Caltrans, District 11
Mario Orso
- Caltrans, District 12
Bob Joseph

Cal EPA

Air Resources Board

- Airport Projects
Jim Lemer
- Transportation Projects
Kurt Karperos
- Industrial Projects
Mike Tollstrup

- California Integrated Waste Management Board
Sue O'Leary
- State Water Resources Control Board
Jim Hockenberry
Division of Financial Assistance

- State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality

- State Water Resources Control Board
Steven Herrera
Division of Water Rights

- Dept. of Toxic Substances Control
CEQA Tracking Center

- Department of Pesticide Regulation

Regional Water Quality Control Board (RWQCB)

- RWQCB 1
Cathleen Hudson
North Coast Region (1)
- RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)
- RWQCB 3
Central Coast Region (3)
- RWQCB 4
Jonathan Bishop
Los Angeles Region (4)
- RWQCB 5S
Central Valley Region (5)
- RWQCB 5F
Central Valley Region (5)
Fresno Branch Office
- RWQCB 5R
Central Valley Region (5)
Redding Branch Office
- RWQCB 6
Lahontan Region (6)
- RWQCB 6V
Lahontan Region (6)
Victorville Branch Office
- RWQCB 7
Colorado River Basin Region (7)
- RWQCB 8
Santa Ana Region (8)
- RWQCB 9
San Diego Region (9)
- Other _____

Appendix E
Screening of Alternatives



Memorandum

To:	Gregg McKenzie, Placer County PCCP Administrator Mike Thomas, U.S. Fish and Wildlife Service Division Chief, Conservation Planning Stephanie Jentsch, U.S. Fish and Wildlife Service Senior Wildlife Biologist, Conservation Planning Division
From:	Sally Zeff, ICF Project Manager, PCCP EIS/EIR
Transmitted:	Via email
Date:	October 5, 2018
Subject:	REVISED Alternatives Screening and Action Alternative Descriptions
Attachment	<i>Implications of Alternative L. Expanded Reserve Acquisition Area for the Land Development under the PCCP (Sally Nielsen, Hausrath Economics Group, memo dated March 14, 2018)</i>

Introduction

This memorandum presents the alternatives screening process and results for the *Placer County Conservation Program (PCCP) Environmental Impact Statement/Environmental Impact Report (EIS/EIR)*, including descriptions of the action alternatives recommended for analysis in the EIS/EIR. This latest draft of this memorandum has been updated and revised to include the revised Alternative 3 developed by Placer County (County) and reviewed by the U.S. Fish and Wildlife Service, National Marine Fisheries Service, California Department of Fish and Wildlife (CDFW), the Central Valley Regional Water Quality Control Board, U.S. Army Corps of Engineers (USACE), and the U.S. Environmental Protection Agency (USEPA) (collectively, the *Resource Agencies*).

To select the action alternatives, ICF followed a three-tiered screening process and applied the criteria described in Section 2.2, *Alternatives Screening*, of the PCCP EIS/EIR to 12 potential alternatives.

In the first and second tiers, a potential alternative was advanced to the next tier if the answers to most or all criteria were *possibly* or *unknown*. If the answers to most of the questions were *no* or *not likely*, the potential alternative was rejected. In the third tier, if the answers to all questions were *no*, *not likely*, or *unknown*, the potential alternative was identified as one to be considered in detail in the EIS/EIR. If the answer to any question was *likely* or *yes*, the potential alternative failed the third tier screening and was rejected.

The section entitled *Conclusions of Screening Process*, below, list the screening questions of each tier, and Tables 4–6 in that section present the results of the screening process, including rationales for answers where appropriate.

Description of the Potential Alternatives

Twelve potential alternatives, in addition to the proposed action and the no action alternatives, were screened through the process described above. Some alternatives consist of variations in different components of the PCCP, such as the length of the permit term, types of Covered Activities, or number of Covered Species. Other alternatives were developed during PCCP development and identified by the Resource Agencies as alternatives that should be further analyzed. Three alternatives were identified in anticipation of USACE's use of the EIS/EIR to satisfy its requirements under Clean Water Act (CWA) Section 404(b)(1).

The alternatives screened were:

- A. Reduction in Permit Term to 30 Years
- B. Reduction in Covered Species
- C. Increase in Permit Area
- D. Reduced Development/Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States—Map Alternative 2
- E. Reduced Development/Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States—Map Alternative 4
- F. Reduced Development/Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States—Map Alternative 6
- G. Reduced Development/Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States—Map Alternative 7
- H. Habitat Conservation Plan/2081 Conservation Plan
- I. Reserve System Limited to Placer County
- J. No Programmatic General Permit or Letter of Permission Issued by USACE
- K. No Fill Alternative
- L. Expanded Reserve Acquisition Area

These potential alternatives are briefly described below.

Alternative A—Reduction in Permit Term to 30 Years

Under Alternative A, the habitat conservation plan (HCP)/natural community conservation plan (NCCP) would include the same permit conditions for Covered Activities and same conservation measures and conservation strategy as the PCCP, except the permit term would be for 30 years instead of 50. Because of the shorter permit term, longer-term projects would not be covered. Additionally, lower levels of urban and suburban development would be covered. As a result, the amount of conservation would be less, generally in proportion to the lower level of development. Finally, it is expected that less funding would be needed for acquisition, management, and restoration of a lesser amount of conservation lands (i.e., a smaller conservation strategy).

Alternative B—Reduction in Covered Species

Under Alternative B, the HCP/NCCP would only include species currently listed as threatened or endangered under federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA)—a reduction to 10 Covered Species from the 14 Covered Species proposed in the *Western Placer County Habitat Conservation Plan and Natural Community Conservation Plan* (Plan). As a result, the type and amount of conservation lands would likely be reduced. The type and number of Covered Activities as described in the Plan would remain the same under this alternative.

Alternative C—Increase in Permit Area

The area covered by the HCP/NCCP under Alternative C would be expanded to encompass all of Placer County. In 2004, the *Western Placer County Conservation Strategy Overview* described five alternatives for the PCCP that varied largely based on the geographic area that would be covered. Each of the five alternatives included Placer County and all cities (Lincoln, Roseville, Rocklin, Loomis, and Auburn), including the cities' spheres of influence. However, the Cities of Roseville, Rocklin, Loomis, and Auburn are not participating in the proposed PCCP, so the proposed Plan Area does not cover these cities. This alternative would expand the proposed Plan Area to cover activities in each city.

This alternative would include the same permit conditions for Covered Activities and same conservation strategy as the PCCP, in addition to a larger conservation strategy that would be applied to all of Placer County. The increased permit area could potentially include habitat types not included in the PCCP. Under this alternative, additional species could be covered as compared to the proposed PCCP.

Alternatives D–G—Reduced Development/Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States

Fewer activities, specifically less development, would be covered by this set of alternatives. Considered here and described below are four of the map alternatives considered during PCCP development in which development areas were reduced and conservation areas were increased, especially wetlands and vernal pools. The descriptions are those originally presented in development of the PCCP, and they refer to the Phase 1 Planning Area of western Placer County (Phase 1 Planning Area) that included the Plan Area of the PCCP as now proposed but encompassed

a slightly larger area. The Phase 1 Planning Area included the Auburn area west to Placer County's border with Sacramento and Sutter Counties, comprising 39 watersheds and encompassing approximately 111,000 hectares (270,000 acres).

Under each of these alternatives, the HCP/NCCP would include the same permit conditions for Covered Activities and the same conservation measures and conservation strategy as the proposed PCCP.

Alternative D—Reduced Development/Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States— Map Alternative 2

Based on Map Alternative 2, Alternative D accommodates the expansion of the city of Lincoln to the existing city limits, sphere of influence, and portions of its general plan update boundary; buildout of the western portions of the city of Roseville's sphere of influence; and growth in a portion of Lincoln's proposed planning area. All of the major development projects proposed in the unincorporated portions of western Placer County are included in the Potential Future Growth Area (PFG) under this alternative, including Placer Ranch, Regional University, Placer Vineyards, and the Brookfield area. This alternative also accommodates buildout of the Sunset Industrial Area.

This alternative proposes urban development in the eastern half of the proposed Curry Creek Community Plan area while incorporating the western portion of the Phase 1 Planning Area into the PCCP Reserve System. Portions of the proposed Lincoln Planning Area, west of Dowd Road, are incorporated into the Map Alternative 2 Reserve System.

Basic Facts

- Approximately 84,000 acres available for incorporation into the PCCP Reserve System.
- Preserves 65% of the existing vernal pool resources in the Phase 1 Planning Area.
- The City of Lincoln, a participating agency in the PCCP, stated that this alternative does not meet its growth objectives as described in its general plan.

Alternative E—Reduced Development/Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States— Map Alternative 4

Alternative E is based on Map Alternative 4, which was prepared by members of the environmental stakeholder subcommittee. This subcommittee included representatives from the Institute of Ecological Health, Sierra Club, Sierra Foothills Audubon Society, Butte Environmental Council, Defenders of Wildlife, and the California Native Plant Society. The majority of growth is proposed in the southern portions of the Phase 1 Planning Area, with land conservation achieved in the northwestern portions of western Placer County. Map Alternative 4 concentrates urban growth in the Curry Creek Community Plan area, Regional University, Placer Vineyards, and portions of land located south of Curry Creek, west of Brewer Road, to the Placer/Sutter County boundary. This alternative proposes land conservation for a significant portion of the Sunset Industrial Area, the western half of Placer Ranch, the Brookfield project, the Lincoln Planning Area, and within portions

of Lincoln's current city limits. The majority of urban growth in Lincoln is achieved through infill within the existing city limits, as well as growth in Lincoln's current sphere of influence boundary.

Basic Facts

- Approximately 82,000 acres are available for incorporation into the PCCP Reserve System.
- Preserves 60% of the existing vernal pool resources in the Phase 1 Planning Area.
- The City of Lincoln, a participating agency in the PCCP, has stated that this alternative does not meet its growth objectives as described in its general plan.
- The County has significant concerns with this alternative because of a significant reduction in the non-residential holding capacity of the Sunset Industrial Area and loss of the California State University site in the Placer Ranch project.

Alternative F—Reduced Development/Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States—Map Alternative 6

Alternative F is based on Map Alternative 6, which was prepared by the County with specific input from the Resource Agencies, including the delineation of the Reserve System boundary. The Reserve System under this alternative focuses on preserving vernal pool resources and establishing continuity within the reserve areas. North of Phillip Road, the urban growth areas proposed in Map Alternative 6 are similar to those proposed in Map Alternative 4, although Map Alternative 6 accommodates full buildout of the existing Lincoln city limits as well as buildout of the Sunset Industrial Area. The western half of Placer Ranch is proposed for incorporation into the Reserve System. South of Phillip Road, this alternative accommodates full buildout of Regional University and urban growth in the eastern half of the proposed Curry Creek Community Plan area. The western one-third of the Placer Vineyards Specific Plan area and the western half of the Curry Creek Community Plan area are proposed for incorporation into the Reserve System.

Basic Facts

- Approximately 87,000 acres are available for incorporation into the PCCP Reserve System.
- Preserves 73% of the existing vernal pool resources in the Phase 1 Planning Area.

Alternative G—Reduced Development/Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States—Map Alternative 7

Alternative G is based on Map Alternative 7, which was prepared by the County with specific input from the Resource Agencies, including the delineation of the Reserve System boundary. Similar to Map Alternatives 2 and 6, the Reserve System under this alternative focuses heavily on vernal pool resource preservation and on establishing continuity within the reserve areas. The urban growth areas in Map Alternative 7 are nearly identical to Map Alternative 2. This alternative includes an additional reserve area near Lincoln's southwest city limits along Industrial Boulevard. This alternative accommodates the expansion of Lincoln to its city limits, buildout of the western

portions of Roseville's sphere of influence, and growth in portions of Lincoln's proposed planning area. In addition, all of the major development projects proposed in the unincorporated portions of western Placer County are identified for growth, including Placer Ranch, Regional University, Placer Vineyards, and the Brookfield project. Map Alternative 7 identifies future growth in the Sunset Industrial Area, as per the County's General Plan. Similar to Map Alternatives 2 and 6, this alternative proposes urban development in the eastern half of the proposed Curry Creek Community Plan area while incorporating the western portion of the Phase 1 Planning Area into the PCCP Reserve System. Portions of the proposed Lincoln Planning Area, west of Dowd Road, are incorporated into the PCCP Reserve System.

Basic Facts

- Approximately 84,000 acres are available for incorporation into the PCCP Reserve System.
- Preserves 66% of the existing vernal pool resources in the Phase 1 Planning Area.

Alternative H—Habitat Conservation Plan/2081 Conservation Plan

Alternative H would include the same Covered Activities (i.e., level of development) as the proposed PCCP, but its conservation strategy only identifies lands needed for mitigation to satisfy ESA and CESA (i.e., an HCP/2081, not an HCP/NCCP). Since NCCPs typically have a contribution to recovery component, which generally expands the amount of land conserved, it is anticipated this alternative without the NCCP would reduce the amount of land conserved when compared to the PCCP. This alternative is assumed to have fewer Covered Species. We note that an HCP can include non-listed species; however, only state-listed species can be covered by a 2081 permit (therefore, state special-status species that are not federal special-status species are not likely to be covered).

Alternative I—Reserve System Limited to Placer County

The proposed PCCP allows for the extension of conservation activities outside of its Plan Area in several locations. Alternative I would include the same Covered Activities, Covered Species, and permit term as the PCCP, but conservation activities would be carried out only in Placer County.

Alternative J—No Programmatic General Permit or Letter of Permission, or Regional General Permit Issued by USACE

Alternative J would include the permit conditions and conservation strategy of the proposed PCCP without the issuance of a Programmatic General Permit (PGP), Letter of Permission (LOP), or Regional General Permit (RGP) by USACE. Therefore, under this alternative, the effects of Covered Activities on waters of the United States, including wetlands, would be evaluated on a project-by-project basis using existing permitting mechanisms (i.e., Nationwide Permit Program, Sacramento District's Minor Impact LOP, and Standard Permit process).

Alternative K—No Fill

Under Alternative K, no fill of waters of the United States, including wetlands, would be allowed. This alternative would include the permit conditions and conservation strategy of the proposed PCCP without the issuance of a PGP nor LOP by USACE and would restrict the activities of the Permit

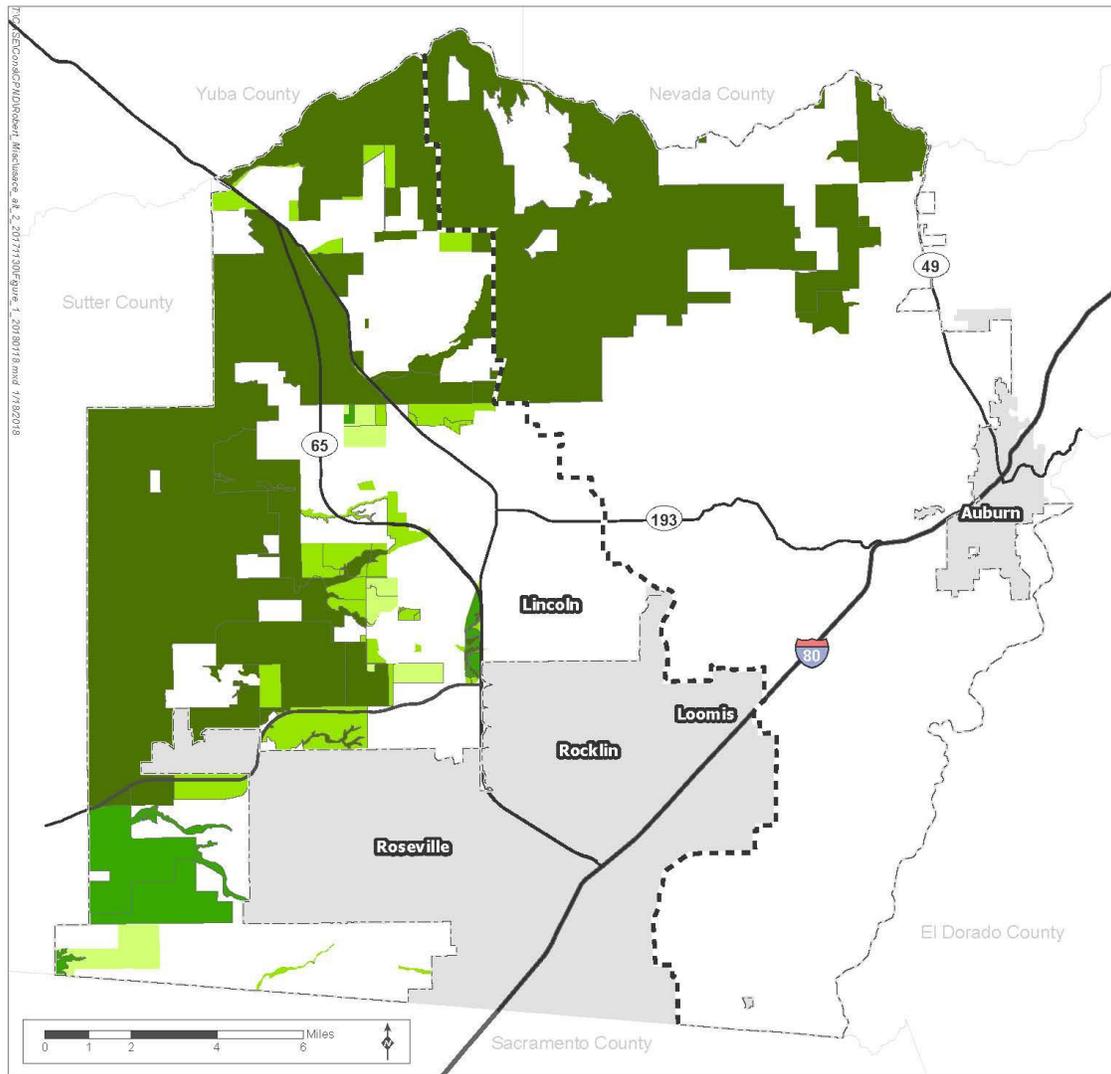
Applicants (i.e., the County, City of Lincoln, South Placer Regional Transportation Authority [SPRTA], Placer County Water Agency [PCWA], and (once formed) the Placer Conservation Authority) such that no fill would be allowed.

Alternative L—Expanded Reserve Acquisition Area

Alternative L consists of all areas designated as Reserve Acquisition Area (RAA) under Alternatives D, E, F, and G, which vary in how and where the PFGs were identified at the interface with the RAA. Figure 1 shows the areas designated as RAA in these alternatives; dark green depicts areas identified as RAA in all four alternative maps (i.e., Map Alternatives 2, 4, 6, and 7); lighter shades appear as RAA in only one or two of the alternative maps.

Alternative L is shown in Figure 2, which was developed by taking the outer envelope of RAA in the Valley in all Map Alternatives 2, 4, 6, and 7. In the Valley, this alternative reflects a contracted PFG where most urban development would occur and an expanded RAA where development would not be a Covered Activity.

Within the expanded RAA of Alternative L are all areas designated as RAA in the proposed PCCP map. It does not differ from the proposed PCCP map with respect to the Foothills nor areas designated as Existing Reserves and Other Protected Areas (EXR).



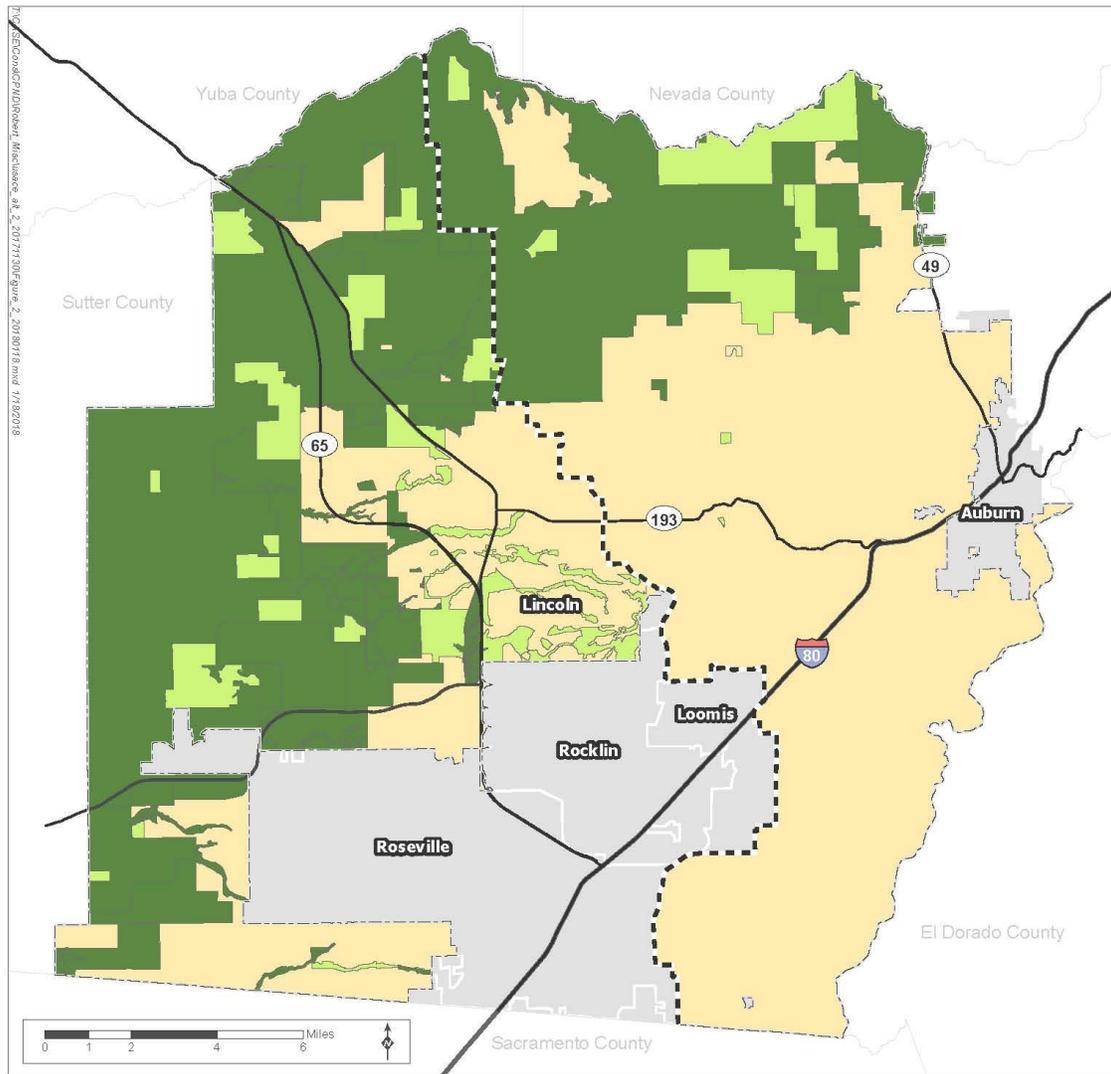
Source: Placer County, 2017; MIG 2018

- | | |
|---|------------------------|
| Designated as RAA in Four Map Alternatives | Non-participating City |
| None | Plan Area A |
| RAA in at least one map | Valley/Foothill Divide |
| RAA in two maps | Highways |
| RAA in three maps | Interstate |
| RAA in all four maps | |

Figure 1 RAA inclusion in four map alternatives

Placer County Conservation Program - Western Placer County HCP/NCCP





Source: Placer County, 2017, MIG 2018

- Reserve Acquisition Area (RAA)
- Plan Area A
- Potential Future Growth Area (PFG)
- Valley/Foothill Divide
- Existing Protected Area (EXR)
- Non-participating City
- Highways
- Interstate

Figure 2 Expanded RAA Alternative based on Composite map:
Any RAA in 2007 Alternatives



Table 1 quantifies the differences in acreages in designations under Alternative L as compared to the proposed PCCP. The area designated as RAA would be 60,806 acres, approximately 16,702 acres greater than the proposed PCCP. Accordingly, the PFG would be contracted by the same amount, reduced by 36% from the proposed PCCP.

Table 1. Designations in the Valley under Alternative L—Expanded RAA and the Proposed PCCP (acres)

Project/Alternative	PCCP Designation in Valley			
	EXR	PFG	RAA	All Valley
Proposed PCCP	9,854	46,949	44,104	100,907
Alternative L—Expanded RAA	9,854	30,247	60,806	100,907

An analysis was prepared by the County of land use and development implications of Alternative L for implementation of the County's General Plan. This analysis is found in the memo prepared by Hausrath Economics Group and attached to this memo. A summary of the potential consequences of Alternative L for the balance of land development and conservation in Western Placer County as described in that memo follows:

- Under the 50-year growth scenario, the land designated for urban development in Western Placer County (the land area identified as the PFG under Proposed PCCP) does not reach buildout. Specifically, the housing, population, and employment growth forecast for the 50-year permit term absorbs about 20,000 acres of the Valley PFG, as noted above. This leaves roughly 10,000 acres of remaining Valley PFG to absorb more population and employment growth beyond the PCCP take authorizations [29,899 acres (from Table 1 of the Hausrath Economics Group memo) – 19,545 = 10,354 acres].
- By contrast, because Alternative L reduces the new development potential of the Valley PFG by more than 50 percent, this smaller land area would most likely be fully developed within the 50-year permit term horizon, possibly by year 35 based on the rough growth scenario outlined in the PCCP (Table 2-5. Land Development to Accommodate Growth for the 50-year Permit Term by 10-year Period and HCP Appendix M. Growth Scenario Memo). Notably, the total amount of development covered under the PCCP would be substantially reduced because of the reduced size of the PFG, resulting in the inability to fully assemble the 47,000 acre Reserve System through a comprehensive plan (the PCCP's conservation strategy), therefore not meeting a fundamental project objective.
- To the extent the expanded RAA designation resulted in a de facto decrease in total development potential, development land remaining within the smaller PFG would likely be developed at higher densities to accommodate demand. This would result in less development mitigation relative to population and employment growth compared to the balance under the Proposed PCCP.
- Some residential and non-residential development that would be accommodated in unincorporated western Placer County and the City of Lincoln under the PCCP would instead be accommodated in Roseville (also in Placer County) or, alternatively, outside of Placer County elsewhere in the region. This would be counter to the stated PCCP purpose of "allowing appropriate and compatible growth in accordance with applicable laws".

- Urban development and associated case-by-case mitigation would likely proceed within the expanded RAA according to planned land use designations resulting in inconsistent, patchwork mitigation that is not subject to PCCP requirements and is unlikely to achieve the goals of the PCCP regional conservation strategy.

Conclusions of Screening Process

First Tier Screening Criteria

The legal requirements of CEQA and NEPA were considered in the context of the statements of project objectives and purpose to develop the following first tier screening criteria.

- Could the potential alternative protect and enhance ecological diversity and function, including aquatic resource functions and values, in the greater portion of western Placer County while allowing appropriate and compatible growth in accordance with applicable laws?

These criteria assume that allowing appropriate and compatible growth in accordance with applicable laws includes allowing sufficient land area for development under the general plans of the City of Lincoln and Placer County. As detailed in Plan Appendix M, sufficient land area was defined as shown on Table 2-5 of the Plan, reprinted below.

PCCP Table 2-5. Land Development to Accommodate Growth for the 50-year Permit Term by 10-year Period (acres)

Plan Area Component	Cumulative Land Area Developed, by 10-year Period (acres)				
	Year 10	Year 20	Year 30	Year 40	Year 50
Plan Area A					
A1 Valley PFG ^a	2,027	5,377	10,606	15,683	19,545
A2 Valley Conservation and Rural Development ^b	250	320	400	480	570
A3 Foothills PFG ^c	1,999	3,997	5,996	7,993	9,993
A4 Foothills Conservation and Rural Development ^c	201	403	604	806	1,007
All Plan Area A	4,477	10,097	17,606	24,962	31,115
Plan Area B ^d					
B1 Permittee Activity in Non-participating City Jurisdiction	385	395	405	415	425
All Plan Area	4,862	10,492	18,011	25,377	31,540

Sources: Hausrath Economics Group and MIG|TRA Environmental Sciences.

^a Area of land development reflecting City of Lincoln and Placer County general and specific plans (see Appendix M, *Growth Scenario Memo*, Table A.1) and a generalized factor of 15 percent additional land development to account for infrastructure, rights-of-way, and public facilities.

^b Estimates for rural development in the Valley developed by MIG|TRA Environmental Sciences include allowance for public infrastructure.

^c Foothills growth scenario estimates by Hausrath Economics Group adapted to available land and general plan land use designation by MIG|TRA Environmental Sciences.

^d Estimate for Plan Area B is an allowance for public infrastructure.

NPC = non-participating city

PFG = Potential Future Growth Area

- Could the potential alternative provide comprehensive species, natural community, and ecosystem conservation in the Plan Area?
- Could the potential alternative contribute to the recovery of endangered species in Placer County and northern California?
- Could the potential alternative establish a regional system of habitat reserves to preserve, enhance, restore, manage, and monitor native species and the habitats and ecosystems upon which they depend?
- Could the potential alternative enhance and restore stream and riparian systems outside the habitat reserves to provide additional benefit to native fish and other stream-dwelling species?
- Could the potential alternative allow issuance of permits to the Permit Applicants for lawful incidental take of species listed as threatened or endangered pursuant to ESA and CESA?
- Could the potential alternative streamline and simplify the process for future incidental take authorization of currently nonlisted species that may become listed during the permit term?
- Could the potential alternative standardize avoidance, minimization, mitigation, and compensation requirements of all applicable laws and regulations relating to biological and

natural resources within the Plan Area, so that public and private actions will be governed equally and consistently, thus reducing delays, expenses, and regulatory duplication?

- Could the potential alternative provide a less costly, more efficient project review process that would result in greater conservation than the current project-by-project, species-by-species endangered species compliance process?
- Could the potential alternative provide a means for the agencies receiving permits to extend the incidental take authorization to private entities subject to their jurisdiction, bringing endangered species permitting under local control?
- Could the potential alternative provide a streamlined aquatic resource protection and permitting process to provide the basis for streamlined USACE/CWA permitting and 1602 permitting for Covered Activities, as well as provide the basis for CWA Section 404 PGP for Covered Activities and a programmatic certification of the PGP by the Regional Water Quality Control Board under CWA Section 401?

Under the principles of both CEQA and NEPA, for an alternative to be advanced to the next tier of screening, the answer to most or all of these questions had to be *possibly* or *unknown*. If the answers to six or more of the questions were *not likely*, the potential alternative was rejected.

Four alternatives were eliminated from consideration at this first tier. A summary of the results of the screening is found in Table 4.

H. Habitat Conservation Plan/2081 Conservation Plan

While the HCP/2081 alternative would provide the same level of streamlining for the federal ESA compliance as an HCP/NCCP because the HCP components of the plan (federal covered species and conservation strategy) would likely be the same or similar, the HCP/2081 would not provide the same level of permit streamlining for state ESA compliance because fewer species (i.e., fully protected species) would be listed in this plan, and effects on some non-listed species would be handled outside of the HCP/2081 process, thus resulting in a less streamlined permitting process. For these reasons, this alternative would not provide a comprehensive plan meeting the project objective of protecting and enhancing ecological diversity and function, including aquatic resource functions and values, in the greater portion of western Placer County while allowing appropriate and compatible growth in accordance with applicable laws.

J. No Programmatic General Permit, Letter of Permission, or Regional General Permit Issued by USACE

Although this alternative would include the conservation strategy of the PCCP, it would only consider effects on waters of the United States, including wetlands, on a project-by-project basis. Therefore, protection of wetlands would not be coordinated in the long term with conservation and management of species in the Plan area at a regional scale and the alternative would not make the process more predictable for future development. Because effects on waters of the United States, including wetlands, would be considered on a project-by-project basis such that coordination and standardization for mitigation and compensation requirements would not occur between ESA, CESA, NEPA, CEQA, the CWA, and other applicable laws and regulations related to biological and natural resources within the Plan Area this alternative would not provide a comprehensive plan meeting the project objective of protecting and enhancing ecological diversity and function, including aquatic

resource functions and values, in the greater portion of western Placer County while allowing appropriate and compatible growth in accordance with applicable laws.

K. No Fill Alternative

Under this alternative, USACE would not permit any development that affects waters or wetlands of the United States as part of the PCCP. Covered Activities would not receive programmatic 404 permit coverage and the PCCP's conservation strategy would not serve as the Regional LEDPA described in the Corps' permitting strategy. Avoidance of all jurisdictional waters, including wetlands, within the Plan Area would be logistically and cost prohibitive. It would not govern public and private actions equally or consistently because the action would likely need to be modified depending on the type and extent of jurisdictional waters, including wetlands. This alternative would not allow for land uses and development as specified under the approved general plans of Placer County and the City of Lincoln, nor planned and programmed projects of SPRTA and PCWA. 404 permit applications would be evaluated on a project-by-project basis separate from the PCCP' conservation strategy. For these reasons, this alternative would not provide a comprehensive plan meeting the project objective of protecting and enhancing ecological diversity and function, including aquatic resource functions and values, in the greater portion of western Placer County while allowing appropriate and compatible growth in accordance with applicable laws.

L. Expanded Reserve Acquisition Area

As described above, the expansion of the RAA would reduce land available for development consistent with the general plans of the County and the City of Lincoln, and in particular, would reduce land available for new development by approximately half. This alternative would limit growth in portions of the Placer Vineyards Specific Plan and would not allow the proposed Placer Ranch Specific Plan or Brookfield projects to proceed. Portions of the Sunset Industrial Area are proposed for incorporation into the PCCP reserve. The stated growth objectives of the City of Lincoln are not accommodated with this reserve design. The coverage provided by this potential alternative would be inconsistent with the approved growth plans and development identified in applicant-approved plans or programmed projects in the Plan Area and the coverage of species would not "balance" growth, but actually reduce it. For these reasons, this alternative would not provide a comprehensive plan meeting the project objective of protecting and enhancing ecological diversity and function, including aquatic resource functions and values, in the greater portion of western Placer County while allowing appropriate and compatible growth in accordance with applicable laws.

Second Tier Screening Criteria

Potential alternatives that advanced to the second tier of screening were evaluated under CEQA using the following question.

- Would the potential alternative avoid or substantially lessen any of the significant environmental effects of the proposed action?

There is no similar requirement under NEPA.

If the answer to the question was *possibly* or *unknown*, the potential alternative was carried forward for third tier screening. If the answer was *no* or *not likely*, then the potential alternative was rejected.

The following alternatives were carried forward to the third tier of screening.

- A. Reduction in Permit Term
- C. Increase in Permit Area
- D. Reduced Development/Reduced Fill—Map Alternative 2
- E. Reduced Development/Reduced Fill—Map Alternative 4
- F. Reduced Development/Reduced Fill—Map Alternative 6
- G. Reduced Development/Reduced Fill—Map Alternative 7

Third Tier Screening Criteria

The third tier criteria focus on CEQA's concept of feasibility and NEPA's principle of reasonableness. Under CEQA, alternatives evaluated in an EIR should be potentially feasible. CEQA Guidelines Section 15126.6(a) defines *feasible* as capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. Under NEPA, an EIS must rigorously explore and objectively evaluate a reasonable range of alternatives that achieve the proposed action's objectives as provided by the purpose and need statement (40 CFR 1502.14[a]; 46 FR 18026).

The range of alternatives should provide a range of options to decision-makers to support informed decision-making. Reasonable alternatives include those that are practical or feasible from a technical or economic standpoint and using common sense, rather than alternatives that are simply desirable from the applicant's perspective. Under both NEPA and CEQA, potential alternatives can be developed using economic considerations, social factors, legal feasibility under species protection laws, and technical factors to inform the general concepts of feasibility under CEQA and reasonableness under NEPA. The Section 404(b)(1) analysis must consider similar issues to those under CEQA and NEPA. These include costs, logistics, existing technology, and overall purpose.

In addition to these CEQA and NEPA considerations, adverse effects on the aquatic environment, including effects on waters of the United States and special aquatic sites, must be evaluated by USACE consistent with the requirements of the Section 404(b)(1) guidelines. Third tier criteria include the following issues.

- Would the marginal costs of the potential alternative be so substantial that a reasonably prudent public agency would not proceed with the alternative?
- Would the marginal costs of the potential alternative be so substantial that it would be impractical to proceed with the alternative?
- Would the potential alternative take so long to implement, as compared with the proposed action, that it would not meet the project purpose or objectives within an acceptable time frame?
- Would the potential alternative require technology or physical components that are clearly technically infeasible based on currently available science and engineering for the scope of the potential alternative?
- Would construction, operation, and/or maintenance of the potential alternative violate any federal or state statutes or regulations?

- Would the potential alternative involve an outcome that is clearly undesirable from a policy standpoint in that the outcome could not reflect a reasonable balancing of relevant economic, environmental, social, and technological factors?
- Would the potential alternative involve a potential increase in adverse effects on the aquatic ecosystem?
- Would the potential alternative involve a potential increase in adverse effects on special aquatic sites?

If the answers to all these questions were *no*, *not likely*, or *unknown*, the potential alternative is recommended for consideration in the EIS/EIR. If the answers to any of these questions were *likely* or *yes*, the potential alternative failed the third tier screening and, consequently, is not recommended for consideration in detail in the EIS/EIR.

Alternatives Identified through the Screening Process

Based on the three-tiered screening process, described above and summarized in Tables 4–6 at the end of this memorandum, the following alternatives were identified as those to be analyzed in the EIS/EIR.

- Alternative 1—No Action.
- Alternative 2—Proposed Action.
- Alternative 3—Reduced Take/Reduced Fill.
- Alternative 4—Reduced Permit Term.

Expanded draft descriptions of Alternatives 3 and 4 are presented below. Alternative 3—Reduced Take/Reduced Fill is a combination of Alternatives D, E, F, and G. Descriptions of Alternative 1—No Action and of Alternative 2—Proposed Action were previously reviewed by the Resource Agencies and are not included below.

Expanded Description of Action Alternatives

The following two action alternatives are proposed for inclusion in Section 2.4, *Alternatives Carried Forward for Detailed Analysis*, of the EIS/EIR and used as the basis for the environmental analysis in the EIS/EIR. These action alternatives would be in addition to Alternative 1—No Action and Alternative 2—Proposed Action.

Alternative 3—Reduced Take/Reduced Fill

Alternative 3—Reduced Take/Reduced Fill is derived from the second tier alternatives screening process evaluation of Alternatives D, E, F, and G. These alternatives are based on different versions of a conservation and development map originally considered in 2005 during an early phase of the PCCP planning process (Map Alternatives 2, 4, 6, and 7, described above), which examined different boundaries for reserve acquisition in the western area of the Valley portion of the Plan Area. As a group, these maps were considered to be a basis for developing a proposed plan, as acknowledged by the USACE/USEPA) letter dated August 24, 2007.

Compared with Alternative 2, the proposed action, the conservation principle of the earlier maps is essentially equivalent in the Foothills, but it differs mainly in the balance between the RAA and PFG in the Valley. The four maps all have a smaller amount of land designated PFG in the Valley, ranging from a reduction of 13% for Map 6 to a reduction of 5% for Map 4 (Table 2).

Table 2. Designations in the Valley under the Proposed PCCP and Map Alternatives 2, 4, 6, and 7 (acres)

PCCP Designation	Proposed Plan	Map 2	Map 4	Map 6	Map 7
EXR	9,854	9,855	9,855	9,855	9,855
PFG	46,949	43,238	44,552	40,629	43,187
RAA	44,104	47,814	46,500	50,423	47,865
Plan Area A	100,907	100,907	100,907	100,907	100,907
PFG % reduction/increase from Proposed Plan		-8%	-5%	-13%	-8%

The 10-year planning process subsequent to the 2007 letter responded to input from stakeholders' advisory groups, land owners, wildlife agencies, USACE, USEPA, and the Permit Applicants. This input resulted in changes in the identification of parcel suitability for conservation and development, which led to the development of the proposed Plan. The City of Lincoln adopted a new general plan on March 25, 2008, with a consequent expansion of its sphere of influence. Additionally, in 2009, the vegetative land cover database was updated, which resulted in significant changes to the mapping of the location and size of vernal pool complexes in the Valley. The updated vernal pool complex mapping was initiated after a science advisory review panel provided input on mapping criteria for vernal pool complexes. Map Alternatives 2, 4, 6 and 7 were based upon the earlier and now outdated version of the vegetative land cover data, which were agreed by the Permit Applicants and the Resource Agencies to be less accurate than the updated data and maps. For these reasons, no single map and no spatial composite, or average, of the four maps of Alternatives D, E, F, and G represents an implementable alternative to the proposed action.

Although the specific geography of the earlier maps and their associated alternatives no longer met the purpose and need of the proposed Plan, their conservation concepts remain valid. The common quantitative feature among these alternatives is a reduced PFG, ranging from roughly 2,000 to 6,000 fewer acres of PFG. This reduction in PFG could also result in a reduction of effects on natural communities, including vernal pool complex lands, and reduction in fill of wetlands and other waters of the United States.

The PCCP uses a 50-year growth scenario to set the approximate scale of future land development as a Covered Activity; the proposed action subject to the EIS/EIR does itself not propose future development—rather it proposes the conditions that would apply to future development so as to avoid, minimize, and mitigate effects on Covered Species, effects on natural communities, and fill of waters.

A key permit condition of the proposed PCCP is the overall limits of take allowable during the permit term. These limits are set forth in the proposed PCCP in the Plan as Table 4-1. The intent in developing alternatives for evaluation in the EIS/EIR, including Alternatives D, E, F, and G, is to reduce impacts, not to reduce development *per se*. In comparing these alternatives to the proposed PCCP, the larger RAA that is included in each of them would have the effect of reducing development

potential and, accordingly, reducing impacts on vernal pool complex lands by 5–10%; these alternatives can be represented by an alternative permit that sets lower limits for loss of vernal pools and other aquatic wetland habitats. These lower take limits can apply to the same RAA/PFG map that emerged from the Permit Applicants' stakeholder process and which serves as the basis for the proposed PCCP. Lower limits would require greater avoidance of vernal pool complex lands and would be accomplished by greater onsite avoidance, greater acquisition of reserve lands in the PFG, and/or reduced land development to accommodate increases in housing and economic activity in the Plan Area.

Alternative 3 can be evaluated quantitatively without developing a specific alternative map that differs from the proposed Plan. To do so, spatial analysis conducted for the proposed PCCP was used, setting permit limits for loss of vernal pools and other aquatic wetland habitats at roughly 8–10% lower than for the proposed PCCP.

The effect of reduced take limits was evaluated by the spatial model of the Plan Area used by the Permit Applicants in the planning process to evaluate alternatives and to estimate the effect of Covered Activities, including land development as represented by a 50-year growth scenario. Under Alternative 3, vernal pool complex land conversion is reduced for the Valley PFG by 10% (about 1,250 acres) as compared to the proposed action; there are similar reductions in other communities associated with wetlands or other waters. When the spatial model assumes those land cover types are not available for land development by Covered Activities, the model reallocates future land development to other land cover types, resulting in a corresponding increase in conversion of some of the other natural community types. In order to minimize the impact on non-wetland associated communities, the total extent of land conversion in the Valley PFG is reduced for this alternative by 1,000 acres, compared to the proposed Plan. This limits increased conversion of non-wetland associated communities to less than 5%, as shown in Table 3.

Table 3. Alternative 3—Reduced Take/Reduced Fill Permit Limits for Direct Effects and Comparison with Proposed Plan

	PCCP Proposed Plan			Alternative 3 Reduced Take/Reduced Fill			Reduction/In crease in Valley PFG from Proposed PCCP
	All Plan	Valley PFG	All Valley	All Plan	Valley PFG	All Valley	
Communities and Constituent Habitats							
Vernal Pool Complex	12,550	12,200	12,400	11,300	10,950	11,150	-10%
Vernal Pool Constituent Habitats Total	580	560	570	525	505	515	-10%
Vernal Pool	185	180	180	165	160	160	-11%
Seasonal Wetland in Vernal Pool Complex	223	220	220	198	195	195	-11%
Seasonal Swales	172	170	170	152	150	150	-12%
Vernal Pool Complex Uplands	11,970	11,640	11,830	10,775	10,445	10,635	-10%
Grassland	6,900	3,400	3,500	7,040	3,540	3,640	+4%
Aquatic/Wetland Complex	260	120	120	250	110	110	-9%
Aquatic/Wetland Constituent Habitats Total	260	120	120	250	110	110	-9%
Fresh Emergent Marsh	105	50	50	100	45	45	-10%
Lacustrine	103	50	50	99	46	46	-8%
Non-Vernal Pool Seasonal Wetland	52	20	20	50	18	18	-8%
Complex Uplands	-	-	-	-	-	-	
Riverine/Riparian Complex	490	150	150	475	135	135	-10%
Riverine/Riparian Constituent Habitats Total	490	150	150	475	135	135	-10%
Riverine Type	115	80	80	106	71	71	-11%
Riparian Woodland	375	70	70	369	64	64	-9%
Complex Uplands	-	-	-	-	-	-	
Valley Oak Woodland	140	30	30	140	30	30	0%
Oak Woodland	6,210	1,100	1,100	6,225	1,115	1,115	+1%
Subtotal Natural	26,550	17,000	17,300	25,430	15,880	16,180	-7%
Agriculture	3,550	2,700	2,900	3,670	2,820	3,020	+4%
Rice	2,060	1,800	2,000	2,140	1,880	2,080	+4%
Any Agriculture	1,490	900	900	1,530	940	940	+4%
Total All	30,100	19,700	20,200	29,100	18,700	19,200	-5%

Source: Placer County, December 2017

Effect of Reduced Take/Reduced Fill on Land Availability

The Permit Applicants' project objectives include the ability for Covered Activities to proceed in accordance with adopted plans, policies and programs. The Covered Activities include urban and rural land development to accommodate increases in population and employment, and a variety of road, water, and other needed infrastructure construction and maintenance activities. During the HCP/NCCP planning process, the extent and location of likely urban and rural development in western Placer was modeled by a growth scenario. Its purpose was to define the amount of housing and employment growth and corresponding land development area likely needing to be accommodated in the 50-year permit term. As with other planning parameters such as land cover mapping and Covered Species occurrences, the same growth scenario is assumed for all alternatives.

The housing and employment growth and corresponding land development projections prepared for the purposes of the PCCP represent one possible scenario for long-term growth in western Placer County, assuming continuation of long-term regional growth trends and planned development patterns. The scenario reflects future economic and population growth potential for Placer County and the cities in the western portions of the county and assessment of development plans and proposals under consideration in Placer County and the cities as of April 2015, when the projections were made. Among other factors, endangered species regulations, treated water distribution, transportation costs, climate change, and potential market responses to those changes will alter the 50-year growth scenario.

The amount of land development under the proposed PCCP does not represent buildout of the development capacity in the Valley PFG. There are about 8,000 more acres of development potential under the general plans and specific plans of Placer County and the City of Lincoln than is projected to occur under the 50-year growth scenario.

Therefore, assuming the same density of development, reducing the development footprint away from vernal pool complex lands during the 50-year permit term would likely shift development to other parts of the Valley within the PFG. Assuming no increase in development density, in the longer term, a reduced development footprint in the Valley would reduce the housing, population, and jobs accommodated at buildout sometime beyond the 50-year permit term. Under this scenario, the differences in effects on habitat and species would depend on the characteristics of the land remaining in the PFG. This is illustrated by the results of the spatial model analysis of direct effects in Table 3.

Other changes in development patterns would limit the effects on the amount of growth accommodated in the Valley. In both unincorporated Placer County and the city of Lincoln, the development capacity for non-residential land use exceeds reasonable employment growth projections by a larger margin than does the development capacity for residential land use. Some areas currently designated for non-residential development are likely to instead be developed with residential land use over the longer term. This change from non-residential development to residential is consistent with trends over the past 40 years. In addition, market forces and changes in State housing law will likely result in an increase in the amount of higher density development in western Placer County. Higher density development patterns would accommodate more housing, population, and employment on any given amount of land, thereby allowing similar amount of population growth and economic activity as expected under the proposed Plan.

The approximate 10% reduction in vernal pool complex land conversion assumed for Alternative 3 reduces the overall availability of land for development. This does not necessarily force a change in actual patterns of development; part of the reduced take for Alternative 3 could be accommodated by increased onsite avoidance. The reduced take/reduced fill constraint on wetland communities is likely to reduce the overall amount of development land available in the Valley PFG by approximately 1,000 acres. This likely effect was used in formulating Alternative 3, reducing the total extent of land conversion by 1,000 acres so as to minimize impacts of displaced development on non-wetland communities.

Plan Area

Plan Area A

A1—Valley Potential Future Growth Area

The reduced permit limits of Alternative 3 would apply only to Plan Area component A1, Valley PFG. Because Alternative 3 would incorporate the same map of reserves as the proposed action in order to retain feasibility with respect to the objectives of the Permit Applicants, the character and pattern of development would be modified slightly in order for the full amount of housing and employment growth in the growth scenario to be accommodated in the 50-year permit term. This would entail either increased onsite avoidance of vernal pool complex and other wetlands and waters, increased acquisition of reserve lands in the PFG, and/or reduced development footprint in the Valley PFG. The intra-regional shifts in development and the net reduction of 1,000 acres of land conversion—approximately 5%—could be accommodated by the land use diagrams and corresponding range of development densities in the adopted City and County general plans.

A2—Valley Conservation and Rural Development

Under Alternative 3, no change would occur to the mapped area or the permit limits that would apply to component A2, Valley Conservation and Rural Development. There may be changes in the extent of the PCCP Reserve System established there.

A3—Foothills Potential Future Growth Area

The extent of component A3, Foothills PFG, under Alternative 3 would be the same as under the proposed action.

A4—Foothills Conservation and Rural Development

The extent of component A4, Foothills Conservation and Rural Development, under Alternative 3 would be the same as under the proposed action.

Plan Area B

Activities in Plan Area B, comprising the components listed below, would be the same under Alternative 3 as under the proposed action.

- B1—Permit Applicant Activity in Non-Participating Cities
- B2—PCWA Operations and Maintenance
- B3—Coon Creek Floodplain Conservation

- B4—Fish Passage Channel Improvement
- B5—Big Gun Reserve

The County would be the main Permittee operating in component B1 and could alter public project design to reduce conversion of vernal pool complex or other wetlands in order to manage the overall reduced permit limits set in Alternative 3.

Covered Activities

Covered Activities under Alternative 3 would be the same as under the proposed action. As discussed above, the extent and location of covered growth may be changed slightly.

Covered Species

The same species would be covered under Alternative 3 as under the proposed action.

Conservation Strategy

Under this alternative, the conservation strategy and its components, designed to provide for conservation of landscapes, natural communities, and Covered Species, would be the same under Alternative 3 as under the proposed action.

Implementing Alternative 3 by relying on greater onsite avoidance would produce an appreciable change in the component of the conservation strategy that relies on establishing a regional scale Reserve System rather than a continuation of the present pattern of preserving smaller, isolated patches of habitat that are more difficult to manage and inevitably subject to greater indirect effects of adjacent land uses.

The increased avoidance in the Valley PFG and the decreased mitigation dependent on effect, and the possibly smaller extent of land conversion overall would likely result in a smaller and potentially less contiguous reserve area to be acquired in the RAA. The decrease would depend on the way the reduced take/reduced fill for Alternative 3 was implemented in the Valley PFG; for the purposes of evaluating effects of Alternative 3, it is assumed that the extent of the Reserve System in the Valley RAA would probably be reduced by 3,000 acres from that assumed for implementation of the proposed action, and the extent of Reserve System in the Valley PFG would probably be increased by approximately 2,000 acres from that assumed for implementation of the proposed action.

PCCP Implementation

Plan

Plan implementation would follow the same principles and adhered to the same requirements under Alternative 3 as under the proposed action.

CARP

Implementation of the *Western Placer County Aquatic Resources Program* (CARP) under Alternative 3 would be identical to that under the proposed action.

Alternative 4—Reduced Permit Term

Under this alternative, the HCP/NCCP would include the same permit conditions for Covered Activities and similar conservation measures and conservation strategy as the PCCP, except the permit term would be for 30 years instead of 50.

Plan Area

The Plan Area would be the same as under the proposed action.

Covered Activities

Because of the shorter permit term, longer-term projects would not be covered. Additionally, there would be lower levels of urban and suburban development covered under the HCP/NCCP. Because of reduced impacts on Covered Species, the amount of conservation proposed would be less than the proposed action, generally in proportion to the lower level of development. Finally, it is expected that less funding would be needed for acquisition, management, and restoration of a lesser amount of conservation lands (i.e., a smaller Reserve System).

For the purposes of the analysis, it is assumed that under Alternative 4, the amount of total impacts of Covered Activities would be reduced by 40%, the same proportional reduction as the permit term (from 50 years to 30 years).

Covered Species

The Covered Species would be the same as under the proposed action.

Conservation Strategy

The conservation strategy needed to offset those impacts (i.e., mitigate) and provide for the conservation and management of the Covered Species has not been determined. However, for the purposes of this analysis, it is assumed under this alternative that the Reserve System would be 30% smaller than under the proposed action.

Under Alternative 4, the conservation actions proposed in the Plan (i.e., Alternative 2) would be proportional to the amount of development by year 30 under Alternative 2. Accordingly, the conservation proposed under the PCCP would be reduced for the Valley portion of Plan Area A, Foothill portion of Plan Area A, and for Plan Area B by multiplying those amounts by 0.55, 0.60, and 0.95, respectively.

PCCP Implementation

Alternative 4 would entail implementation of the PCCP as under Alternative 2, the proposed action, except that the permit term would be 30 years instead of 50, resulting in less urban and suburban development within the permit term. The impacts by year 30—as shown in Table 2-5 in the Plan, *Land Development to Accommodate Growth for the 50-year Permit Term by 10-year Period (acres)*—were used as the estimate of impacts under Alternative 4. As shown in this table, land development at year 30 for the Valley and Foothill portions of Plan Area A would be 55% and 60%, respectively, of those estimated by year 50. For Plan Area B, land development at year 30 would be 95% of that estimated by year 50. The individual impacts under Alternative 4 were developed by multiplying

these percentages (the fractions) by the total impacts on natural communities, agricultural lands, and Covered Species under Alternative 2.

Table 4. First Tier Screening of Alternatives to PCCP

Potential Alternatives	First Tier Screening Criteria											Score (# of Unknown or Possibility)	Carried Forward to Second Tier Screening?	
	Protect and enhance biological and ecological diversity and function, including aquatic resource functions and values, in the greater portion of western Placer County while allowing appropriate and compatible growth in accordance with applicable laws.	Provide comprehensive species, natural community, and ecosystem conservation in the Plan Area	Contribute to the recovery of endangered species in Placer County and northern California.	Establish a regional system of habitat reserves to preserve, enhance, restore, manage, and monitor native species and the habitats and ecosystems upon which they depend.	Allow issuance of permits to the Permit Applicants for lawful incidental take of threatened or endangered species pursuant to ESA and CESA.	Enhance and restore stream and riparian systems outside the habitat reserves to provide additional benefit to native fish and other stream-dwelling species.	Streamline and simplify the process for future incidental take authorization of currently nonlisted species that may become listed during the permit term.	Standardize avoidance, minimization, mitigation, and compensation requirements of all applicable laws and regulations relating to biological and natural resources within the Plan Area, so that public and private actions will be governed equally and consistently, thus reducing delays, expenses, and regulatory duplication.	Provide a less costly, more efficient project review process that would result in greater conservation than the current project-by-project, species-by-species endangered species compliance process.	Provide a means for the agencies receiving permits to extend the incidental take authorization to private entities subject to their jurisdiction, bringing endangered species permitting under local control.	Provide a streamlined aquatic resource protection and permitting process to provide the basis for streamlined USACE/CWA permitting and 1602 permitting for Covered Activities, as well as provide the basis for CWA Section 404 PGP for Covered Activities and a programmatic certification of the PGP by the Regional Water Quality Control Board under CWA Section 401.			
<i>A. Reduction in Permit Term to 30 Years</i>	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	11	Yes	
<i>B. Reduction in Covered Species</i>	Possibly. Habitat requirements for non-covered special-status species would not directly be provided and any habitat benefits non-covered species received from covered species habitat conservation would be ancillary. Thus, this alternative would not provide for long-term conservation and management in the Plan Area at a regional scale.	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	11	Yes	
<i>C. Increase in Permit Area</i>	Possibly, although the participation of the other cities in the county cannot be required, and the cities other than Lincoln have chosen not to participate.	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	11	Yes	
<i>D. Reduced Development/Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States—Map 2</i>	Not likely because it would not allow for land uses and development as specified under the approved general plans of Placer County and the City of Lincoln, nor planned and programmed projects of SPRTA and PCWA within the Plan Area.	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	10	Yes	
<i>E. Reduced Development Reduced Impacts to Jurisdictional Wetlands</i>	Not likely because it would not allow for land uses and	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Unlikely. This alternative would not allow the proposed Placer Ranch	Possibly	Possibly	Possibly	9	Yes

First Tier Screening Criteria														
Potential Alternatives	Protect and enhance biological and ecological diversity and function, including aquatic resource functions and values, in the greater portion of western Placer County while allowing appropriate and compatible growth in accordance with applicable laws.	Provide comprehensive species, natural community, and ecosystem conservation in the Plan Area	Contribute to the recovery of endangered species in Placer County and northern California.	Establish a regional system of habitat reserves to preserve, enhance, restore, manage, and monitor native species and the habitats and ecosystems upon which they depend.	Allow issuance of permits to the Permit Applicants for lawful incidental take of species listed as threatened or endangered pursuant to ESA and CESA.	Enhance and restore stream and riparian systems outside the habitat reserves to provide additional benefit to native fish and other stream-dwelling species.	Streamline and simplify the process for future incidental take authorization of currently nonlisted species that may become listed during the permit term.	Standardize avoidance, minimization, mitigation, and compensation requirements of all applicable laws and regulations relating to biological and natural resources within the Plan Area, so that public and private actions will be governed equally and consistently, thus reducing delays, expenses, and regulatory duplication.	Provide a less costly, more efficient project review process that would result in greater conservation than the current project-by-project, species-by-species endangered species compliance process.	Provide a means for the agencies receiving permits to extend the incidental take authorization to private entities subject to their jurisdiction, bringing endangered species permitting under local control.	Provide a streamlined aquatic resource protection and permitting process to provide the basis for streamlined USACE/CWA permitting and 1602 permitting for Covered Activities, as well as provide the basis for CWA Section 404 PGP for Covered Activities and a programmatic certification of the PGP by the Regional Water Quality Control Board under CWA Section 401.	Score (# of Unknown or Possibility)	Carried Forward to Second Tier Screening?	
and Other Waters of the United States—Map 4	development as specified under the approved general plans of Placer County and the City of Lincoln, nor planned and programmed projects of SPRTA and PCWA within the Plan Area.							Specific Plan or Brookfield projects to proceed. Portions of the Sunset Industrial Area are proposed for incorporation into the PCCP reserve. The City of Lincoln was not in favor of this alternative, as it restricts the City of Lincoln's stated land use objectives. Therefore, the coverage provided by this potential alternative would be inconsistent with the approved growth plans and development identified in applicant-approved plans or programmed projects in the Plan Area, and the coverage of species would not "balance" growth, but actually reduce it.						
F. Reduced Development/Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States —Map 6	Not likely because it would not allow for land uses and development as specified under the approved general plans of Placer County and the City of Lincoln, nor planned and programmed projects of SPRTA and PCWA within the Plan Area.	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	While growth is accommodated in the Regional University Specific Plan and the Curry Creek Community Plan areas, this alternative limits growth in portions of the Placer Vineyards Specific Plan area and completely removes urban growth in the Placer Ranch Specific Plan area and within the Brookfield project site. Some growth objectives of the City of Lincoln are accommodated in this reserve design. Therefore, the coverage provided by this potential alternative would be inconsistent with the approved growth plans and development	Possibly	Possibly	Possibly	9	Yes	

First Tier Screening Criteria													
Potential Alternatives	Protect and enhance biological and ecological diversity and function, including aquatic resource functions and values, in the greater portion of western Placer County while allowing appropriate and compatible growth in accordance with applicable laws.	Provide comprehensive species, natural community, and ecosystem conservation in the Plan Area	Contribute to the recovery of endangered species in Placer County and northern California.	Establish a regional system of habitat reserves to preserve, enhance, restore, manage, and monitor native species and the habitats and ecosystems upon which they depend.	Allow issuance of permits to the Permit Applicants for lawful incidental take of species listed as threatened or endangered pursuant to ESA and CESA.	Enhance and restore stream and riparian systems outside the habitat reserves to provide additional benefit to native fish and other stream-dwelling species.	Streamline and simplify the process for future incidental take authorization of currently nonlisted species that may become listed during the permit term.	Standardize avoidance, minimization, mitigation, and compensation requirements of all applicable laws and regulations relating to biological and natural resources within the Plan Area, so that public and private actions will be governed equally and consistently, thus reducing delays, expenses, and regulatory duplication.	Provide a less costly, more efficient project review process that would result in greater conservation than the current project-by-project, species-by-species endangered species compliance process.	Provide a means for the agencies receiving permits to extend the incidental take authorization to private entities subject to their jurisdiction, bringing endangered species permitting under local control.	Provide a streamlined aquatic resource protection and permitting process to provide the basis for streamlined USACE/CWA permitting and 1602 permitting for Covered Activities, as well as provide the basis for CWA Section 404 PGP for Covered Activities and a programmatic certification of the PGP by the Regional Water Quality Control Board under CWA Section 401.	Score (# of Unknown or Possibility)	Carried Forward to Second Tier Screening?
								identified in applicant-approved plans or programmed projects in the Plan Area, and the coverage of species would not "balance" growth, but actually reduce it.					
<i>G. Reduced Development/ Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States—Map 7</i>	Not likely because it would not allow for land uses and development as specified under the approved general plans of Placer County and the City of Lincoln, nor planned and programmed projects of SPRTA and PCWA within the Plan Area.	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	This alternative was found to accommodate all of the proposed specific plan applications under consideration in the county at the time of development of these alternatives, portions of the Curry Creek Community Plan area, and all of the Sunset Industrial Area. However, the stated growth objectives of the City of Lincoln are not accommodated with this reserve design. Therefore, the coverage provided by this potential alternative would be inconsistent with the approved growth plans and development identified in applicant-approved plans or programmed projects in the Plan Area, and the coverage of species would not "balance" growth, but actually reduce it.	Possibly	Possibly	Possibly	9	Yes
<i>H. Habitat Conservation Plan/2081 Conservation Plan</i>	Not likely. This alternative would not provide a comprehensive plan.	Not likely. This alternative would not provide a comprehensive plan.	Not likely. This alternative would not provide a comprehensive plan.	Not likely. This alternative would not provide a comprehensive plan.	Not likely. This alternative would not provide a comprehensive plan.	Not likely. This alternative would not provide a comprehensive plan.	Not Likely. While the HCP/2081 would provide the same level of streamlining for the federal ESA compliance as an HCP/NCCP because the HCP components of the plan (federal covered species and conservation strategy) would likely be the same or similar, the	Possibly	Not likely. Fewer species would be covered.	Not likely. Fewer species would be covered.	Not likely. Fewer species would be covered.	1	No, because it does not meet the project objectives.

First Tier Screening Criteria													
Potential Alternatives	Protect and enhance biological and ecological diversity and function, including aquatic resource functions and values, in the greater portion of western Placer County while allowing appropriate and compatible growth in accordance with applicable laws.	Provide comprehensive species, natural community, and ecosystem conservation in the Plan Area	Contribute to the recovery of endangered species in Placer County and northern California.	Establish a regional system of habitat reserves to preserve, enhance, restore, manage, and monitor native species and the habitats and ecosystems upon which they depend.	Allow issuance of permits to the Permit Applicants for lawful incidental take of species listed as threatened or endangered pursuant to ESA and CESA.	Enhance and restore stream and riparian systems outside the habitat reserves to provide additional benefit to native fish and other stream-dwelling species.	Streamline and simplify the process for future incidental take authorization of currently nonlisted species that may become listed during the permit term.	Standardize avoidance, minimization, mitigation, and compensation requirements of all applicable laws and regulations relating to biological and natural resources within the Plan Area, so that public and private actions will be governed equally and consistently, thus reducing delays, expenses, and regulatory duplication.	Provide a less costly, more efficient project review process that would result in greater conservation than the current project-by-project, species-by-species endangered species compliance process.	Provide a means for the agencies receiving permits to extend the incidental take authorization to private entities subject to their jurisdiction, bringing endangered species permitting under local control.	Provide a streamlined aquatic resource protection and permitting process to provide the basis for streamlined USACE/CWA permitting and 1602 permitting for Covered Activities, as well as provide the basis for CWA Section 404 PGP for Covered Activities and a programmatic certification of the PGP by the Regional Water Quality Control Board under CWA Section 401.	Score (# of Unknown or Possibility)	Carried Forward to Second Tier Screening?
							HCP/2081 would not provide the same level of permit streamlining for state ESA compliance because fewer species (i.e., fully protected species) would be listed in this plan and effects on some non-listed species would be handled outside of the HCP/2081 process, thus resulting in a less streamlined permitting process.						
I. Reserve System Limited to Placer County	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	Possibly	11	Yes
J. No PGP, LOP, or RGP Issued by USACE	Not likely. Although it would include the conservation strategy of the PCCP, it would only consider effects on waters of the United States, including wetlands, on a project-by-project basis. Therefore, protection of wetlands would not be coordinated in the long term with conservation and management of species in the Plan area at a regional scale.	Possibly	Possibly	Possibly	Possibly	Possibly	Not likely because effects on waters of the United States, including wetlands, would be considered on a project-by-project basis such that associated mitigation would not be integrated into the PCCP Reserve System and would not make the process more predictable for future development.	Not likely because effects on waters of the United States, including wetlands, would be considered on a project-by-project basis such that coordination and standardization for mitigation and compensation requirements would not occur between ESA, CESA, NEPA, CEQA, the CWA, and other applicable laws and regulations related to biological and natural resources within the Plan Area.	Not likely because effects on waters of the United States, including wetlands, would only be considered on a project-by-project basis and thus no programmatic wetlands permit could be issued as the projects would be treated individually.	No	Not likely because effects on waters of the United States, including wetlands, would only be considered on a project-by-project basis and thus no programmatic wetlands permit could be issued as the projects would be treated individually.	5	No
K. No Fill	Not likely because it would not allow for land uses and development as specified under the approved general plans of Placer County and the City of Lincoln, nor planned and programmed projects of SPRTA and PCWA, as USACE would not permit any	Possibly	Not likely because it would not allow for land uses and development as specified under the approved general plans of Placer County and the City of Lincoln, nor planned and programmed projects of SPRTA and PCWA, as USACE would not permit any	Possibly	Possibly	Possibly	Not likely because it would not allow for land uses and development as specified under the approved general plans of Placer County and the City of Lincoln, nor planned and programmed projects of SPRTA and PCWA, as USACE would not permit any development that affects waters or wetlands of the United States.	Not likely because avoiding all jurisdictional waters, including wetlands, would be logistically and cost prohibitive. It would not govern public and private actions equally or consistently because the action would likely need to be modified depending on the type and extent of jurisdictional waters,	Possibly	No	Not likely because no permits would be issued.	5	No

Table 5. Second Tier Screening of Alternatives to PCCP

Potential Alternatives	Second Tier Screening Criteria		Score (# of Unknown or Possibility)	Carried Forward to Third Tier Screening?
	<i>Avoid or substantially lessen any of the significant environmental effects of the proposed action.</i>			
<i>A. Reduction in Permit Term to 30 Years</i>	Unknown. A reduction in the permit term would mean that in the long term, coordinated planning for conservation would not continue. This could result in significant environmental effects on species of special status or concern. It is unknown whether this potential alternative would avoid or substantially lessen any of the significant environmental effects of the proposed action.		1	Yes
<i>B. Reduction in Covered Species</i>	Not likely because a reduction in Covered Species, while maintaining the Covered Activities identified in the proposed action, could result in significant environmental effects on species of special status or concern. These effects would not be offset by the conservation strategy or conservation lands established because they would not include these types of species. Therefore, it is not expected this potential alternative would avoid or substantially lessen any of the significant environmental effects of the proposed action.		0	No
<i>C. Increase in Permit Area</i>	Unknown because while there would be an increase in the permit area to include areas in the other incorporated cities, it would also increase the type and number of Covered Activities. Therefore, it is unknown whether this potential alternative would avoid or substantially lessen any of the significant environmental effects of the proposed action.		1	Yes
<i>D. Reduced Development/ Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States—Map Alternative 2</i>	Possibly. Reduced development could reduce effects on Covered Species.		1	Yes
<i>E. Reduced Development/ Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States—Map Alternative 4</i>	Possibly. Reduced development could reduce effects on Covered Species.		1	Yes
<i>F. Reduced Development/ Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States—Map Alternative 6</i>	Possibly. Reduced development could reduce effects on Covered Species.		1	Yes
<i>G. Reduced Development/ Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States—Map Alternative 7</i>	Possibly. Reduced development could reduce effects on Covered Species.		1	Yes
<i>I. Reserve System Limited to Placer County</i>	Unlikely		0	No

Table 6. Third Tier Screening of Alternatives to PCCP

Potential Alternatives	Third Tier Screening Criteria							Score (# of Likely or Yes)	Carried Forward to Analysis in EIS/EIR?
	<i>Substantial marginal costs compared to those of the proposed action such that a reasonably prudent public agency would not proceed with, or it would be impracticable to proceed with, the potential alternative.</i>	<i>Substantial implementation time compared with that of the proposed action would result in the potential alternative not meeting the project purpose or objectives within an acceptable time frame.</i>	<i>Technology or physical components required would be clearly technically infeasible.</i>	<i>Construction, operation, and/or maintenance of the potential alternative would violate any federal or state statutes or regulations.</i>	<i>Outcomes could be clearly undesirable from a policy standpoint.</i>	<i>Would the potential alternative involve an increase in adverse impacts to waters of the United States?</i>	<i>Would the potential alternative involve an increase in adverse impacts to special aquatic sites?</i>		
<i>A. Reduction in Permit Term to 30 Years</i>	No	No	No	No	No	Likely	Likely	2	Yes
<i>C. Increase in Permit Area</i>	No	Infeasible, as other jurisdictions have not chosen to participate, even given a substantial amount of time to consider participation. And there is no growth.	No	No	Yes	Yes	Yes	3	No
<i>D. Reduced Development/Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States—Map Alternative 2</i>	No	No	No	No	No	No	No	0	Yes ¹
<i>E. Reduced Development/Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States—Map Alternative 4</i>	No	No	No	No	No	No	No	0	Yes
<i>F. Reduced Development/Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States —Map Alternative 6</i>	No	No	No	No	No	No	No	0	Yes
<i>G. Reduced Development/Reduced Impacts to Jurisdictional Wetlands and Other Waters of the United States—Map Alternative 7</i>	No	No	No	No	No	No	No	0	Yes

Note:

¹ Alternatives D, E, F, and G combined for analysis in the EIS/EIR as Alternative 3—Reduced Take/Reduced Fill.

EIS/EIR = environmental impact statement/environmental impact report.

PCCP = Placer County Conservation Program.



MEMORANDUM

Date: March 14, 2018

To: Gregg McKenzie, PCCP Program Administrator

From: Sally Nielsen

Subject: **Implications of Alternative L. Expanded Reserve Acquisition Area for the Land Development under the PCCP**

Overview of Alternative L. Expanded Reserve Acquisition Area

Alternative L expands the bounds of the Reserve Acquisition Area (RAA) to include all areas designated as RAA in the map alternatives considered during PCCP development. The result is fewer acres within the Potential Future Growth (PFG) area where new urban and suburban development would be a covered activity under the Proposed PCCP. All of the changes would be in the Valley subarea. Table 1 presents the comparison of land designations under the Proposed PCCP and Alternative L.

Table 1. Comparison of Valley Land Designations under the Proposed PCCP and Alternative L. Expanded Reserve Acquisition Area

	Potential Future Growth (PFG)				Total Valley Land Area
	Existing Protected Areas (EXR)	Existing Developed Areas	PFG for new development	Reserve Acquisition Area (RAA)	
Proposed PCCP	9,854	17,050	29,899	44,104	100,907
Alternative L - Expanded RAA	9,854	17,050	13,197	60,806	100,907
Difference	-		(16,702)	16,702	-

Source: MIG|TRA and *Draft Placer County Conservation Plan*, Table 2-1. Existing Land Use in Western Placer County.

Alternative L would expand the RAA and contract the PFG, changing the designations by about 17,000 acres for each category. Note that the PFG consists of existing developed areas as well as areas identified for future urban and suburban development in the approved general plans and specific plans of Placer County and the City of Lincoln. Within the total of 46,949 acres designated Valley PFG in the Proposed PCCP, about 17,000 acres are already developed with urban/suburban (12,107 acres) and rural residential (4,943 acres) land use (see Table 2-1. Existing Land Use in Western Placer County). This leaves about 29,000 acres in the Valley PFG under the Proposed PCCP that City and County land use plans and zoning designate for future urban and suburban development.

With some relatively minor exceptions, it appears that the Expanded RAA does not cover areas of existing development. Consequently, all of the impact of the Alternative L change in designation occurs in areas of the Proposed PCCP PFG that are planned and zoned to accommodate new urban and suburban development according to plans of the City of Lincoln and Placer County. With only 13,200 acres in the Valley PFG to accommodate new development, Alternative L reduces the Valley PFG by more than 50 percent (56 percent). Compared to the Proposed PCCP, only 44 percent of the future planned development potential in the City of Lincoln and unincorporated Western Placer County would be categorized as covered activity under the PCCP. Another almost 17,000 acres of land planned to accommodate future new development and associated infrastructure would be categorized within the Reserve Acquisition Area. This development potential as well as components of PCWA and SPRTA projects would not qualify as covered activity under the PCCP.

Generally, for most new development and infrastructure projects, being treated as a covered activity offers benefits that reduce the costs, uncertainty, and risk associated with compliance with endangered species and Clean Water Act regulation during the development process. Benefits include a predictable and streamlined regulatory compliance process, predictable costs, and standardized avoidance, minimization, mitigation, and compensation requirements.

Implications for land development and accommodating population and employment growth in Western Placer County

The 50 year growth scenario for the PCCP describes likely future demand for urban and suburban development in western Placer County based on national, state, and regional economic analysis and evaluation of City and County development plans. The growth scenario is described in Appendix M of the Public Review Draft PCCP. According to that scenario, about 20,000 acres of land (19,545 acres) would be developed in the Valley PFG to accommodate population and employment growth in Western Placer County during the 50-permit term (see Table 2-5. Land Development to Accommodate Growth for the 50-year Permit Term by 10-year Period). As noted in the Public Review Draft PCCP (see Appendix M. *Growth Scenario Memo*), the Valley PFG does not reach buildout during 50-year permit term.

Expanding the RAA as proposed under Alternative L does not change the market factors underlying the PCCP growth scenario. Furthermore, as noted above, Alternative L would not reduce the number of acres designated for future urban and suburban development in Placer County and City of Lincoln approved plans and zoning nor would it reduce the planned scope of SPRTA and PCWA projects.

Development under local approved plans and infrastructure projects that might be pursued in Alternative L's expanded RAA, could be permitted under the current Section 7 endangered species and Section 404 Waters of the U.S. regulatory compliance processes. In most cases, this would entail higher development costs than under the Proposed PCCP, in terms of both time and money.

Some potential consequences of Alternative L for the balance of land development and conservation in Western Placer County are as follows:

- ◆ Under the 50-year growth scenario, the land designated for urban development in Western Placer County (the land area identified as the PFG under Proposed PCCP) does not reach buildout. Specifically, the housing, population, and employment growth forecast for the 50-year permit term absorbs about 20,000 acres of the Valley PFG, as noted above. This leaves roughly 10,000 acres of remaining Valley PFG to absorb more population and employment growth beyond the PCCP take authorizations [29,899 acres (from Table 1 in this memorandum) – 19,545 = 10,354 acres].
- ◆ By contrast, because Alternative L reduces the new development potential of the of the Valley PFG by more than 50 percent, this smaller land area would most likely be fully developed within the 50-year permit term horizon, possibly by year 35 based on the rough growth scenario outlined in the PCCP (Table 2-5. Land Development to Accommodate Growth for the 50-year Permit Term by 10-year Period and Appendix M. *Growth Scenario Memo*). Notably, the total amount of development covered under the PCCP would be substantially reduced because of the reduced size of the PFG, resulting in substantially less funding and/or land dedications for habitat and species mitigation.
- ◆ To the extent the expanded RAA designation resulted in a *de facto* decrease in total development potential, development land remaining within the smaller PFG would likely be developed at higher densities to accommodate demand. This would result in less development mitigation relative to population and employment growth compared to the balance under the Proposed PCCP.
- ◆ Some residential and non-residential development that would be accommodated in unincorporated western Placer County and the City of Lincoln under the PCCP would instead be accommodated in Roseville (also in Placer County) or, alternatively, outside of Placer County elsewhere in the region. This would be counter to the stated PCCP purpose of “allowing appropriate and compatible growth in accordance with applicable laws”.
- ◆ Urban development and associated case-by-case mitigation would likely proceed within the expanded RAA according to planned land use designations resulting in inconsistent, patchwork mitigation that is not subject to PCCP requirements and is unlikely to achieve the goals of the PCCP regional conservation strategy.

Placer County Air Pollution Control District Fugitive Dust Controls and Construction Equipment Emission Controls

F.1 Rule 228—Fugitive Dust

Placer County Air Pollution Control District's (PCAPCD's) Rule 228, Fugitive Dust, is applicable to the entirety of Placer County and addresses fugitive dust generated by construction and grading activities and by other land use practices including recreational activities. Commercial agricultural operations are exempt from this rule. Any dust problems created by commercial agricultural operations, as defined by Placer County ordinances, will be addressed in cooperation with the Placer County Agricultural Commissioner and, when necessary, under State and District nuisance regulations.

For areas to be disturbed of any size, Rule 228, Fugitive Dust, Section 400 establishes standards to be met by activities generating fugitive dust. Minimum dust control requirements, summarized below, are to be initiated at the start and maintained throughout the duration of construction (Placer County Air Pollution Control District n.d.).

401.1 – Unpaved areas subject to vehicle traffic must be stabilized by being kept wet, treated with a chemical dust suppressant, or covered. In geographic ultramafic rock units, or when naturally occurring asbestos, ultramafic rock, or serpentine is to be disturbed, the cover material shall contain less than 0.25% asbestos as determined using the bulk sampling method for asbestos in Section 502.

401.2 – The speed of any vehicles and equipment traveling across unpaved areas must be no more than 15 miles per hour unless the road surface and surrounding area is sufficiently stabilized to prevent vehicles and equipment traveling more than 15 miles per hour from emitting dust exceeding Ringelmann 2 or visible emissions from crossing the project boundary line.

401.3 – Storage piles and disturbed areas not subject to vehicular traffic must be stabilized by being kept wet, treated with a chemical dust suppressant, or covered when material is not being added to or removed from the pile.

401.4 – Prior to any ground disturbance, including grading, excavating, and land clearing, sufficient water must be applied to the area to be disturbed to prevent emitting dust exceeding Ringelmann 2 and to minimize visible emissions from crossing the boundary line.

401.5 – Construction vehicles leaving the site must be cleaned to prevent dust, silt, mud, and dirt from being released or tracked offsite.

401.6 – When wind speeds are high enough to result in dust emissions crossing the boundary line, despite the application of dust mitigation measures, grading and earthmoving operations shall be suspended.

401.7 – No trucks are allowed to transport excavated material offsite unless the trucks are maintained such that no spillage can occur from holes or other openings in cargo compartments, and loads are either;

401.7.1 Covered with tarps; or

401.7.2 Wetted and loaded such that the material does not touch the front, back, or sides of the cargo compartment at any point less than six inches from the top and that no point of the load extends above the top of the cargo compartment.

402 – A person shall take actions such as surface stabilization, establishment of a vegetative cover, or paving, to minimize wind-driven dust from inactive disturbed surface areas.

In addition, Rule 228 requires that all projects must minimize and clean-up the track-out of bulk material or other debris onto public paved roadways. For one acre and less disturbed surface area in areas that are not “Most Likely” to contain naturally-occurring asbestos (NOA) according to the NOA Hazard maps on the District’s website, and where NOA has not been found, only these minimum dust measures must be met (i.e., no Dust Control Plan is required).

For projects where greater than 1 acre of the site’s surface will be disturbed, a Dust Control Plan (DCP) must be submitted to the District for approval prior to the start of earth-disturbing activities if this requirement has been established as a Condition of Approval of a discretionary permit.

F.2 Standard Mitigation Measures for Construction Equipment

PCAPCD also requires all construction projects within its jurisdiction to implement the following PCAPCD standard mitigation measures for construction equipment (Placer County Air Pollution Control District 2017).

1. 1a. Prior to approval of Grading or Improvement Plans, (whichever occurs first), on project sites greater than one acre, the applicant shall submit a Construction Emission/Dust Control Plan to the Placer County Air Pollution Control District. If the District does not respond within twenty (20) days of the plan being accepted as complete, the plan shall be considered approved. The applicant shall provide written evidence, provided by the District, to the local jurisdiction (city or county) that the plan has been submitted to the District. It is the responsibility of the applicant to deliver the approved plan to the local jurisdiction. The applicant shall not break ground prior to receiving District approval, of the Construction Emission/Dust Control Plan, and delivering that approval to the local jurisdiction issuing the permit.
- 1b. Include the following standard note on the Grading Plan or Improvement Plans, or as an attached form: The prime contractor shall submit to the District a comprehensive inventory (e.g., make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used in aggregate of 40 or more hours for the construction project. If any new equipment is added after submission of the inventory, the prime contractor shall contact the District prior to the new equipment being utilized. At least three business days prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, name, and phone number of the property owner, project manager, and on-site foreman.
- 1c. Prior to approval of Grading or Improvement Plans, whichever occurs first, the applicant shall provide a written calculation to the District for approval demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average of 20% of NO_x and 45% of DPM reduction as compared to CARB statewide fleet average emissions. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.
2. Include the following standard note on the Improvement/Grading Plan, or as an attached form: During construction the contractor shall utilize existing power sources (e.g., power poles) or

- clean fuel (e.g., gasoline, biodiesel, natural gas) generators rather than temporary diesel power generators.
3. Include the following standard note on the Improvement/Grading Plan, or as an attached form: During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment.
 4. Prior to the approval of grading or improvement plans, the applicant shall retain a qualified geologist or geotechnical engineer to conduct additional geologic evaluations of the project site to determine the presence or absence of naturally-occurring asbestos onsite. These evaluations shall include the project site and each offsite parcel where infrastructure construction or installation would occur. These evaluations shall be completed and submitted to the District prior to issuance of any grading and/or improvement plans.
 5. If naturally-occurring asbestos is located onsite, the following measures shall be implemented prior to the approval of a grading/improvement plans:
 - a. The applicant shall prepare an Asbestos Dust Mitigation Plan pursuant to CCR Title 17 Section 93105 (“Asbestos Airborne Toxic Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations”) and obtain approval by the Placer County APCD. The Plan shall include all measures required by the State of California and the Placer County APCD.
 - b. If asbestos is found in concentrations greater than 5 percent, the material shall not be used as surfacing material as stated in state regulation CCR Title 17 Section 93106 (“Asbestos Airborne Toxic Control Measure-Asbestos Containing Serpentine”). The material with naturally-occurring asbestos can be reused at the site for sub-grade material covered by other non-asbestos-containing material
 - c. Each subsequent individual lot developer shall prepare an Asbestos Dust Mitigation Plan when the construction area is equal to or greater than one acre.
 - d. The project developer and each subsequent lot seller must disclose the presence of this environmental hazard during any subsequent real estate transaction processes. The disclosure must include a copy of the CARB pamphlet entitled “Asbestos-Containing Rock and Soil –What California Homeowners and Renters Need to Know,” or other similar fact sheet.
 6. Signs shall be posted in the designated queuing areas of the construction site to remind off-road equipment operators that idling is limited to a maximum of 5 minutes.
 7. Idling of construction related equipment and construction related vehicles is not recommended within 1,000 feet of any sensitive receptor.

If the estimated ozone precursor emissions from the actual fleet for a given construction phase are expected to exceed the PCAPCD threshold of significance after the standard mitigation measures are factored into the estimation, additional diesel emission control strategies may be recommended to further reduce these impacts. The control strategies should include the following but are not limited to (Placer County Air Pollution Control District 2017):

- Further reducing emissions by expanding the use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines;
- Repowering equipment with the cleanest engines available; and
- Installing California Verified Diesel Emission Control Strategies.

F.3 References Cited

Placer County Air Pollution Control District. 2017. *CEQA Air Quality Handbook, Appendix C*. Available: <http://www.placerair.org/~media/apc/documents/planning/land%20use%20and%20ceqa/ceqahandbook/appendixc2017ceqahandbook.pdf?la=en>. Accessed: May 29, 2018.

Placer County Air Pollution Control District. n.d. *Fugitive Dust Control Requirements Fact Sheet*. Available: <http://www.placerair.org/~media/apc/documents/dustcontrol/fugitivedustrequirementsfactsheet.pdf?la=en>. Accessed: May 29, 2018.

Appendix G

Feather River Air Quality Management District Construction Equipment Emission Controls and Exhaust Emissions Offsets

Feather River Air Quality Management District (FRAQMD) recommends the following construction phase Standard Mitigation Measures if the operational emissions of a project do not exceed the District's operational thresholds—25 lbs/day of reactive organic gases (ROG), 25 lbs/day of nitrogen oxides (NO_x), 80 lbs/day of particulate matter less than or equal to 10 microns in diameter (PM₁₀)—and the construction emissions of NO_x or ROG do not exceed the 25 lbs/day averaged over the length of the project or the PM₁₀ emissions do not exceed 80 lbs/day (Feather River Air Quality Management District 2010).

1. Implement the Fugitive Dust Control Plan for the project.
2. Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0, Visible Emissions limitations (40 percent opacity or Ringelmann 2.0).
3. The contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained prior to and for the duration of onsite operation.
4. Limiting idling time to 5 minutes - saves fuel and reduces emissions. (State idling rule: commercial diesel vehicles- 13 California Code of Regulations [CCR] Chapter 10 Section 2485 effective 02/01/2005; off road diesel vehicles- 13 CCR Chapter 9 Article 4.8 Section 2449 effective 05/01/2008)
5. Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.
6. Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.
7. Portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, may require California Air Resources Board (ARB) Portable Equipment Registration with the State or a local district permit. The owner/operator shall be responsible for arranging appropriate consultations with the ARB or the District to determine registration and permitting requirements prior to equipment operation at the site.

If the operational emissions of a project do not exceed the operational thresholds, but the construction phase emissions exceed the construction thresholds of 25 lbs/day of NO_x or ROG averaged over the length of the project and 80 lbs/days of PM₁₀, the District recommends the Standard Mitigation Measures listed above in addition to the following Best Available Mitigation Measures for Construction Phase:

1. All grading operations on a project should be suspended when winds exceed 20 miles per hour or when winds carry dust beyond the property line despite implementation of all feasible dust control measures.

2. Construction sites shall be watered as directed by the Department of Public Works or Air Quality Management District and as necessary to prevent fugitive dust violations.
3. An operational water truck should be available at all times. Apply water to control dust as needed to prevent visible emissions violations and offsite dust impacts.
4. Onsite dirt piles or other stockpiled particulate matter should be covered, wind breaks installed, and water and/or soil stabilizers employed to reduce wind blown dust emissions. Incorporate the use of approved non-toxic soil stabilizers according to manufacturer's specifications to all inactive construction areas.
5. All transfer processes involving a free fall of soil or other particulate matter shall be operated in such a manner as to minimize the free fall distance and fugitive dust emissions.
6. Apply approved chemical soil stabilizers according to the manufacturers' specifications, to all inactive construction areas (previously graded areas that remain inactive for 96 hours) including unpaved roads and employee/equipment parking areas.
7. To prevent track-out, wheel washers should be installed where project vehicles and/or equipment exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip. Alternatively, a gravel bed may be installed as appropriate at vehicle/equipment site exit points to effectively remove soil buildup on tires and tracks to prevent/diminish track-out.
8. Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.
9. Provide temporary traffic control as needed during all phases of construction to improve traffic flow, as deemed appropriate by the Department of Public Works and/or Caltrans and to reduce vehicle dust emissions. An effective measure is to enforce vehicle traffic speeds at or below 15 mph.
10. Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less and reduce unnecessary vehicle traffic by restricting access. Provide appropriate training, onsite enforcement, and signage.
11. Reestablish ground cover on the construction site as soon as possible and prior to final occupancy, through seeding and watering.
12. Disposal by Burning: Open burning is yet another source of fugitive gas and particulate emissions and shall be prohibited at the project site. No open burning of vegetative waste (natural plant growth wastes) or other legal or illegal burn materials (trash, demolition debris, et. al.) may be conducted at the project site. Vegetative wastes should be chipped or delivered to waste to energy facilities (permitted biomass facilities), mulched, composted, or used for firewood. It is unlawful to haul waste materials offsite for disposal by open burning.

In addition to the Standard Mitigation Measures and Best Available Mitigation Measures listed above, the following mitigation measure may be used to further reduce and, if necessary, offset exhaust emissions to below FRAQMD construction thresholds.

The proponent shall assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that will be used an aggregate of 40 or more hours for the construction project and apply the following mitigation measure:

The project shall provide a plan for approval by FRAQMD demonstrating that the heavy-duty (equal to or greater than 50 horsepower) off-road equipment to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 5 percent ROG reduction, 20 percent NO_x reduction and 45 percent particulate reduction compared to

the most recent CARB fleet average at time of construction. A Construction Mitigation Calculator (MS Excel) may be downloaded from the SMAQMD [Sacramento Metropolitan Air Quality Management District] web site to perform the fleet average evaluation. The results of the Construction Mitigation Calculator shall be submitted and approved by FRAQMD prior to beginning work.

Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology (Carl Moyer Guidelines), after-treatment products, voluntary offsite mitigation projects, provide funds for air district offsite mitigation projects, and/or other options as they become available. The District should be contacted to discuss alternative measures.

The project shall provide a monthly summary of heavy-duty off-road equipment usage to the District throughout the construction of the project.

G.1 References Cited

Feather River Air Quality Management District. 2010. *Indirect Source Review Guidelines, Chapter 4 Construction*. Available: <https://www.fraqmd.org/ceqa-planning>. Accessed: May 17, 2017.

Appendix H

Biological Impacts and Conservation Acreages

H-1. Alternative 2—Proposed Action: Natural Communities Impacts

Community	Permanent Impacts				Temporary Impacts			
	Total	Valley	Foothills	Plan Area B	Total	Valley	Foothills	Plan Area B
Vernal pool complex	12,550	12,400	100	50	455	435	10	10
Vernal pool	185	180	0	5	15	10	0	5
Other vernal pool-type wetland	395	390	0	5	15	15	0	0
Vernal pool-type wetlands	580	570	0	10	30	25	0	5
Grassland	6,900	3,500	3,300	100	235	125	90	20
Fresh emergent marsh	105	50	50	5	50	25	15	10
Lacustrine	103	50	50	3	28	10	13	5
Non-vernal pool seasonal wetland	52	20	30	2	27	10	12	5
Aquatic/wetland total	260	120	130	10	105	45	40	20
Riparian woodland	375	70	300	5	115	30	75	10
Riverine type	115	80	30	5	50	30	10	10
Riverine/riparian total	490	150	330	10	165	60	85	20
Valley oak woodland	140	30	100	10	25	10	10	5
Oak woodland	6,210	1,100	5,100	10	180	45	130	5
Rice	2,060	2,000	0	60	90	70	10	10
Other ag	1,490	900	540	50	80	40	25	15

H-2. Alternative 2—Proposed Action: Covered Species Impacts

Species/Habitat Type	Permanent Impacts				Temporary Impacts			
	All Plan Area	Valley	Foothills	Area B	All Plan Area	Valley	Foothills	Area B
Swainson's hawk								
Nesting habitat	149	139	-	10	10	5	-	5
Foraging habitat	16,267	16,067	-	200	602	562	-	40
Total	16,416	16,206	-	210	612	567	-	45
California black rail								
Year-round habitat	105	50	50	5	41	18	13	10
Western burrowing owl								
Year-round habitat	16,444	16,244	-	200	609	569	-	40
Tricolored blackbird								
Nesting habitat	782	604	169	9	103	65	27	11
Foraging habitat	22,268	18,121	3,832	215	836	653	141	42
Total	23,050	18,725	4,001	224	939	718	168	53
Giant garter snake								
Aquatic habitat	1,438	1,393	-	45	203	167	-	36
Upland habitat	483	479	-	5	22	17	-	5
Total	1,921	1,872	-	49	225	184	-	41
Western pond turtle								
Aquatic habitat	750	270	460	20	250	95	115	40
Upland habitat	1,407	504	902	-	40	18	23	-
Total	2,157	774	1,362	20	290	112	138	40
Foothill yellow-legged frog								
Year-round habitat	155	-	155	-	39	-	39	-
California red-legged frog								
Aquatic habitat	672	-	672	-	168	-	168	-
Upland habitat	8,551	-	8,551	-	214	-	214	-
Total	9,222	-	9,222	-	382	-	382	-
Valley elderberry longhorn beetle								
Year-round habitat	630	180	430	20	190	40	95	25
Vernal pool fairy shrimp and Vernal pool tadpole shrimp								
Wetland habitat	585	570	-	15	25	20	-	5
Vernal pool complex	12,550	12,400	100	50	449	434	5	10

H-3. Alternative 2—Proposed Action: Permanent Impacts on Streams and Salmonid Habitat

Type of Stream	Total Stream Miles	Miles of Effect			All In-Stream Activities	Proportion of Existing Streams
		All Road Crossings	PCWA Pipelines Outside Roadway	Flood Control		
All streams	576.15	4.75	0.02	0.74	5.51	1.0%
Salmonid habitat						
Spawning/rearing habitat	68.17	0.77	0.01	0.24	1.02	1.5%
Migration/rearing habitat	24.49	0.09	0.01	0.12	0.22	0.9%
Total salmonid habitat permanent effect permit limits					1.24	

Source: Plan Table 4-7a (see Appendix A of the EIS/EIR).

H-4. Alternative 2—Proposed Action: Natural Communities Conservation

Community and Constituent Habitat	Protection			Protection by Conservation Zone (estimated)					Restoration/Creation		
	Total in Plan Area A	Commitment	Estimated Flexible	Valley North RAA	Valley South RAA	Valley Anywhere	Foothills North RAA	Foothills Anywhere	Commitment	Dependent on Estimated Effect	Restoration Total
Vernal pool complex	45,065	17,000	-	8,430	5,170	3,400	-	-	3,000	-	3,000
Vernal pool type (constituents below)	2,237	790	-	392	240	158	-	-	30	870	900
Vernal pool wetland	790	250		124	76	50	-		30	296	326
Seasonal wetland in vernal pool complex	845	-	304	153	94	62	-		-	331	331
Seasonal swales	602	-	236	115	71	46	-		-	244	244
Vernal pool complex uplands	42,829	-	16,210	8,038	4,930	3,242	-	-		2,100	2,100
Grassland	34,760	2,740	-	160	120	70	2,000	390	1,000	-	1,000
Aquatic/wetland complex	3,433	600		210	110	80	130	70	20	390	410
Aquatic/wetland (constituents below)	2,850	586	-	210	110	80	121	65	20	390	410
Fresh emergent marsh	1,112	256		98	51	37	45	24	20	176	196
Lacustrine	1,061	-	181	57	30	22	47	26	-	144	144
Non-vernal pool seasonal wetland	677	-	148	55	29	21	29	15	-	71	71
Aquatic/wetland complex uplands		-	14	-	-	-	9	5	-	-	
Riverine/riparian complex	6,685	2,200		910	370	320	310	290	32	1,398	1,425
Riverine/riparian (constituents below)	5,519	1,718	-	696	283	245	256	239	32	1,398	1,425
Riverine	868	-	308	150	61	53	23	22	-	175	175
Riparian	4,651	1,410		546	222	192	233	218	32	1,218	1,250
Riverine/riparian uplands	1,167	-	482	214	87	75	54	51	-	-	
Valley oak woodland	1,364	190	-	70		20		100	225	60	285

Community and Constituent Habitat	Protection			Protection by Conservation Zone (estimated)					Restoration/Creation		
	Total in Plan Area A	Commitment	Estimated Flexible	Valley North RAA	Valley South RAA	Valley Anywhere	Foothills North RAA	Foothills Anywhere	Commitment	Dependent on Estimated Effect	Restoration Total
Oak woodland	50,870	10,110	-	70	20	20	8,820	1,180	100	-	100
All natural communities	142,179	32,840	-	9,850	5,790	3,910	11,260	2,030			
Agriculture	24,954	8,240	-			8,240			-	-	
Rice	19,580	2,000				2,000			-	-	
Any agriculture	-	-	6,240			6,240			-	-	
All communities combined	167,133	41,080	-	9,850	5,790	12,150	11,200	2,090			

Notes: This table is based on Plan Tables 5-3, *Natural Community and Constituent Habitat Protection Commitments (acres)*, and 5-4, *Natural Community Restoration Commitments (acres)* (Appendix A of the EIS/EIR)

Estimated Flexible is an estimate of the area of community or constituent habitats that will be protected in reserves incidental to and as part of the land acquired as the protection commitment. More or less of these constituent habitats can be acquired as long as the protection commitments are met. The protection commitments are also flexible within the conservation zones for constituent habitats and upland components of complexes with flexible protection estimates. EIS/EIR Alternative 3 relies on this same conservation.

H-5. Alternative 2—Proposed Action: Covered Species Conservation

Species/Habitat Type	All Habitat in Plan Area A	Existing Protected Areas	Habitat Protected	Habitat Restored	All Habitat Conserved (Protection + Restoration)
Swainson's hawk					
Nesting habitat	1,968	301	1,268	720	1,988
Foraging habitat	54,574	7,726	17,003	3,920	20,923
Total	56,542	8,027	18,271	4,640	22,911
California black rail					
Year-round habitat	1,112	193	256	175	432
Western burrowing owl					
Year-round habitat	55,101	7,869	17,129	4,126	21,255
Tricolored blackbird					
Nesting habitat	4,290		906	196	1,102
Foraging habitat	104,952		27,308	4,000	31,308
Total	109,242		28,214	4,196	32,410
Giant garter snake					
Aquatic habitat	19,511	660	2,702	529	3,231
Upland habitat	3,537	549	1,763	449	2,212
Total	23,049	1,209	4,465	978	5,443
Western pond turtle					
Aquatic habitat	10,244	1,053	2,800	1,850	4,650
Upland habitat	14,263	1,970	3,859	1,930	5,789
Total	24,507	3,023	6,659	3,780	10,439
Foothill yellow-legged frog					
Year-round habitat	1,837	11	83	83	167
California red-legged frog					
Aquatic habitat	8,532	119	1,168	1,241	2,409
Upland habitat	75,306	5,986	12,484	160	12,644
Total	83,838	6,105	13,652	1,401	15,053
Valley elderberry longhorn beetle					
Year-round habitat	8,153		2,390	1,710	4,100
Vernal pool fairy shrimp and Vernal pool tadpole shrimp					
Wetland habitat	2,237	555	790	900	1,690
Vernal pool complex	44,278	7,067	17,000	3,000	20,000

Notes: This table is based on Plan Table 5-6, *Covered Species Protection and Restoration Commitments (acres)* (Appendix A of the EIS/EIR).

EIS/EIR Alternative 3 relies on this same Covered Species protection.

H-6. Alternative 3—Reduced Take/Fill: Natural Communities Impacts

Community	Permanent Impacts				Temporary Impacts			
	Total	Valley	Foothills	Plan Area B	Total	Valley	Foothills	Plan Area B
Vernal pool complex	11,300	11,150	100	50	411	391	10	10
Vernal pool	165	160	0	5	14	9	0	5
Other vernal pool-type wetland	350	345	0	5	13	13	0	0
Vernal pool-type wetlands	525	515	0	10	28	23	0	5
Grassland	7,040	3,640	3,300	100	244	134	90	20
Fresh emergent marsh	100	45	50	5	48	23	15	10
Lacustrine	99	46	50	3	27	9	13	5
Non-vernal pool seasonal wetland	50	18	30	2	26	9	12	5
Aquatic/wetland total	250	110	130	10	101	41	40	20
Riparian woodland	369	64	300	5	112	27	75	10
Riverine type	106	71	30	5	47	27	10	10
Riverine/riparian total	475	135	330	10	159	54	85	20
Valley oak woodland	140	30	100	10	25	10	10	5
Oak woodland	6,225	1,115	5,100	10	180	45	130	5
Rice	2,140	2,080	0	60	83	73	0	10
Other ag	1,530	940	540	50	82	42	25	15

H-7. Alternative 3—Reduced Take/Fill: Covered Species Impacts

Species/Habitat Type	Permanent Impact				Temporary Impact			
	Total	Valley	Foothills	Area B	Total	Valley	Foothills	Area B
Swainson's hawk								
Nesting habitat	139	129	0	10	9	5	0	5
Foraging habitat	15,404	15,204	0	200	570	532	0	40
Total	15,543	15,333	0	210	579	536	0	45
California black rail								
Year-round habitat	100	45	50	5	39	16	13	10
Western burrowing owl								
Year-Round Habitat	15,559	15,359	0	200	576	538	0	40
Tricolored blackbird								
Nesting habitat	796	618	169	9	100	62	27	11
Foraging habitat	21,265	17,202	3,847	215	794	621	131	42
Total	22,061	17,820	4,016	224	894	894	894	894
Giant garter snake								
Aquatic habitat	1,491	1,446	0	45	210	173	0	36
Upland habitat	457	452	0	5	21	16	0	5
Total	1,947	1,898	0	49	228	187	0	41
Western pond turtle								
Aquatic habitat	735	255	460	20	245	90	115	40
Upland habitat	1,366	463	902	0	39	17	23	0
Total	2,101	718	1,362	20	282	104	138	40
Foothill yellow-legged frog								
Year-round habitat	155	0	155	0	39	0	39	0
California red-legged frog								
Aquatic habitat	672	0	672	0	168	0	168	0
Upland habitat	8,551	0	8,551	0	214	0	214	0
Total	9,222	0	9,222	0	382	0	382	0
Valley elderberry longhorn beetle								
Year-round habitat	615	165	430	20	184	64	95	25
Vernal pool fairy shrimp and vernal pool tadpole shrimp								
Wetland habitat	520	505	0	15	22	18	0	5
Vernal pool complex	11,300	11,150	100	50	404	390	5	10

H-8. Alternative 3—Reduced Take/Fill: Salmonid Impacts

Type of Stream	Total Stream Miles	Miles of Effect				Proportion of Existing Streams
		All Road Crossings	PCWA Pipelines Outside Roadway	Flood Control	All In-Stream Activities	
All streams	576.15	4.41	0.02	0.74	5.17	0.90%
Salmonid habitat						
Spawning/rearing habitat	68.17	0.77	0.01	0.24	1.02	1.5%
Migration/rearing habitat	24.49	0.09	0.01	0.12	0.22	0.9%
Total salmonid habitat permanent effect permit limits					1.24	

Note: Only road crossings impacts were reduced, multiplied by 0.93 to reflect reduction in Valley development.

H-9. Alternative 3—Reduced Take/Reduced Fill: Natural Communities Conservation

Community and Constituent Habitat	Total in Plan Area A	Protection		Protection by Conservation Zone (estimated)					Restoration/Creation		
		Commitment	Estimated Flexible	Valley North RAA	Valley South RAA	Valley Anywhere	Foothills North RAA	Foothills Anywhere	Commitment	Dependent on Estimated Effect	Restoration Total
Vernal pool complex	45,065	16,158		8,012	4,914	3,232	–	–	3,000		3,000
Vernal pool type (constituents below)	2,237	790		392	240	158	–	–	22	788	810
Vernal pool wetland	790	250		124	76	50	–	–	22	268	290
Seasonal wetland in vernal pool complex	845		304	153	94	62	–	–		285	285
Seasonal swales	602		236	115	71	46	–	–		235	235
Vernal pool complex uplands	42,829		15,368	7,620	4,674	3,074	–	–			
Grassland	34,760	2,796		163	122	71	2,041	398	1,000		1,000
Aquatic/wetland complex	3,433	577		202	106	77	125	67	20	375	395
Aquatic/wetland (constituents below)	2,850	560		201	105	76	116	62	20	375	395
Fresh emergent marsh	1,112	244		93	49	35	43	23	20	150	170
Lacustrine	1,061		174	55	29	21	45	25		149	149
Non-vernal pool seasonal wetland	677		142	53	28	20	28	14		75	75
Aquatic/wetland complex uplands			17	–	–	–	11	6			0
Riverine/riparian complex	6,685	2,133		882	359	310	301	281	30	1,339	1,369
Riverine/riparian (constituents below)	5,519	1,671		677	275	238	249	233	30	1,319	1,349
Riverine	868		284	138	56	49	21	20		161	161
Riparian	4,651	1,387		537	218	189	229	215	30	1,158	1,188
Riverine/riparian uplands	1,167		461	205	83	72	52	49		20	20
Valley oak woodland	1,364	190		70	0	20	0	100	225	60	285
Oak woodland	50,870	10,134		70	20	20	8,841	1,183	100		100
All natural communities	142,179	31,988		9,400	5,521	3,730	11,307	2,029			

Community and Constituent Habitat	Total in Plan Area A	Protection		Protection by Conservation Zone (estimated)					Restoration/Creation		
		Commitment	Estimated Flexible	Valley North RAA	Valley South RAA	Valley Anywhere	Foothills North RAA	Foothills Anywhere	Commitment	Dependent on Estimated Effect	Restoration Total
Agriculture	24,954	8,461				8,461					
Rice	19,580	2,078				2,078					
Any agriculture	-		6,408			6,408					
All communities combined	167,133										

Notes: This table is based on Plan Tables 5-3, *Natural Community and Constituent Habitat Protection Commitments (acres)*, and 5-4, *Natural Community Restoration Commitments (acres)* (Appendix A of the EIS/EIR).

Estimated Flexible is an estimate of the area of community or constituent habitats that will be protected in reserves incidental to and as part of the land acquired as the protection commitment. More or less of these constituent habitats can be acquired as long as the protection commitments are met. The protection commitments are also flexible within the conservation zones for constituent habitats and upland components of complexes with flexible protection estimates. EIS/EIR Alternative 3 relies on this same conservation.

H-10. Alternative 3—Reduced Take/Reduced Fill: Species Conservation

Species/Habitat Type	All Habitat in Plan Area A	Existing Protected Areas	Habitat Protected	Habitat Restored	All Habitat Conserved (Protection + Restoration)
Swainson's hawk					
Nesting habitat	1,968	301	1,204	664	1,868
Foraging habitat	54,574	7,726	16,093	3,920	20,013
Total	56,542	8,027	17,297	4,584	21,881
California black rail					
Year-round habitat	1,112	193	256	167	423
Western burrowing owl					
Year-round habitat	55,101	7,869	16,213	4,126	20,339
Tricolored blackbird					
Nesting habitat	4,290		908	170	1,078
Foraging habitat	104,952		26,750	4,000	30,750
Total	109,242		27,658	4,170	31,828
Giant garter snake					
Aquatic habitat	19,511	660	2,172	476	2,648
Upland habitat	3,537	549	1,668	449	2,116
Total	23,049	1,209	3,840	925	4,765
Western pond turtle					
Aquatic habitat	10,244	1,053	2,701	1,750	4,451
Upland habitat	14,263	1,970	3,735	1,784	5,518
Total	24,507	3,023	6,436	3,534	9,969
Foothill yellow-legged frog					
Year-round habitat	1,837	11	83	83	167
California red-legged frog					
Aquatic habitat	8,532	119	1,168	1,241	2,409
Upland habitat	75,306	5,986	12,484	160	12,644
Total	83,838	6,105	13,652	1,401	15,053
Valley elderberry longhorn beetle					
Year-round habitat	8,153		2,323	1,705	4,028
Vernal pool fairy shrimp and Vernal pool tadpole shrimp					
Wetland habitat	2,237	555	790	810	1,600
Vernal pool complex	44,278	7,067	16,158	3,000	19,158

Notes: This Table is based on Plan Table 5-6, *Covered Species Protection and Restoration Commitments (acres)* (Appendix A of the EIS/EIR).

EIS/EIR Alternative 3 relies on this same Covered Species protection.

H-11. Alternative 4—Reduced Permit Term: Natural Communities Impacts

Community	Permanent Impact				Temporary Impact			
	Total	Valley	Foothills	Area B	Total	Valley	Foothills	Area B
Vernal pool complex	6,928	6,820	60	48	255	239	6	10
Vernal pool	104	99	0	5	10	6	0	5
Other vernal pool-type wetland	219	215	0	5	8	8	0	0
Vernal pool-type wetlands	323	314	0	10	19	14	0	5
Grassland	3,945	1,870	1,980	95	142	69	54	19
Fresh emergent marsh	62	28	30	5	32	14	9	10
Lacustrine	60	28	30	3	18	6	8	5
Non-vernal pool seasonal wetland	31	11	18	2	17	6	7	5
Aquatic/wetland total	154	66	78	10	68	25	24	19
Riparian woodland	223	39	180	5	71	17	45	10
Riverine type	67	44	18	5	32	17	6	10
Riverine/riparian total	290	83	198	10	103	33	51	19
Valley oak woodland	86	17	60	10	16	6	6	5
Oak woodland	3,680	611	3,060	10	108	25	78	5
Rice	1,157	1,100	0	57	54	39	6	10
Other ag	867	495	324	48	51	22	15	14

H-12. Alternative 4—Reduced Permit Term: Covered Species Impacts

Species/Habitat Type	Permanent Impact				Temporary Impact			
	Total	Valley	Foothills	Plan Area B	Total	Valley	Foothills	Plan Area B
Swainson's hawk								
Nesting habitat	86	76	0	10	8	3		5
Foraging habitat	9,027	8,837		190	347	309		38
Total	9,113	8,913		200	355	312		43
California black rail								
Year-round habitat	62	28	30	5	27	10	8	10
Western burrowing owl								
Year-round habitat	9,124	8,934		190	351	313	0	38
Tricolored blackbird								
Nesting habitat	442	332	101	9	62	36	16	10
Foraging habitat	12,470	9,967	2,299	204	484	359	85	40
Total	12,912	10,299	2,401	213	546	395	101	50
Giant garter snake								
Aquatic habitat	809	766		43	126	92	0	34
Upland habitat	268	263		5	14	9	0	5
Total	1,076	1,030		47	140	101	0	39
Western pond turtle								
Aquatic habitat	444	149	276	19	159	52	69	38
Upland habitat	818	277	541	0	24	10	14	0
Total	1,262	426	817	19	182	62	83	38
Foothill yellow-legged frog								
Year-round habitat	93	0	93	0	23	0	23	0
California red-legged frog								
Aquatic habitat	403	0	403	0	101	0	101	0
Upland habitat	5,131	0	5,131	0	128	0	128	0
Total	5,533	0	5,533	0	229	0	229	0
Valley elderberry longhorn beetle								
Year-round habitat	376	99	258	19	103	22	57	24
Vernal pool fairy shrimp and Vernal pool tadpole shrimp								
Wetland habitat	328	314		14	16	11	0	5
Vernal pool complex	6,928	6,820	60	48	251	239	3	10

H-13. Alternative 4—Reduced Permit Term: Salmonid Impacts

Type of Stream	Total Stream Miles	Miles of Effect				Proportion of Existing Streams
		All Road Crossings	PCWA Pipelines Outside Roadway	Flood Control	All In-Stream Activities	
All Streams	576.15	2.76	0.01	0.41	3.17	0.55%
Salmonid habitat						
Spawning/rearing habitat	68.17	0.45	0.01	0.13	0.58	0.86%
Migration/rearing habitat	24.49	0.05	0.01	0.07	0.12	0.51%
Total Salmonid Habitat Permanent Effect Permit Limits					0.71	

Note: All effects adjusted; Road Crossings and Pipelines adjusted by 0.58, and flood control adjusted by 0.55 to reflect reduced permit term.

H-14. Alternative 4—Reduced Permit Term: Natural Communities Conservation

Community and Constituent Habitat	Protection		Protection by Conservation Zone (estimated)					Restoration/Creation			
	Total in Plan Area A	Commitment	Estimated Flexible	Valley North RAA	Valley South RAA	Valley Anywhere	Foothills North RAA	Foothills Anywhere	Commitment	Dependent on Estimated Effect	Restoration Total
Vernal pool complex	45,065	9,350		4,637	2,844	1,870			1,650		1,650
Vernal pool type (constituents below)	2,237	435		216	132	87			17	479	495
Vernal pool wetland	790	138		68	42	28			17	163	179
Seasonal wetland in vernal pool complex	845		170	84	52	34				182	182
Seasonal swales	602		128	63	39	25				134	134
Vernal pool complex uplands	42,829		8,916	4,421	2,712	1,783			0	1,155	1,155
Grassland	34,760	1,627		88	66	39	1,200	234	550		550
Aquatic/wetland complex	3,433		340	116	61	44	78	42	12	226	238
Aquatic/wetland (constituents below)	2,850	332		116	61	44	73	39	12	226	238
Fresh emergent marsh	1,112	144		54	28	20	27	14	12	102	114
Lacustrine	1,061		104	31	17	12	28	16		84	84
Non-vernal pool seasonal wetland	677		84	30	16	12	17	9		41	41
Aquatic/wetland complex uplands			8	0	0	0	5	3			0
Riverine/riparian complex	6,685		1,240	501	204	176	186	174	17	809	827
Riverine/riparian (constituents below)	5,519	970		383	156	135	154	143	17	796	814
Riverine	868		172	83	34	29	14	13		100	100
Riparian	4,651	799		300	122	106	140	131	17	697	714
Riverine/riparian uplands	1,167		270	118	48	41	32	31		13	13
Valley oak woodland	1,364	110		39	0	11	0	60	124	33	157
Oak woodland	50,870	6,061		39	11	11	5,292	708	58		58
All natural communities	142,179	18,727		5,418	3,185	2,151	6,756	1,218			0
Agriculture	24,954	4,532		0	0	4,532	0	0			0
Rice	19,580	1,100		0	0	1,100	0	0			0
Any agriculture	-		3,432	0	0	3,432	0	0			0

H-15. Alternative 4—Reduced Permit Term: Covered Species Conservation

Species/Habitat Type	All Habitat in Plan Area A	Existing Protected Areas	Protected	Restored/Created	Total Conservation (Protection + Restored)
Swainson's hawk					
Nesting habitat	1,968	301	697	396	1,093
Foraging habitat	54,574	7,726	9,352	2,156	11,508
Total	56,542	8,027	10,049	2,552	12,601
California black rail					
Year-round habitat	1,112	193	154	105	259
Western burrowing owl					
Year-round habitat	55,101	7,869	9,421	2,269	11,690
Tricolored blackbird					
Nesting habitat	4,290		525	114	639
Foraging habitat	104,952		15,839	2,320	18,159
Total	109,242		16,364	2,434	18,798
Giant garter snake					
Aquatic habitat	19,511	660	1,486	291	1,777
Upland habitat	3,537	549	970	247	1,217
Total	23,049	1,209	2,456	538	2,994
Western pond turtle					
Aquatic habitat	10,244	1,053	1,624	1,073	2,697
Upland habitat	14,263	1,970	2,238	1,119	3,358
Total	24,507	3,023	3,862	2,192	6,055
Foothill yellow-legged frog					
Year-round habitat	1,837	11	50	50	100
California red-legged frog					
Aquatic habitat	8,532	119	701	745	1,445
Upland habitat	75,306	5,986	7,490	96	7,586
Total	83,838	6,105	8,191	841	9,032
Valley elderberry longhorn beetle					
Year-round habitat	8,153		1,386	957	2,343
Vernal pool fairy shrimp and Vernal pool tadpole shrimp					
Wetland habitat	2,237	555	435	495	930
Vernal pool complex	44,278	7,067	9,350	1,650	11,000