

SCREENING FORM FOR LOW-EFFECT HCP DETERMINATIONS

I. Project Information

A. Project name: Low-Effect Habitat Conservation Plan for The Terrace of Scotts Valley in the City of Scotts Valley, Santa Cruz County, California.

B. Covered species: Mount Hermon June beetle (*Polyphylla barbata*), Federally endangered

C. Project size (in stream miles and acres): Construction of 20 new townhomes, garages, and associated landscaping and infrastructure is proposed at two adjacent vacant lots (APNs 022-162-69 and 022-162-74), which together measure 2.622 acres. Project implementation would result in the disturbance of all 2.622 acres (114,214 square feet) of Mount Hermon June beetle habitat.

D. Brief project description including minimization and mitigation plans:

Purpose, Need, and Duration

Mr. Chris Perri of Apple Homes Development, Inc. (applicant) is seeking an incidental take permit under Section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act), for take of the federally endangered Mount Hermon June beetle. The take would be incidental to the construction of 20 new townhomes with garages and associated landscaping and infrastructure on two adjacent parcels in the town of Scotts Valley, Santa Cruz County, California. The parcels are currently undeveloped land and zoned for residential use. The permit term requested is 5 years.

Covered Lands

The current site address is 400 Glen Canyon Road in Scotts Valley. Upon completion of project construction, the access and new address will be on Scotts Valley Drive. The proposed project site is located in a neighborhood that has both commercial and residential properties. The site is located on the southeastern side of Scotts Valley Drive, between its intersections with Bean Creek Road and Mount Hermon Road. Approximately 2.358-acres would be permanently lost and 0.262-acre would be temporarily disturbed, for a total of 2.622 acres of impacted area.

Species Occupation and Baseline

Arnold (2001) conducted presence-absence surveys at the proposed project site and identified 26 adult Mount Hermon June beetles over multiple nights. In 2014, six adult Mount Hermon June beetles were observed during a single night of surveying (Arnold 2014); therefore, the Mount Hermon June beetle is considered present at the proposed project site. In addition, Mount Hermon June beetles have been found at other nearby properties in the surrounding neighborhood (BUGGY Data Base 2014; California Natural Diversity Data Base 2014).

Goals and Objectives for Mount Hermon June Beetle

Goal 1: Avoid and minimize, to the extent practical, take of the Mount Hermon June beetle within the proposed project site.

Objective 1.1: Cover exposed soils nightly if construction activities occur during the Mount Hermon June beetle's flight season (mid-May through mid-August).

Objective 1.2: Revegetate portions of the proposed project site that are temporarily disturbed due to the proposed project with plant taxa indigenous to the Zayante Sandhills and avoid landscaping with turf grass, weed matting, aggregate, and mulch.

Objective 1.3: Minimize outdoor night lighting during the flight season of the Mount Hermon June beetle or use light bulbs that are certified to not attract nocturnally-active insects.

Goal 2: Protect habitat for the Mount Hermon June beetle at an off-site location with high conservation value for the beetle.

Objective 2.1: Provide funds, through the purchase of conservation credits at the Ben Lomond Sandhills Preserve of the Zayante Sandhills Conservation Bank, to protect, manage, and monitor habitat of the Mount Hermon June beetle in perpetuity.

Project Description, Avoidance and Minimization, Mitigation

The proposed project site is currently a vacant lot with no existing buildings. The applicant proposes to build 20 single-family townhomes at the proposed project site. The impact area where ground-disturbing activities such as vegetation removal, grading, excavation, construction, and revegetation would occur is 2.622 acres. The new townhomes would have a common driveway that accesses Scotts Valley Drive at its intersection with Bean Creek Road.

The new townhomes would be plumbed with domestic water and sanitary sewer. Septic or cesspool systems would not be required. Electrical power would be fed from overhead power lines. The local utility provider would provide natural gas via underground connection at the property line. All trenching for the connection of underground utilities would occur within the impact area.

To the extent practical, native trees will be protected during grading and construction activities and incorporated into future landscaping. The maintained trees would not be disturbed unless needed to conform to fire clearance regulations.

This HCP's conservation strategy includes the following measures designed to avoid and minimize the proposed project's impacts on the Mount Hermon June beetle:

1. Temporary fencing and signs will be erected before any vegetation clearing or excavation activities occur, to clearly delineate the boundaries of the proposed project's impact area. Warning signs will be posted on the temporary fencing to alert excavators and other construction workers not to proceed beyond the fence. All protective fencing will remain in place until all construction and other site improvements have been completed. Signs

will include the following language: "NOTICE: SENSITIVE HABITAT AREA. DO NOT ENTER."

2. Adult male Mount Hermon June beetles actively search for breeding females during the evenings between about May 15 and August 15. During this period, both sexes burrow into duff and soils during the daytime. If grading or construction occurs during any portion of the Mount Hermon June beetle flight season, all exposed soils within the impact area will be covered by tarps, plywood, erosion control fabric, or another suitable impervious material. Exposed sandy soils should be covered between the hours of 7pm and 7am daily. Once grading has been completed, gravel will be laid in the locations of the planned new road, driveways, and pads for the new townhomes. These materials will prevent adult males from burrowing into the exposed soils and subsequently being injured or killed by soil disturbance.
3. During the pre-construction training session, all construction personnel will be shown pictures of the Mount Hermon June beetle larval and adult life stages, and instructed to cease construction activities and call an entomologist qualified and permitted to handle and translocate the species if any are observed during the covered activities. If the life stage is buried, then it will be reburied outside of the impact area at the approximate depth at which it was unearthed. If an adult Mount Hermon June beetle is found on the soil surface, then it will be relocated and released outside of the impact area on the soil surface. This measure is intended to reduce the number of larvae and adults that could otherwise be injured or killed due to project-related activities.
4. Appropriate dust control measures, such as periodically wetting down the work areas, will be used as necessary during excavation for the new foundations in of the impact area, site grading, or any other project-related activities that generate dust. Dust can clog the spiracles of adult beetles and accumulated dust on plants may cause them to experience a decline in vigor or even die, which would affect the roots that larvae of the Mount Hermon June beetle may feed on.
5. Adult Mount Hermon June beetles are active at dusk and may be distracted by incandescent, mercury vapor, sodium, and black light sources, which can disrupt normal behaviors and breeding activities. Thus any outdoor lighting installed as part of this project will use bulbs certified to not attract nocturnal insects.
6. Because Mount Hermon June beetle adults emerge from the soil to attract and search for mates, turf grass, dense ground covers, weed matting, aggregate, and mulch can degrade habitat conditions and will not be used in this project.

To mitigate for unavoidable take of Mount Herman June beetle associated with both the temporary and permanent loss of habitat, the applicant will purchase 2.622 acres of conservation credits (1:1 ratio impact to conservation) in the Zayante Sandhills Conservation Bank. This conservation bank conserves, manages, and monitors large areas of high-quality Sandhills habitat

with high conservation value to the Mount Hermon June beetle, as well as other sensitive Sandhills species. Purchase of the conservation credits will be prior to the commencement of any project activities that could result in take of Mount Hermon June beetle (e.g., soil disturbance, vegetation clearing).

The applicant commits to fund all elements of the proposed conservation strategy, including compliance and effects monitoring. Monitoring results will be provided in reports to the Service.

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

A. Are the effects of the HCP minor or negligible on federally listed, proposed, or candidate species and their habitats covered under the HCP prior to implementation of the minimization and mitigation measures?

Yes. The effects of the proposed project on the Mount Hermon June beetle are minor and negligible. This conclusion is based on the following:

1. The small size of habitat disturbance caused by the proposed project: The proposed project would disturb 2.622 acres of Mount Hermon June beetle habitat.
2. The condition of habitat within the proposed project area: Although the proposed project site is located in a portion of the Zayante Sandhills that historically supported endemic plant communities, the proposed project site is not characterized by Zayante sands and is surrounded by commercial and residential development. Due to its location within predominantly disturbed habitat, project implementation is anticipated to have minor impacts on the biological function of the Zayante Sandhills. The proposed project area is of marginal long-term conservation value for the Mount Hermon June beetle; therefore, the proposed project is not expected to affect species persistence or recovery.

B. Are the effects of the HCP minor or negligible on other environmental values or resources (e.g. air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, etc.) prior to implementation of the minimization and mitigation measures?

Yes. Due to the small size of the proposed project and the area being commercial and residential in nature, we expect effects on other environmental values and resources will be minor or negligible. Effects to water quality and quantity are not anticipated. Effects of noise on the environment are expected to be minor during the construction period. The proposed project is not anticipated to cause socio-economic impacts. Impacts to water quality, visual resources, and cultural resources are not anticipated.

C. Would the impacts of this HCP, considered together with the impacts of other past, present and reasonably foreseeable similarly situated projects not result, over time, in cumulative effects to environmental values or resources that would be considered

significant?

Yes. Significant cumulative effects on the Mount Hermon June beetle or communities of the Zayante Sandhills are not anticipated to occur as a result of this HCP, or combined with the impacts of past, present, or reasonably foreseeable projects. The habitat within the proposed project area is considered marginal for the species, and most of the surrounding properties in the neighborhood have already been developed for commercial or residential uses. We anticipate that project implementation would not result in significant cumulative effects to environmental values or resources.

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

Would implementation of the HCP:

A. Have significant adverse effects on public health or safety?

No. The HCP has been developed for Mount Hermon June beetle in association with a residential development and associated landscaping and infrastructure on two adjacent legal parcels in an area of similar uses. Hazardous materials will not be used.

B. Have adverse effects on such unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (EO 11990); floodplains (EO 11988); national monuments; migratory birds, and other ecologically significant or critical areas?

No. The proposed project is located in a residentially zoned area that has been developed for similar uses since the early 1900s. Habitat is currently degraded and primarily dominated by nonnative plant species. The parcel does not support unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds, or other ecologically significant or critical areas.

C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)]?

No. The proposed project is consistent with the City of Scotts Valley's zoning laws, ordinances, regulations, and policies, and is consistent with surrounding developed uses. We do not anticipate any controversial environmental effects.

D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?

No. The proposed project is limited in size and scope. Twenty townhomes and garages with associated landscaping and infrastructure would be constructed on a 2.622-acre project site. We do not anticipate that this would result in uncertain effects or unknown risks.

E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?

No. As discussed, the proposed project is limited in size and scope and located in a developed area. This HCP does not establish a precedent for future actions or represent a decision in principle about future actions that will potentially cause significant environmental effects.

F. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?

No. The proposed project is a single action not related to any other. We are not aware of any future actions directly related to the HCP; therefore, significant cumulative effects are not anticipated.

G. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?

No. The parcel is currently undeveloped and there are no existing structures. A search of the National Register of Historic Places (<http://www.cr.nps.gov/places.htm>) revealed no cultural or historic sites listed or eligible for listing within the proposed project area.

H. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species or have significant impacts on designated Critical Habitat for these species?

No. This project will result in soil disturbance of 2.622 acres known to be occupied by the Mount Hermon June beetle. Removal of this small area of degraded habitat is anticipated to have a negligible effect on the long-term persistence of the Mount Hermon June beetle in the area and recovery of the species overall. Critical habitat for the Mount Hermon June beetle has not been designated.

I. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.

No. The HCP supports the issuance of an incidental take permit that would authorize take of Mount Hermon June beetle incidental to otherwise lawful activities. The HCP and incidental take permit issuance will fulfill Federal environmental compliance. This project will be subject to California Environmental Quality Act review pursuant to the City of Scott Valley's implementing guidelines and other Federal, State, and local environmental laws and

requirements. Tribal land will not be affected.

J. Have a disproportionately high and adverse effect on low income or minority populations (EO 12898).

No. The construction of 20 new townhomes within a residential area will not affect low income or minority populations.

K. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007).

No. Ceremonial or sacred sites do not occur on the proposed project site and will not be affected by implementation of the HCP.

L. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and EO 13112).

No. Retention of native trees and revegetation with native Sandhills plants in temporarily disturbed areas is a component of the project description, as outlined in the HCP.

IV. ENVIRONMENTAL ACTION STATEMENT

Based on the analysis above, the HCP for the proposed Terrace of Scotts Valley townhouse project qualifies for a categorical exclusion as defined in the U.S. Fish and Wildlife Service *Habitat Conservation Planning Handbook*. Therefore, this action is categorically excluded from further NEPA documentation as provided by 516 DM 2, Appendix 1; 516 DM 6, Appendix 1; and 516 DM 8.5(C)(2).

Other supporting documents: Low-Effect Habitat Conservation Plan for The Terrace at Scotts Valley in the City of Scotts Valley (Santa Cruz County), California. November 2014.

Concurrence:

Stephen P. Henry
Field Supervisor

Date

REFERENCES CITED

- Arnold, R.A. 2001. Letter report on Mount Hermon June beetle presence-absence survey for the Scotts Valley LP's property located near Scotts Valley Drive and Mt. Hermon Road in Scotts Valley, California, from Dick Arnold, Entomological Consulting Services, Ltd. to Mr. Dick Engelhard of the Equus Group. Dated July 11, 2001.
- Arnold, R.A. 2014. Letter report on Mount Hermon June beetle presence-absence survey for APN 022-162-69, located near Scotts Valley Drive and Mt. Hermon Road in Scotts Valley, California, from Dick Arnold, Entomological Consulting Services, Ltd. to Mr. Chris Perri of Apple Homes Development, Inc. Dated June 19, 2014.
- BUGGY Data Base. 2014. Sensitive species report for the Felton 7.5' USGS topographic quadrangle.
- California Natural Diversity Data Base. 2014. Sensitive species report for the Felton 7.5' USGS topographic quadrangle. California Department of Fish & Wildlife.