

Regional Habitat Conservation Plan Case Studies: An Examination of Covered Activities

Executive Summary:

The Conservation Steering Committee will address the issue of covered activities that are being considered for inclusion in the Regional Conservation Strategy. Covered activities are projects or ongoing actions that authorize the incidental take of species or habitat for a particular action or project. This document consists of case studies of successful regional habitat conservation plans with specific focus on the activities and projects they gained take authorization for. These case studies consist of background information about the jurisdiction, the purpose and need of a conservation plan, the covered species they seek to protect, and information on the structure and content of their covered activities. This document has been compiled in an effort to provide constructive information to facilitate committee discussions and deliberations on the Santa Barbara County covered activities for the regional conservation strategy.

Five plans were reviewed to determine common trends in organization and approach related to their treatment of covered activities. These trends include:

1. The categorization of activities based on their location inside or outside of an Urban Development Area or preserve area.
2. This categorization system includes coverage for many ground disturbing projects that would accommodate urban development and the construction and maintenance of infrastructure and other public service facilities.
3. In all but two habitat conservation plans, agricultural activities (both routine and intensification) were not included in the plan, often at the request of the agriculture community.
4. Mitigation strategies centered around some form of a preserve system that accommodates the covered activities they have included in their respective plans.

Major Findings of each Plan:

South Sacramento Habitat Conservation Plan (SSHCP):

- Categorizes covered activities based on whether they are inside or outside the urban area and preserve system.
- This plan provides broad take coverage for infrastructure related projects within the urban boundary and contains more specific restrictions for those outside of the urban boundary.
- Does not cover ongoing routine agriculture activities at the request of the agricultural community.

East Contra Costa County Habitat Conservation Plan/ Natural Communities Conservation Plan (ECCC HCP/NCCP):

- Categorizes covered activities based on whether they are inside or outside the urban area and preserve system.
- This plan provides broad take coverage for infrastructure related projects within the urban boundary and contains more specific restrictions for those outside of the urban boundary.
- Does not cover ongoing routine agriculture activities at the request of the agricultural community.

San Joaquin Multiple Species Conservation Plan (SJMSCP):

- This plan provides take authorization if the applicant is concurrently seeking a Section 404 Permit pursuant to the Federal Clean Water Act.
- Incidental Take authorization can be obtained for many projects and activities outside the urban boundaries including residences on certain types of Ag land by undergoing a case by case review.
- Ag lands that are within preserves can gain take authorization as well.

San Diego County SubArea Plan:

- The main MSCP plan provides generalized guidelines for covered activities, but allows cities, special districts, and different areas of the county to decide how they wish to implement their own specifically crafted regulations in their respective subarea plans.
- One of the three county subarea plans addresses agricultural activities. The Metro-Lakeside-Jamul Segment of the County subarea plan allows grading of habitat with certain conditions. If this grading reaches a 3,000 acre threshold, it becomes subject to the terms of the Biological Mitigation Ordinance.
- San Diego's plan incorporates Pre-Approved Mitigation Areas (PAMA) as designated high quality habitat areas. These PAMA have different grading regulations and higher mitigation ratios when compared to areas outside of them; both areas can be preserved or developed.

Sonoma (The Santa Rosa Plain Conservation Strategy):

- Many pertinent issues must still be dealt with in this plan in the implementation planning process. An Implementation Committee has been working on key issues since 2005.
- Once/if it is implemented, the plan anticipates covering agricultural conversions and vineyard activities.

I. South Sacramento Habitat Conservation Plan (HCP):

Background:

The geographic scope of the South Sacramento Habitat Conservation Plan (SSHCP) study area includes 345,000 acres within South Sacramento County and includes the cities of Rancho Cordova, Galt and Elk Grove. The SSHCP has produced a written plan and is currently working on its implementation.

Purpose:

The permitting issues and habitat loss problems have resulted in the motivation for goals of the SSHCP that are very similar to those of Santa Barbara County.

- For the developer, the goal is an expedited and predictable Endangered Species Act (ESA) and the Clean Water Act (CWA) permitting process at a reduced cost, expedited California Environmental Quality Act (CEQA) compliance process at a reduced cost, predictable and reduced mitigation costs, permit issuance and control by local jurisdictions and voluntary participation.
- For the environmental community, the SSHCP will protect a broad diversity of species and habitats in a manner that provides long-term viability, conserves and enhances ecosystem functions, and consolidates mitigation into a meaningful system of preserves that are located in areas of the highest quality habitat.
- For the agricultural community, the SSHCP provides the opportunity to voluntarily sell conservation easements, provides assurances for farmers concerned about liability related to endangered species' use of adjacent lands, and reduces the negative consequences related to land speculation.
- The regulatory community benefits from a reduced need for project oversight and from the likelihood that additional federal listing will be unnecessary.
- The citizenry gain the protection of natural values that have attracted people to Sacramento: agricultural land conservation and open space protection in the form of prairie and wetland preservation.

Covered Species:

The South Sacramento HCP includes many habitat types being considered for protection in Santa Barbara County including vernal pools and upland grasslands. The SSHCP also includes many of the same species the Conservation Steering Committee is considering including the CTS, spadefoot toad, and vernal pool fairy shrimp. The SSHCP will cover 41 different species of plants and wildlife including 12 that are state or federally listed as threatened or endangered.

Covered Activities:

The SSHCP has partitioned their covered activities into three categories including:

1. Activities inside the Urban Development Area (UDA)
2. Activities outside the UDA
3. Activities necessary for the implementation of the HCP

Covered activities under this plan will allow for the reasonable expansion of urban areas within the Urban Services Boundary (USB) and city limits. Activities covered within the USB include ground-breaking projects related to private, commercial and industrial development and associated infrastructure that is consistent with County and City General Plans, as well as projects related to transportation, water and waste water development. Consideration is also given to specified projects to be covered outside of the UDA, specifically, projects related to Agricultural-Residential development. In addition, guidelines have been established to allow for activity within the SSHCP

preserve system related to the management and monitoring of preserve systems and the restoration of habitat which will ultimately ensure the overall integrity of the preserve system.

1. Covered Activities Inside the UDA:

Descriptions of these activities are kept brief since the exact nature of the impact is not as important as the severity of it. The plan provides specific terms and regulations for activities in areas that are existing or future rights-of-way and easements. These include:

- Development:
 - Public and private residential, commercial, industrial construction pursuant to county and city general plans
 - Infrastructure (roads, parking lots, sewer, water, etc.)
- Transportation:
 - Construction and maintenance of projects pursuant to the circulation element. Includes freeways, highways, bridges, etc.
- Water:
 - Construction and maintenance of all water facilities
 - Many other related activities
- Waste water: construction, installation, replacement, and maintenance of sewage treatment plants
 - All projects associated with waste water master plans
 - Many other related activities
- Flood Control
- Sanitation
- Public Facilities
- Recreation Facilities
- Utility Services
- Mining
- Other Specific Projects

2. Covered Activities Located Outside the UDA:

These projects and activities are described in specific detail concerning level of take and specific avoidance, minimization and mitigation measures.

- Transportation: projects approved pursuant to the circulation element
- Road widening projects
- Road shoulder widening projects
- Realignment projects (of roads)
- Waste water
- Recycled water projects
- Agricultural-residential development: Activities occurring within designated Ag-residential areas are covered if 1) The activity is consistent with current zoning

and 2) The activity is the building of a residential structure, accessory dwelling unit or barn.

3. Plan Implementation Activities:

Most activities are related to the management and monitoring of preserve areas.

4. Activities NOT Covered by the SSHCP:

- General Agricultural Practices: General agricultural practices are routine activities, which are necessary to maintain a functioning agricultural operation. Such activities may include but are not limited to tilling fields, harvesting crops, mowing firebreaks, etc. These activities are not covered by the plan at the request of the agricultural community.
- Mining Operations: Outside the UDA
- Rural Residential Development: Rural development located outside of the UDA that is not implicitly discussed in this plan will not be covered under this plan. Rural development has the potential to result in significant impacts that would be beyond the scope of the SSHCP to mitigate.

II. East Contra Costa County

Background:

The East Contra Costa County HCP/NCCP covers approximately a third of the county and includes 174, 018 acres. The entities with a stake in the project include Contra Costa County (County), the Contra Costa County Flood Control and Water Conservation District (County Flood Control District), the East Bay Regional Park District (EBRPD), the Cities of Brentwood, Clayton, Oakley, and Pittsburg, and the Implementing Entity that will be established to implement the Plan. The ECCC HCP/NCCP was completed in 2006.

Purpose:

The purpose of this plan is to streamline permitting for infrastructure, as well as guide commercial, residential, and industrial development. The Plan also addresses the need for expansion of urban infrastructure in the eastern portion of the county. Therefore, the Plan encompasses many of the on-going operations and maintenance activities of the County Flood Control District, as well as a variety of road construction and maintenance activities. The water district's involvement came as a result of needing to gain take coverage and other permits for the construction of a large multi-use pipeline.

Covered Species:

The ECCC HCP/NCCP includes 28 species; 4 of them are also being considered for inclusion in the Santa Barbara Conservation Strategy. These include the CTS, red-legged frog, vernal pool fairy shrimp, and the burrowing owl.

Covered Activities:

Covered activities in this HCP/NCCP fall into three distinct categories:

1. All activities and projects associated with urban growth within the Urban Development Area (UDA).
2. Activities and projects that occur inside the HCP/NCCP preserves.
3. Specific projects and activities outside the UDA.

All activities or projects seeking coverage under the HCP/NCCP are subject to approval by the local jurisdiction. Activities or projects that do not fall clearly within the descriptions provided are evaluated on a case-by-case basis.

1. Covered Activities Inside the UDA:

This category includes all ground- or habitat-disturbing projects and activities that may occur within the UDA. This category is intended to be as inclusive as possible to accommodate urban growth; it includes the construction and maintenance of typical urban facilities, public and private, consistent with local general plans and local, state, and federal laws. This category includes, but is not limited to, the construction, maintenance, and use of the following facilities.

- Residential, commercial, and industrial facilities (e.g., homes, retail centers, office buildings, factories, warehouses).
- Public service facilities such as police stations, fire stations, hospitals, churches, public health centers, schools, administration centers, private airports, and community centers. Funeral and internment services such as mortuaries, crematoriums, mausoleums, and cemeteries are also included in this category.
- Recreational facilities such as neighborhood parks, golf courses, indoor and outdoor sports centers, racetracks, campgrounds, and trails.
- Transportation facilities including sidewalks, bikepaths, paved and unpaved roads, culverts, fords, bridges, and highways.
- Public and private utilities including transmission lines, telecommunications lines, and gas lines.
- Water supply and delivery facilities including water treatment plants, water supply pipelines, and canals.
- Flood control and other stream-related facilities including dams, armored creeks, detention ponds, streams, and urban stream restoration projects.
- Waste management facilities including sewage treatment plants, recycling centers, and transfer stations.

1.1 Changes in the UDA

The HCP/NCCP permit area that covers urban development expands and contracts as a result of local land use decisions made independently of the HCP. The UDA will correspond to the County Urban Limit Line (ULL) or the city limits of participating cities, whichever is largest. There are exceptions for certain special habitat areas and this area is not to exceed the maximum land cover or total impact projections set forth in the HCP.

2. Rural Infrastructure Projects (Outside the UDA)

These projects provide infrastructure that supports urban development within the urban development area. Only projects that were reasonably well defined at the time of HCP/NCCP approval are included in the Plan. The Plan would allow activities encompassing up to 933 acres for rural infrastructure. Projects are divided into three categories: transportation projects, flood protection projects, and utility projects. The operation and maintenance (O&M) of these capital projects and for existing facilities are covered in the Plan with certain specified regulations. These projects are described below:

Transportation Projects:

- Road widening
- Bridges Replacement, Repair, Retrofit
- Road/Highway (construction, operation, and maintenance)
- Road Safety Improvements
- New Bike Trails
- Current Facility Operation and Maintenance

Flood Protection projects:

- Construction and Expansion of Detention Basins
- Expansion of County Flood Control Reservoirs
- Channel Improvement and Widening
- Current Facility Operation and Maintenance

Utility Construction, Operation, and Maintenance

Park and Recreation Facilities

3. Activities within the HCP/NCCP Preserves:

Some activities expected to occur within the HCP/NCCP Preserve System may adversely affect some covered species. These effects are expected to be of limited severity and generally temporary, but because they may result in take, these activities require coverage under the Plan but require no mitigation fees.

Activities that have take coverage in this area include;

- Management and Recreational Facilities
- Management Activities
- Recreation
- Habitat Enhancement, Restoration, and Creation
- Species Surveys, Monitoring, and Research

- Emergency Activities (Firefighting, hazardous material remediation, etc.)
- Utility Construction and Maintenance
- Neighboring Landowner Activities: Because the implementation of conservation measures may increase populations of covered species within Preserve System, some individuals may disperse to neighboring private lands where the presence of listed species could interfere with routine agricultural activities. Protections for neighboring landowners are assured with certain provisions and restrictions. Agricultural lands within 1.0 mile of the preserve boundary are eligible for take coverage during the course of routine agricultural activities, during the permit term, and for take beyond the baseline condition that existed prior to the establishment of the neighboring HCP/NCCP preserve.

4. Activities NOT Included in the HCP/NCCP:

All ground-disturbing activities within the UDA are intended to be covered by this Plan. Outside the UDA, covered activities are limited to activities within HCP/NCCP preserves and at specific project sites identified above. During development of the Plan, several projects and activities were considered but rejected for coverage. Take coverage for these activities would require direct consultation with CDFG and USFWS.

- Routine and Ongoing Agricultural Activities: Routine and ongoing agricultural activities on existing irrigated agricultural and rangeland are not covered by this HCP/NCCP because the agricultural community did not wish to include them in this Plan. Routine and ongoing agricultural activities on lands neighboring HCP/NCCP preserves are covered by this HCP/NCCP.
- New Irrigated Agriculture: In recent years, Contra Costa County has experienced a significant decline in irrigated agricultural lands due to their conversion to urban uses. Poor soil, steep topography, and access to water limit opportunities for conversion of rangeland to irrigated agriculture. As a result, little conversion of rangeland or natural communities to irrigated agriculture is occurring or is expected to occur in the inventory area. Accordingly, new irrigated agricultural operations are not covered by this Plan.
- Construction of Rural Infrastructure Projects not Listed in this Chapter: Major road or flood control projects outside the UDA and not listed in this Plan are not covered by the Plan.
- Rural Residential Development and Urban Development outside the UDA: Rural residential development and urban development outside the UDA are not covered by the Plan because impacts are uncertain and difficult to address in a programmatic manner.
- New Rural Landfills

- Mining

III. San Joaquin Multiple Species Conservation Plan:

Background:

San Joaquin County consists of approximately 900,000 acres and the conservation plan encompasses all land within it except areas under federal jurisdiction and land occupied by projects not covered in the plan.

Purpose:

The San Joaquin Multiple Species Conservation Plan (SJMSCP) was completed in 2000, and was developed to provide guidelines for the process of converting open space land uses to non-open space land uses, preserve its agriculture industry and provide protection for species.

Covered Species:

The SJMSCP includes 97 plant and animal species including the California tiger salamander, vernal pool fairy shrimp, California red-legged frog, spadefoot toad, and the burrowing owl. Species coverage ranges from full coverage under federal and state law to CEQA coverage only.

Covered Activities:

- Development: New commercial, residential and industrial construction (ministerial and discretionary) are covered along with agricultural uses within the designated urban boundaries that require a discretionary permit by local agencies.
- Aggregate Mining: Is covered inside and outside of the designated urban boundaries in certain areas.
- Public and Private Agency Activities (e.g., Highway Construction and Highway Maintenance undertaken by public agencies, Mapped Recreational Facilities undertaken by public agencies, maintenance of existing facilities by irrigation districts, school expansions.
- Projects Affecting Wetlands Located within Non-Jurisdictional Wetlands.
- Non-Agricultural Activities Located Outside of Urban Boundaries: These use areas are unmapped, total 3,163 acres allocated as take, and are scattered throughout the County. These activities, listed below, are subject to case-by-case reviews.

A. Communication Services: Communication services refers to commercial or public establishments or facilities which primarily provide electronic communication of audio/visual information via cable, microwave or radio frequency transmission including communication services which require the mounting of a wireless telecommunication facility on an existing building or structure.

B. Funeral/Interment Services:

C. Major Impact Projects Major impact services are those land intensive activities which must be located away from residences or concentrations of people due to the magnitude or nature of the operation's impacts on the surrounding environment. They include airports not primarily serving agricultural activities, sanitary landfills, hazardous waste disposal sites, and correctional institutions.

D. Public Services: Fire stations, police stations, public administration centers, community centers

E. Recreation/Golf Courses: Campgrounds, parks, trails (coast-to-crest included), golf courses, outdoor sports clubs

F. Religious Assembly: Churches

G. Utility Services: Utility services refers to those facilities which provide electricity, solids, liquids, or gas through wires or pipes including utility services that are necessary to support principal development involving only minor structures (e.g., electrical distribution lines, utility poles, and pole transformers; sewer and water lines); and utility services involving major structures (e.g., natural gas transmission lines and substations).

H. Miscellaneous: Museums, libraries, and hospitals

I. Residences on Ag Urban or Ag Limited Zoning

- Managing, enhancing, monitoring preserves:
- Relocation of covered species
- Other anticipated projects: 5,340 acres contingency for projects that result from general plan amendments, etc.

4. Projects NOT Covered by the SJMSCP:

Agricultural Activities: (Some coverage provided)

- Conversion of Vernal Pool Grasslands:
The SJMSCP allows the conversion of up to 5,000 acres of vernal pool grasslands to orchards or vineyards and for similar agricultural purposes when such agricultural activities trigger requirements of Section 404 of the Federal Clean Water Act and/or are subject to the ESA.

The plan also allows the Conversion of 894 acres of vernal pool grasslands for other SJMSCP permitted activities. The Conversion of vernal pool grasslands to orchards or vineyards requires the approval of the Joint Powers Authority as well as a Section 404 permit pursuant to the Clean Water Act. Since 2000, a regional general permit from the U.S. Army Corps of Engineers has been pursued in hopes of streamlining the Section 404 Permit process. This permit is expected to cover agricultural activities and others that may trigger a Section 404 of the Federal Clean Water Act and/or those which are subject to the ESA. Until and unless programmatic general permit, or equivalent coverage can be obtained from the U.S. Army Corps of Engineers, this activity shall require the acquisition of a separate Section 404 permit from that agency and a Consultation by the U.S. Fish and Wildlife Service on a project- by- project basis.

- Routine Agriculture:
All other Ag activities are not covered in this plan. Any agricultural activity located on agriculturally zoned land which is not covered by this Plan remains subject to the ESA, CESA, CWA and other state and federal regulations. Incidental Take for species in the course of regular farming practices are covered for agricultural lands located within the ranges of SJMSCP Covered Species located on Preserve lands when the presence of a special status species on that agricultural land is there as a result of an SJMSCP Preserve.
- Dredging
- Water Diversion and Conveyance
- Pesticide Use

IV: San Diego MSCP- San Diego County SubArea Plan

Background:

San Diego is one of the few jurisdictions that has been successful in addressing agriculture and in obtaining take authorization for many related activities. The San Diego plan, completed in 1997, contains 582,000 acres and has a goal to acquire or permanently protect 172,000 acres. Its plan includes general guidelines and standards that all participating jurisdictions must follow. However, most jurisdictions involved, including cities, special districts, and the county itself, have developed subarea plans that tailor regulations and guidelines to that particular entity and contain more detailed content on management practices and covered activities. Subarea plans can regulate covered activities by introducing activity and design restrictions and/or specific management practices.

Within each subarea preserve are Multi-Habitat Planning Areas (MHPA). MSCP preserves are assembled within these areas depending on the conservation goals and the quality of habitat in certain areas. MHPAs consist of public lands acquired from willing private landowners as well as other public holdings. They include property set aside as

mitigation for major development as a result of negotiations between landowners, wildlife agencies, environmental organizations, and jurisdiction staff. MHPAs also include land already designated as open space in community plans and other preexisting conserved lands.

Within MHPAs there are areas of high quality habitat and areas of lesser quality. These factors help regulatory agencies decide which land is most important to preserve, and therefore, which habitat should be set aside as mitigation for habitat that has been disturbed. Areas identified as being of high biological importance are called Pre-Approved Mitigation Areas (PAMA). Mitigation, in the form of private land open space dedications, would be encouraged to take place in these areas. Development could occur within the proposed PAMA area, but mitigation ratios would be higher and certain design standards would have to be met in compliance with the Biological Mitigation Ordinance.

Purpose:

To provide a process to allow growth and development in San Diego while at the same time preserving agriculture and the best habitat for its sensitive species.

Covered Species:

85 in all, 20 federally listed, 14 state listed, 40 federally proposed or candidates, and 11 others.

Covered Activities:

The MSCP provides overall guidelines for land uses within the MHPA to ensure that activities and impacts are compatible for all areas within the plan's scope.

Public Use:

Subarea plans address what specific passive recreation activities are allowed in designated areas. General guidelines suggest active recreational uses such as camping and athletic fields would not be compatible with reserve areas and their linkages, but may be compatible at the edge of preserves.

Agriculture:

- Agriculture is compatible with adjacent preserve areas.
- It can be an important linkage between native habitats and providing foraging habitat for predatory birds.
- Ag may also serve as a transition area between the preserve and intensive development
- MSCP does not impose new restrictions on Ag including the use of pesticides and fertilizers.
- Willing participants undergoing ag practices including crop, animal, and forage production and grazing can gain take authorization by obtaining a "certificate of inclusion."
 - A Certificate of Inclusion includes basic information including owner, parcel number, acreage affected, and map of the parcel.

- Safe Harbor Agreements are also included in the plan and are an option for landowners who agree to manage their lands in a manner that attracts endangered or threatened species or expands their presence will guarantee they will not be penalized with additional regulatory requirements for those lands.

Development:

Development is handled on a project- by- project basis. The necessary mitigation and minimization measures will be determined by the take authorization holder and the permittee will be accountable through the applicable project and environmental review processes. Subarea plans are directed to have a limited amount of development, especially high density development within MHPAs especially in preserve linkages.

Existing and planned regional public facilities such as roads, landfills, and other infrastructure are expected to be incorporated into subarea plans in a manner that will allow planned reserves to function.

Preserve Management for Private Lands:

The general guidelines do specify management practices of private landowners that would allow them to gain take authorization. Private landowners can be third party beneficiaries or transfer their land in fee title in which case the habitat management consistent with the MSCP Plan is required.

County Subarea Plan- Metro-Lakeside-Jamul Segment:

The San Diego MSCP is unique because it addresses covered activities by deferring to other jurisdictions and their subarea plans. One of those plans is investigated in more detail. The Metro-Lakeside-Jamul (MLJ) Segment of the San Diego County Subarea Plan was chosen as a case study to examine a plan that successfully addresses agriculture in its covered activities. This subarea plan was chosen for its similarities with the County of Santa Barbara, and because it specifically addresses agriculture.

Agriculture:

Clearing and grading are covered activities inside and outside of the Pre-Approved Mitigation Areas (PAMA). Inside these areas, a permit must be obtained to show that the activity is in compliance with the mitigation requirements of the subarea plan. If clearing and grading is to be done outside a PAMA and any floodplain, a permit can be obtained as long as a written statement is issued that declares the intention to establish an agricultural operation for at least ten years. There is, however, a limitation on the acreage that can be converted to agriculture before certain mitigation requirements are triggered. The plan states:

“When, in the aggregate, clearing and grading of habitat based on the special considerations for agriculture reaches 3,000 acres, all clearing and grading will be

subject to the mitigation requirements of the Subarea Plan and Biological Mitigation Ordinance.” (4.3.4.3, pg 4-23)

Single-family Residences on Small Parcels:

- Inside a PAMA: grading and permitting is allowed on 2 acres in an area no larger than 10 acres and contains no dwellings. The rest of the land will be subject to mitigation requirements of the Biological Mitigation Ordinance.
- Outside the PAMA: the same conditions exist except grading is allowed on 5 of the 10 acres. Clearing for fire management is not included in the acreage calculation. (4.3.4.2, pg 4-23)

Sonoma County (Santa Rosa Plain Conservation Strategy):

Background: The Santa Rosa Plain Conservation Strategy is often referred to as the Sonoma Plan and seeks to protect approximately 4,000 acres in preserves. A stakeholder committee was formed to contribute to the development of a conservation strategy that relies on a federal nexus through Section 7 of the ESA to obtain take authorization. The plan outlines conservation goals and potential impacts of existing and desired future activities such as development, ongoing agriculture, and conversions to viticulture. However, it does not specify any specific regulations or outline any protocols to follow to gain take authorization. The conservation strategy was completed in 2005; however, the plans implementation where much of the detail of the plan must still be decided is not yet complete.

Purpose: Like Santa Barbara, the Sonoma plan is a result of regulatory and land use uncertainty that resulted from the listing of the distinct population segment of the CTS in Sonoma County.

Covered Species: Includes Sonoma’s distinct population segment of the CTS as well as four other sensitive plants.

Covered Activities:

Agriculture and Commercial Development:

One of the primary agricultural activities on the Plain is the development of vineyards. The following mitigation proposal for viticultural activities was considered by the Team, but not analyzed sufficiently to include any specific mitigation requirements. This proposal will require further analysis and review by the Implementation Committee. Mitigation and/or best management practices for other agricultural activities may be developed through the implementation planning process.

Mitigation ratios have been determined by the conservation strategy, but application of these mitigation requirements to small ministerial projects and agricultural activities will be addressed in the implementation planning process. Some small projects, which may

otherwise be ministerial, but have discretionary components, will also be addressed in the implementation planning process.

The implementation plan is expected to provide a mechanism for applying the Conservation Strategy to cover public and private projects, agricultural activities, and residential and commercial development.

Infrastructure: Maintenance of linear facilities may include street patching, sealing, or overlaying; pipeline cleaning; excavation to repair underground lines; and removing deposited sediment from roadside ditches. Most of these maintenance activities are not likely to impact CTS, wetlands or plants and would require no mitigation.

Activities are actions that occur repeatedly in one area or over a wide area. *Projects* are well-defined actions that occur once in a discrete location.