

Yolo

Habitat Conservation Plan /
Natural Community Conservation Plan

Permitting Guide

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Implementation Handbook

Permitting Guide

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This permitting guide provides guidance to Yolo HCP/NCCP member agency staff and project applicants regarding the Yolo HCP/NCCP permitting process, as well as Special Participating Entities.

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Abbreviations and Common Terms

Acronyms and Abbreviations

AMM	avoidance and minimization measures (requirements to minimize impacts on habitat with which an applicant must comply to receive permit coverage under the Yolo HCP/NCCP)
APN	assessor's parcel number
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act (Public Resources Code § 21000 et seq.) and all regulations promulgated thereunder
CESA	California Endangered Species Act (California Fish and Game Code § 2050 et. seq.)
Conservancy	Yolo Habitat Conservancy
ESA	Federal Endangered Species Act (16 U.S.C. § 1531 et seq.)
HCP	Habitat Conservation Plan (federal)
NCCP	Natural Community Conservation Plan (state)
PRC	Public Resources Code
SPE	Special Participating Entity
USFWS	U.S. Fish and Wildlife Service
Yolo HCP/NCCP	Yolo Habitat Conservation Plan/Natural Community Conservation Plan

Common Terms

Appendix D of the Yolo HCP/NCCP contains a glossary primarily relevant to development of the plan. The terms and definitions below are specific to Yolo HCP/NCCP implementation. Land use planning terms and CEQA terms will retain their meaning when used or referenced in the course of implementing the Yolo HCP/NCCP. These terms are bolded and italicized at first use in the permitting guide.

avoidance and minimization measures (AMMs)	Measures required in the Yolo HCP/NCCP to avoid or minimize project effects on covered species and sensitive natural communities. These measures include surveys to verify the presence of covered species or habitat elements, modifying the project to avoid or minimize effects on covered species or sensitive natural communities, and measures to minimize effects during construction such as monitoring for Covered Species individuals and moving them out of harm's way.
biological evaluations	Evaluations described in Chapter 6 of this Permitting Guide. They include (1) initial assessment, (2) planning level survey, and (3) pre-construction surveys. See Chapter 6 for a description of each type of biological evaluation. See also <i>initial assessment</i> , <i>planning level survey</i> , and <i>preconstruction survey</i> .
buffer	See <i>Resource Protection Buffer</i> and <i>Land Cover Fee Buffer</i> .
Certificate of Approval	See Table 1-2.
Certificate of Compliance	See Table 1-2.
Certificate of Inclusion	See Table 1-2.
construction requirements	Requirements for avoiding and minimizing effects on covered species during construction, such as monitoring by a qualified biologist and moving covered species individual's out of harm's way if needed. This is a type of AMM. See also <i>preconstruction surveys</i> .
covered activity	Activities described in Chapter 3 of the Yolo HCP/NCCP for which the wildlife agencies have authorized incidental take permits pursuant to the Yolo HCP/NCCP. Member agencies and SPEs may secure permit coverage through the Yolo HCP/NCCP for implementation of these activities. Covered activities are based generally on general plans adopted at the time of Yolo HCP/NCCP development. Member agencies confirmed the activities during the planning process.
covered species	Species identified in Table 1-1 of the Yolo HCP/NCCP and Table 1-1 of this Permitting Guide. The Yolo HCP/NCCP provides permit coverage for impacts on covered species from covered activities.
developed	The developed land cover category includes three land cover types: urban and built up, urban ruderal, and vegetated corridors. See Table 2-1 for definitions of each land cover type. Also see Chapter 2, instructions for Screening Form <i>Box C, Item 5</i> for a more detailed description of how to distinguish the urban-ruderal land cover type and agricultural and grassland land cover types.

discretionary	Discretionary projects and activities require compliance with the Yolo HCP/NCCP. <i>Discretionary project</i> means a project that requires the exercise of judgment or deliberation when the public agency or body decides to approve or disapprove a particular activity, as distinguished from situations in which the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations. (California Environmental Quality Act [CEQA] Guidelines Section 15357.)
endangered	An endangered species is one that is at risk of becoming extinct throughout all or a significant portion of its range.
exemption from AMMs	An applicant does not have to comply with AMMs if eligible for this exemption. See Chapter 2, instructions for eligibility requirements. These are Yolo HCP/NCCP exemptions and differ from exemptions under CEQA.
exemption from fees	An applicant does not have to comply with fees (e.g., land cover, wetland) if eligible for this exemption. See Chapter 2 under instructions for Screening Form Box C for eligibility requirements. These are Yolo HCP/NCCP exemptions and differ from exemptions under CEQA.
fees	Payments made to the Conservancy in return for incidental take coverage under the Yolo HCP/NCCP that allow the Conservancy to meet the mitigation requirements of the permits. The Conservancy charges different fee amounts depending on the type of land cover affected by the covered activity. For details about these fees, please see Table 1-3.
Final Application	See Table 1-2.
GeoMapper	An online mapping tool (available at www.yolohabitatconservancy.org/geomapper) that shows the Yolo HCP/NCCP planning units, identifies land cover types from the Yolo HCP/NCCP land cover dataset, and can be used to perform an analysis to help identify land cover types and associated AMMs likely to apply to a covered activity based on Yolo HCP/NCCP modeled habitat and known species occurrences. A property can be located with the GeoMapper by using the assessor's parcel number of the property or by creating an analysis area. The member agencies will, however, need to field-verify the land cover types and the GeoMapper should only be used early in the planning process for preliminary site evaluation.

incidental take	<i>Take</i> is defined in the Federal Endangered Species Act as an action of or attempt to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect a federally listed species. <i>Take</i> is defined in the California Endangered Species Act as to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill a state-listed species. <i>Incidental take</i> is take of listed fish or wildlife species that results from, but is not the purpose of, carrying out an otherwise lawful activity.
incidental take permits	Permits approved as a part of the Yolo HCP/NCCP that allow the take of endangered/threatened species incidental to an otherwise lawful activity (such as constructing a development or building a road). The U.S. Fish and Wildlife Service (USFWS) (federal) and the California Department of Fish and Wildlife (CDFW) (state) each issued a separate incidental take permit to the member agencies, contingent on compliance with and implementation of the Yolo HCP/NCCP.
initial assessment	Initial aerial examination of project site, often conducted by biological consultant. Used to evaluate land cover types and covered species habitat on and near the project site to determine eligibility for coverage under the Yolo HCP/NCCP.
land cover fee buffer	The zone around a permanent impact area that is included in the land cover fee calculations to account for indirect effects. See Chapter 3 for instructions Box E on the Application.
land cover type	The characteristic vegetation and physical conditions of a land surface. The Yolo HCP/NCCP land cover data set (see definition for <i>GeoMapper</i>) is initially a compilation of many diverse spatial data sets compiled over many years during development of the plan to provide a regional-level analysis of land cover (Yolo HCP/NCCP Section 2.3). Ground truthing is necessary to confirm land cover types and quantities at specific project locations.
member agencies	The City of Davis, City of West Sacramento, City of Winters, City of Woodland, and Yolo County are collectively referred to as the <i>member agencies</i> . The member agencies are members of the Conservancy, a joint powers agency formed in 2002 to develop and implement the Yolo HCP/NCCP.
member agency project	A project carried out by one of the member agencies. Referred to in the Yolo HCP/NCCP as <i>public projects</i> .

ministerial	The Yolo HCP/NCCP does not cover ministerial projects and activities. A <i>ministerial</i> project or activity is a governmental decision involving little or no personal judgment or special discretion by the public official as to the wisdom or manner of carrying out the project. A ministerial decision involves only the use of fixed standards or objective measurements by applying the law to the facts as presented. Common examples of ministerial permits include automobile registrations, dog licenses, and marriage licenses. See CEQA Guidelines Section 15369 for a complete CEQA definition of <i>ministerial</i> .
mitigation	<p>For habitat conservation plans, <i>mitigation</i> means to <i>offset impacts of taking on the species</i>. In the Yolo HCP/NCCP glossary (Appendix D), <i>mitigation</i> is specifically defined as the protection or restoration of natural communities and covered species habitat necessary to replace the ecological functions of natural communities and species habitats affected by implementation of the covered activities. Mitigation is also defined as the protection of existing unprotected species occurrences or the establishment of new species occurrences to offset impacts of covered activities on species occurrences.</p> <p>Pursuant to CEQA Guidelines Section 15370, mitigation includes:</p> <ol style="list-style-type: none"> a) Avoiding the impact altogether by not taking a certain action or parts of an action. b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation. c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment. d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action. e) Compensating for the impact by replacing or providing substitute resources or environments.
modeled habitat	Modeled habitat represents land areas for which the Conservancy expects to provide habitat for covered species based on modeled habitat parameters (e.g., land cover type, distance from aquatic areas, topography, species occurrences) developed during the planning process in coordination with the wildlife agencies. The Conservancy must track covered species habitat loss based on modeled habitat as part of Yolo HCP/NCCP implementation.
parcel	Refers to a legal parcel at the time of the applicant's Yolo HCP/NCCP application.

permanent impacts	Impacts on natural communities or covered species modeled habitat that (1) result in the irreversible permanent removal, degradation, or alteration of a land cover type supporting natural communities or covered species habitat, or (2) affect the functions of a land cover type as a natural community or habitat for covered species for more than 1 year following implementation of the covered activity (e.g., creating a new road through grassland). Any natural community or species habitat loss associated with a covered activity that has a duration exceeding 1 year, or that has a duration of less than 1 year but takes more than 1 year to recover immediately following construction, is considered a permanent impact (Yolo HCP/NCCP Section 5.3; CEQA Guidelines Section 15358).
Permittees	Those entities requesting a section 10(a)(1)(B) incidental take permit from the U.S. Fish and Wildlife Service and a section 2835 take permit under the Natural Community Conservation Planning Act from the California Department of Fish and Wildlife for the species and activities covered in the HCP/NCCP. The Yolo HCP/NCCP Permittees include the City of Davis, City of West Sacramento, City of Winters, City of Woodland, Yolo County, and the Yolo Habitat Conservancy.
Plan Area	The geographic area covering all lands within Yolo County, approximately 653,549 acres and a 1,174-acre expanded area in Solano County for riparian conservation only on the south side of Putah Creek, described in the Yolo HCP/NCCP. (The Conservancy cannot permit covered activities in Solano County; it only conserve habitat.) Land and resources will be set aside within this area to implement conservation measures to preserve the covered species in the area to mitigate for the impact of covered activities and meet other Yolo HCP/NCCP requirements (Yolo HCP/NCCP Section ES.2).
planning level survey	Surveys conducted during the project planning and permitting process. There are two types of planning level surveys: 1) surveys conducted to assess land cover types and covered species habitat, and 2) surveys to determine the presence/absence of covered species through species-specific protocol surveys. Information is used to determine land cover impacts (extent of take), fees, and applicable AMMs.
planning units	The Yolo HCP/NCCP Plan Area is subdivided into 22 geographically based sub-regions, or planning units (Figure 1-1), including four urban planning units (Planning Units 19–22), within which most of the covered activities will occur. Thirteen of the other planning units (Planning Units 6--18), the ones located in the eastern two-thirds of the Plan Area, are where most of the Yolo HCP/NCCP’s reserve system will be established.

post-construction checklist	See Table 1-2.
Preliminary Application	See Table 1-2.
preconstruction survey	Survey conducted prior to construction (generally after issuance of Certificate of Approval, Certificate of Compliance, or Certificate of Inclusion) to confirm presence/absence of covered species and inform construction requirements. This is a type of AMM. See also <i>construction requirements</i> .
private project	A project carried out by a landowner or developer that requires discretionary approval by a member agency and is covered under the Yolo HCP/NCCP (see also member agency project and SPE project).
qualified biologist	Biologists formally approved by the Conservancy and wildlife agencies as having the experience, education, and training necessary to perform the tasks described in the Yolo HCP/NCCP accurately and in an unbiased fashion. The term qualified biologist is used generically to mean a biologist who is trained to perform the given task; such a person is, more specifically, a fisheries biologist, wildlife biologist, or botanist. Training must be in the field to which the task is related. For land cover verification, the qualified biologist must be competent in land cover delineation (Yolo HCP/NCCP Section 4.4). Applications for Conservancy approval of a qualified biologist are available on the Conservancy's website.
Reporting Form	See Table 1-2.
resource protection buffer	The zone around a biological resource (e.g., palmate-bracted bird's beak population or Swainson's hawk nest) that must be temporarily or permanently protected to avoid adverse effects on that resource.
Screening Form	See Table 1-2.
sensitive natural communities	Riparian and wetland natural communities are considered sensitive natural communities in the Yolo HCP/NCCP. They include: alkali prairie, vernal pool complex, fresh emergent wetland, valley foothill riparian, and lacustrine and riverine. Descriptions of each of these sensitive natural communities is included in Table 2-1 (Yolo HCP/NCCP Section 4.3.3).

Special Participating Entity (SPE)	An entity (public or private) or individual that may conduct projects or undertake other activities in the Plan Area that are covered activities in the Yolo HCP/NCCP and that may affect covered species and require take authorization from USFWS or CDFW but are not subject to the jurisdiction of one or more of the member agencies. These entities or individuals may pursue permit coverage under the permits and the Yolo HCP/NCCP through the Special Participating Entity process defined in Yolo HCP/NCCP Chapter 4 (Section 4.2.1.3), the Conservancy’s Special Participating Entity Policy (available on the Conservancy’s website), and also described in Yolo HCP/NCCP Chapter 7 (Section 7.2.5). SPEs include tribal projects on tribal public trust land.
suitable habitat	Habitat suitable for supporting the covered species based on specific species habitat criteria. Suitable habitat may be determined on a site-by-site basis by a qualified biologist. This term is used for assessing whether AMMs need to be implemented. Compare with <i>modeled habitat</i> .
superuser	Someone within each member agency through which other member agency staff will route all questions to the Conservancy regarding HCP/NCCP implementation.
temporary impacts	Impacts of covered activities include the alteration of land cover for less than 1 year that allows the disturbed area to recover to pre-project conditions or ecologically improved conditions within 1 year (e.g., prescribed burning, construction staging areas) of completing construction (Yolo HCP/NCCP Section 5.3).
threatened	Species at risk of becoming endangered in the foreseeable future.
wildlife agencies	The wildlife agencies that oversee the Yolo HCP/NCCP: USFWS and CDFW.
Yolo Habitat Conservation Plan/Natural Community Conservation Plan (Yolo HCP/NCCP)	The plan that describes the allowable biological impacts within member agency jurisdictions and the conservation commitments to offset those impacts and provide for the conservation of the species in the Plan Area.

1.1 Introduction

This guide is intended to assist the **member agencies**¹ (Yolo County and the Cities of Davis, West Sacramento, Winters, and Woodland) and project applicants (individuals and entities applying for **incidental take** coverage under the Yolo HCP/NCCP, including **special participating entities** [SPEs]) regarding the permitting of projects covered by the **Yolo Habitat Conservation Plan/Natural Community Conservation Plan** (Yolo HCP/NCCP). The guide will help member agency staff and project applicants determine: (1) if a project qualifies for/requires Yolo HCP/NCCP permit coverage, and (2) the process and timing for Yolo HCP/NCCP application submittal and compliance. The Yolo Habitat Conservancy (Conservancy) expects to modify this document over time as needed to improve the implementation process.

This permitting guide provides instructions for applicants to obtain permit coverage and member agencies to report permit use under the Yolo HCP/NCCP. The Yolo HCP/NCCP is the primary document that describes all procedures described within this guide. This document is consistent with and complementary to the Yolo HCP/NCCP. In any situation in which there is a discrepancy between the two documents, however, the Yolo HCP/NCCP is the governing document. Readers of this guide are encouraged to refer to the Yolo HCP/NCCP, review the frequently asked questions and other resources provided on the Conservancy's website, and/or seek guidance from Conservancy representatives as needed.

1.2 Yolo HCP/NCCP Background

What is the Yolo HCP/NCCP?

In many areas of California, development of land for roads, housing, and other improvements negatively affects plants, wildlife, and their habitats protected by the federal and California Endangered Species Acts (ESA and CESA, respectively). The Yolo HCP/NCCP is a 50-year regional plan to protect **endangered** species and natural resources while allowing for orderly development in Yolo County consistent with local general plans. Prior to the Yolo HCP/NCCP, an applicant for any development that involved loss of federally or state-protected plants, wildlife, or their habitats was, in many cases, required to obtain permits directly from state or federal agencies—a process that could take several years and be very costly. The Yolo HCP/NCCP provides private developers, consultants, and property owners with a streamlined and cost-effective approach for requesting and receiving **incidental take permits** for private development projects. It applies only to eligible projects, also known as **covered activities**,

² The Application is submitted to the local agency for approval under the Yolo HCP/NCCP. The Application consists of both the Preliminary Application and Final Application. Where this document uses the term *Application*, it refers to both the Preliminary and Final Applications.

undertaken within the **Plan Area** (Figure 1-1). The Plan Area includes all areas within Yolo County, including the incorporated cities of Davis, West Sacramento, Winters, and Woodland. The Yolo HCP/NCCP can only cover activities that take place in the Plan Area.

The Yolo HCP/NCCP covers 12 wildlife and plant species (Table 1-1) and replaces the interim Swainson’s hawk foraging habitat **mitigation** program operated by the Conservancy during plan preparation.

Figure 1-1. Regional Location of the Yolo HCP/HCCP Plan Area

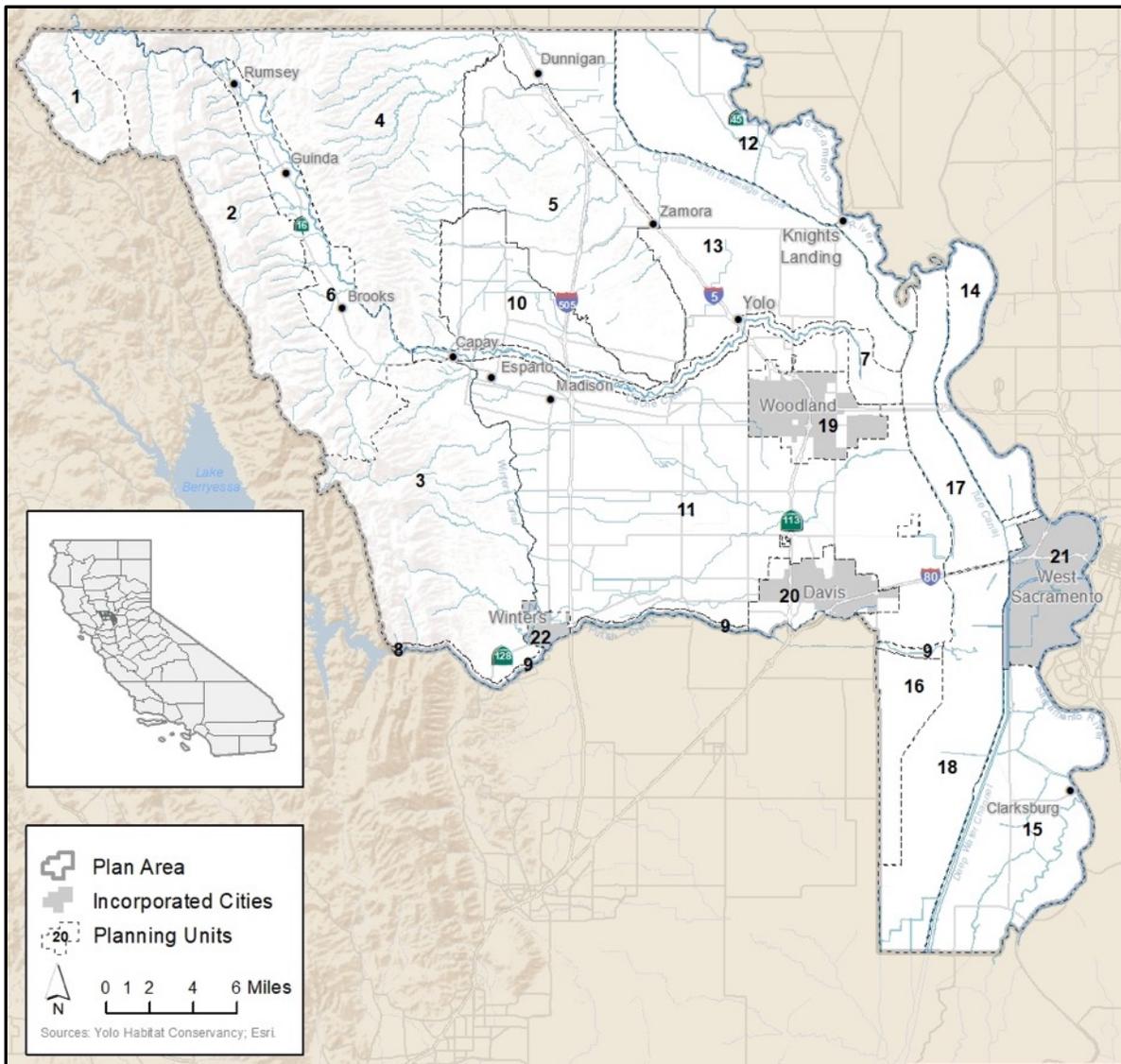


Table 1-1. Yolo HCP/NCCP Covered Species

Common Name		Scientific Name	Status Federal/ State/Other ^a
Plants			
1	Palmate-bracted bird's beak	Chloropyron palmatum ^b	E/E/1B
Invertebrates			
2	Valley elderberry longhorn beetle	Desmocerus californicus dimorphus	T/-/-
Amphibians			
3	California tiger salamander (Central California DPS)	Ambystoma californiense	T/T/-
Reptiles			
4	Western pond turtle	Actinemys marmorata	-/CSC/-
5	Giant garter snake	Thamnophis gigas	T/T/-
Birds			
6	Swainson's hawk	Buteo swainsoni	-/T/-
7	White-tailed kite	Elanus leucurus	-/FP/-
8	Western yellow-billed cuckoo	Coccyzus americanus occidentalis	T/E/-
9	Western burrowing owl	Athene cunicularia hypugaea	-/CSC/-
10	Least Bell's vireo	Vireo bellii pusillus	E/E/-
11	Bank swallow	Riparia riparia	-/T/-
12	Tricolored blackbird	Agelaius tricolor	-/T/-

^a Status:

Federal

- C = Candidate for listing under ESA
- E = Listed as endangered under ESA
- PT = Proposed as threatened under ESA
- T = Listed as threatened under ESA
- = No designation

State

- C = Candidate. Under CESA, a candidate for listing is afforded the status of a listed species
- CSC = California species of special concern
- E = Listed as endangered under CESA
- FP = Fully protected under California Fish and Game Code
- T = Listed as threatened under CESA
- = No designation

Other

- 1B = California Native Plant Society designation for species that are rare or endangered in California and elsewhere.
- = No designation

^b Formerly *Cordylanthus palmatus*.

DPS = distinct population segment; ESA = Federal Endangered Species Act; CESA = California Endangered Species Act

Who Developed the Yolo HCP/NCCP?

Six local agencies, also known as the Yolo HCP/NCCP *Permittees*, prepared the Yolo HCP/NCCP.

- Yolo Habitat Conservancy
- County of Yolo
- City of Davis

- City of West Sacramento
- City of Winters
- City of Woodland

In developing the Yolo HCP/NCCP, the Permittees worked with the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW), the two agencies responsible for applicable state and federal laws pertaining to endangered species (USFWS and CDFW are collectively referred to as the **wildlife agencies**). A 16-year stakeholder and public outreach process accompanied development of the Yolo HCP/NCCP. The Yolo HCP/NCCP is administered by the Conservancy, a local joint powers agency created by the member agencies (the four cities and Yolo County) and governed by a Board of Directors consisting of elected officials appointed by those entities and an ex-officio board member from the University of California, Davis.

How Does the Yolo HCP/NCCP Benefit Private Development Projects?

According to state and federal environmental laws, projects that can potentially affect endangered species or their habitats must receive take authorization from one or both wildlife agencies. Loosely defined, *take* means to harm or kill a species—including removing its habitat—and the wildlife agencies grant take authorization to entities involved in otherwise lawful activities that could result in take of endangered species. (In this guide, the Conservancy generally refers to take authorization as **incidental take permits**.) Because applicable state and federal permitting requirements are determined on a project-by-project basis, and because this permitting process occurs separately from obtaining other permits from local planning agencies, obtaining incidental take permits can be a lengthy process that can delay project construction.

Under the process in existence prior to the Yolo HCP/NCCP, applying for an incidental take permit required a detailed assessment of the impacts on endangered species. In consultation with federal and/or state wildlife agencies, private developers or property owners could then be required to mitigate impacts on endangered species and their habitats. Such **mitigation** could require preserving portions of property for habitat, finding lands to purchase or preserve as habitat, or creating or restoring any sensitive habitat affected by projects. Often these actions would require years of planning, permit acquisition, ongoing restoration, and monitoring work, along with significant associated expenses and costs.

In contrast, the Yolo HCP/NCCP allows the member agencies to extend incidental take permits directly to private entities, allowing for a predictable, streamlined permitting process. Private applicants no longer need to contact or coordinate with USFWS or CDFW to obtain take authorization; they secure it at their local planning counter for species covered by the Yolo HCP/NCCP. This new process reduces delays, expenses, and regulatory duplication by removing the need to obtain wildlife agency approvals and reducing the number and scope of biological surveys required. Under this approach, the Yolo HCP/NCCP provides a standardized permitting process that will be applied equally and consistently.

The local agency charges standardized and consistent **fees** based on the removal of that **land cover type** to pay for mitigation. By paying the fees and complying with **avoidance and minimization measures (AMMs)**, applicants immediately fulfill their mitigation obligations for endangered, **threatened**, and other sensitive species (e.g., species of special concern or species identified as candidate for listing as threatened or endangered) covered by the Yolo HCP/NCCP (Table 1-1). Applicants also have the option of providing land that meets Yolo HCP/NCCP biological goals and objectives, or purchasing suitable mitigation credits in lieu of a portion of the Yolo HCP/NCCP fees.

Under the Yolo HCP/NCCP, an applicant fulfills mitigation responsibilities by working with the appropriate member agency to apply for permit coverage. Conservancy staff may assist member agency staff, but the member agency staff are the main point of contact for applicants. Through this process, the applicant will determine applicable fees and AMMs. The member agency will transfer fees on a regular basis to the Conservancy or may work with the Conservancy to allow applicants to transmit fees directly to the Conservancy. The Conservancy will use the fee revenue to purchase lands for habitat conservation, conduct annual monitoring and reporting activities, and carry out other Yolo HCP/NCCP implementation tasks.

The Yolo HCP/NCCP provides an efficient process to request and receive incidental take permits that also provides improved benefits for species conservation. Because the Yolo HCP/NCCP has “no surprises” assurances from the wildlife agencies, the Yolo HCP/NCCP conservation obligations, including AMMs, associated with Yolo HCP/NCCP permit coverage are fixed for the 50-year term of the permit. Yolo HCP/NCCP fees will be adjusted every year to keep pace with inflation and rising land costs, as described in Chapter 7 of the Yolo HCP/NCCP.

1.3 Roles and Responsibilities

The Yolo HCP/NCCP is a partnership between the wildlife agencies, the member agencies, and the Conservancy. Each organization has specific roles and responsibilities.

Member Agencies

Member agencies, with support from the Conservancy, are responsible for working with applicants to complete the Application Form,² ensure compliance with AMMs, and transmit fees to the Conservancy on a quarterly basis, or more frequently if requested. In addition, each member agency will designate a **superuser**. This superuser will become the in-house expert on the Yolo HCP/NCCP within each member agency and help to ensure consistent and accurate communication with the applicants and the Conservancy.

Conservancy

The Conservancy is responsible for assisting the member agencies with implementing the permitting process, establishing the reserve system, monitoring the reserve system, ensuring

² The Application is submitted to the local agency for approval under the Yolo HCP/NCCP. The Application consists of both the Preliminary Application and Final Application. Where this document uses the term *Application*, it refers to both the Preliminary and Final Applications.

compliance with AMMs, and reporting on this compliance annually to the wildlife agencies. To ensure appropriate communication with the Conservancy and applicants regarding the permit process, the Conservancy will strive to only meet or talk with project applicants with member agency staff present. The Conservancy will also strive to copy the appropriate member agency staff on all email communication related to a permit application.

Wildlife Agencies

Wildlife agencies are responsible for oversight of the permitting process but are not involved in day-to-day decisions related to the permitting process. While there are a number of provisions that require approval by the wildlife agencies (limited mostly to establishing the reserve system), the wildlife agencies generally are involved in the permitting process only if applicants request certain deviations from one of the AMMs.

1.4 How to Use this Guide

This guide provides the following information.

- **Chapter 1: Introduction and Overview**

This chapter provides a general overview of the Yolo HCP/NCCP, compares the Yolo HCP/NCCP to previous permitting processes, and describes the roles and responsibilities of participating entities. It also provides an overview of the application process for receiving permit coverage under the Yolo HCP/NCCP.

- **Chapter 2: Screening Form**

This chapter provides a step-by-step guide for filling out the Screening Form.

- **Chapter 3: Application**

This chapter provides a step-by-step guide for filling out the Application for non-member agency projects, which SPEs will also use.

- **Chapter 4: Screening and Reporting Form (Member Agency Projects)**

This chapter provides a step-by-step guide for filling out the Screening Form and the Reporting Form for member agency projects.

- **Chapter 5: Avoidance and Minimization Measures**

This chapter includes complete descriptions of Yolo HCP/NCCP AMMs.

- **Chapter 6: Summary of Biological Evaluations**

This chapter provides detail regarding the types and timing of biological evaluations associated with projects that seek and/or have obtained permit coverage under the Yolo HCP/NCCP.

The Conservancy strongly encourages Yolo HCP/NCCP users filling out the forms to rely on Chapters 2 and 3 for assistance. Member agencies with member agency projects should rely on Chapter 4 for assistance with the Reporting Form. Other chapters provide additional background information and details.

1.5 Overview of Take Coverage Application Process

The Conservancy has developed a two-part application process to ensure applicants can easily incorporate Yolo HCP/NCCP requirements into the existing process for land development applications. The **Screening Form** helps applicants determine whether they are subject to the Yolo HCP/NCCP, eligible for plan coverage, and/or exempt from land cover fees, wetland fees, or AMMs. The Application Form identifies relevant project details, determines applicable land cover fees, wetland fees, and AMMs, and serves as an application for permit coverage. This section describes the overall process for applicants to apply for take coverage under the Yolo HCP/NCCP, including for SPEs. Chapters 2 through 4 provide step-by-step instructions for completing the Screening Form and Application Form.

Member agencies will submit a member agency project Reporting Form to the Conservancy instead of filling out the private project Application Form to document their intent to utilize the Yolo HCP/NCCP permit coverage for **member agency projects**. Chapter 4 provides instructions for filling out the member agency project Reporting Form.

Screening and Application Processes

Table 1-2 summarizes the forms to be used for the Yolo HCP/NCCP screening and application process. Prior to completing the formal Application for Yolo HCP/NCCP permit coverage, an applicant will fill out the Screening Form to determine if the project is subject to the Yolo HCP/NCCP, eligible for plan coverage, and/or exempt from fees or AMMs. See Chapter 2 for a description of the screening process.

Table 1-2. Summary of Forms

FORM	PURPOSE	TIMING
Screening Form	The Screening Form is a mandatory form for discretionary projects. This form assists project applicants in determining whether they are subject to the Plan, eligible for plan coverage, and/or exempt from fees or AMMs.	Submit to the member agency (or to the Conservancy for Special Participating Entities) as early in the process as practicable. Ideally this will occur prior to submittal of land development application, during preliminary project discussions the member agency planning office.
Preliminary Application	The Preliminary Application is an optional but recommended form filed by private project applicants and Special Participating Entities eligible for plan coverage. This form identifies relevant project details, determines applicable land cover fees and AMMs, and serves as an application for permit coverage. A Preliminary version of this form may be filed early in the land development review process at the discretion of the member agency.	Submit optional (but recommended) Preliminary Application to the member agency (or to Conservancy for Special Participating Entities) with land development application.
Final Application	The Final Application is a mandatory form filed by private project applicants and Special Participating Entities eligible for plan coverage. This form identifies relevant project details, determines applicable land cover fees and AMMs, and serves as an application for permit coverage.	Submit Final Application after CEQA compliance and project approval. The Conservancy may provide technical assistance.
Reporting Form	The Reporting Form is completed by member agencies implementing member agency projects. (The Application, in contrast, is used by private project applicants only). The Conservancy will complete this form for conservation projects. This form documents use of the Yolo HCP/NCCP permit for member agency projects.	Submit Preliminary Reporting Form to member agency “superuser” as early in the process as practicable. Submit Final Reporting Form to member agency “superuser” after CEQA compliance and project approval. The Conservancy may provide technical assistance.
Certificate of Inclusion	The certificate issued by the Conservancy documenting incidental take coverage for a Special Participating Entity.	Issued after submittal of Final Application, review by Conservancy staff, approval by Conservancy Board, and payment of all fees. Permittee is responsible for tracking pre and post construction surveys.

FORM	PURPOSE	TIMING
Certificate of Approval	The certificate issued by a member agency documenting incidental take coverage for a private project.	Issued after approval of project by member agency council or board, submittal of Final Application, review and acceptance by member agency staff, and payment of all Conservancy fees. Permittee is responsible for tracking pre and post construction surveys
Certificate of Compliance	The certificate issued by a member agency documenting incidental take coverage for a member agency project. The Conservancy will issue this certificate for conservation projects.	Issued after completion of Final Reporting Form, approval of project, and payment of all fees. Permittee is responsible for tracking pre and post construction surveys.
Post-Construction Checklist	A checklist to document compliance with AMMs.	Completed by the qualified biologist post construction.

If the project is a covered activity, the applicant will fill out a preliminary version of the Application Form to provide a preliminary evaluation of project impacts, applicable fees, and AMMs, and to facilitate the application process. After the California Environmental Quality Act (CEQA) process is completed and land development approval is received, the applicant must file the final Application Form. See Chapter 3 for a thorough description of the application process and detailed instructions for filling out the Application Form.

Special Participating Entities

This section is based on Yolo HCP/NCCP Section 4.2.1.3.

SPEs are agencies or individuals that conduct projects that qualify as covered activities within the Yolo HCP/NCCP Plan Area that are not subject to the jurisdiction of the member agencies but may affect listed species that are covered under the Yolo HCP/NCCP and require take authorization from USFWS and/or CDFW. Such organizations may include water districts, transportation agencies, utility districts, or individuals or entities with activities that may result in take but do not require a **discretionary** permit from a member agency. Entities that fit this criterion and have a project that fits within the general types of projects covered by the Yolo HCP/NCCP should fill out the Screening Form and submit it to the Conservancy. The Conservancy will review the request, may request additional information, and will determine if the entity should submit a full application. Coverage to SPEs is not guaranteed and must be authorized by the Conservancy Board. Potential SPEs are encouraged to contact the Conservancy early in the project planning process.

Member Agency Public Project Reporting Process

The member agencies will submit a Reporting Form to the Conservancy instead of filling out the member agency project Reporting Forms to document their intent to utilize the Yolo HCP/NCCP permit coverage for member agency projects. Chapter 4 provides instructions for filling out the Reporting Form. Member agencies also will fill out a Screening Form to determine permit coverage.

Yolo HCP/NCCP Fees

The Conservancy charges various types of fees to cover implementation costs, including administration, land acquisition, restoration, and land management costs. Table 1-3 summarizes the types of fees used in the Yolo HCP/NCCP process, the purpose of each of fee type, and when the applicant pays each fee.

Table 1-3. Summary of Fees Utilized in the Yolo HCP/NCCP Process

Fee	Purpose	Timing
Application fee	This is a unitized application-processing fee for land cover fee-paying projects based on average processing costs. Will not always cover actual Conservancy costs. Applied as a credit towards land cover fees.	Paid by all applicants (unless exempt) with or prior to submittal of Final Application.
SPE cost recovery fee	Pays for full cost recovery for coordination with SPEs regarding application processing. Covers Conservancy time and materials, beyond the application fee, based on actual costs.	Paid by SPEs in the form of a deposit after execution of the SPE cost recovery agreement, prior to start of Conservancy work with applicant. Paid in full prior to issuance of Certificate of Inclusion.
SPE contribution to recovery fee	A supplemental charge on entities that did not participate in nor contribute financially to the costs of Yolo HCP/NCCP preparation.	Paid by SPEs after Conservancy approval to provide coverage, prior to issuance of Certificate of Inclusion. Determined based on formula adopted by Conservancy Board January 28, 2019.
Land cover fee	Mitigation for direct (project impact acreage) and indirect (project land cover fee buffer acreage) impacts on covered species.	Paid by private and public project applicants after project approval, prior to issuance of Certificate of Approval or Certificate of Compliance. Paid by SPEs after Conservancy Board approval, prior to issuance of Certificate of Inclusion.
Wetlands fee	Mitigation (in addition to the land cover fee) for impacts to fresh emergent wetland, valley foothill riparian, and lacustrine and riverine land cover types.	Paid by private and public project applicants after project approval, prior to issuance of Certificate of Approval or Certificate of Compliance. Paid by SPEs after Conservancy Board approval, prior to issuance of Certificate of Inclusion.

Fee	Purpose	Timing
Temporary effect fee	Mitigation impacts that alter land cover for less than 1 year and include recovery to pre-project or better conditions within 1 year of completing construction.	Paid by private and public project applicants after project approval, prior to issuance of Certificate of Approval or Certificate of Compliance. Paid by SPEs after Conservancy Board approval, prior to issuance of Certificate of Inclusion.
Aquatic restoration in-lieu of wetlands fee	Construction of wetland restoration in-lieu of payment of Wetlands Fees	See Section 8.4.1.3.2 of the Yolo HCP/NCCP.
Land dedication in-lieu of land cover fee	Dedication of land for inclusion in the reserve system in lieu of payment of land cover fees.	See Sections 7.5.8 and 8.4.1.8 of the Yolo HCP/NCCP and in-lieu fee policy adopted by Conservancy Board July 2019.

Conservancy = Yolo Habitat Conservancy
SPE = Special Participating Entity

Lands Provided In Lieu of Fees

This section is based on Yolo HCP/NCCP Sections 7.5.8 and 8.4.1.8.

An applicant can provide land in lieu of paying all or a portion of the land cover fee or purchase mitigation credits from a Conservancy-approved mitigation bank in lieu of paying a portion of the fee. The Conservancy will determine the amount of the fee discount based generally on the amount the Conservancy will save by not purchasing land with the fee revenue. Please review the appropriate sections in Chapters 7 and 8 of the Yolo HCP/NCCP or contact Conservancy staff for more information.

Guidance for Small Infill Projects

The Conservancy strives to minimize the administrative and financial burden on small infill projects within the limits of the Yolo HCP/NCCP permits. The following guidance applies to small infill projects.

- Most small infill projects (surrounded by development on all four sides) are located on “developed” land and therefore are exempt from fees. Table 2-1 of this Permitting Guide lists the land cover types exempt from fees: urban, urban-ruderal, vegetated corridor, and barren-anthropogenic. Applicants should fill out the Screening Form to determine if a small infill project is exempt from fees.
- Determining the difference between the urban-ruderal land cover type and the grassland land cover types can be difficult, so the Conservancy prepared the following guidance in this Permitting Guide under instructions for Box C, Item 5 of the Screening Form. A qualified biologist must verify all land cover mapping.
- Small infill projects exempt from land cover fees may still need to implement AMMs. AMMs for these projects are required if the project overlaps with any resource protection buffers for sensitive natural communities or covered species habitat, unless a qualified biologist determines the project will not affect sensitive natural communities or covered species (see

Chapter 2 of this Permitting Guide for instructions on filling out the Screening Form, Box C, Item 7).

- The most common AMM applicable to infill projects is AMM16 for Swainson’s hawk and white-tailed kite because these species sometimes nest in urban areas. AMM16 requires a qualified biologist to determine whether trees onsite and within the resource protection buffer (1,320 feet for Swainson’s hawk/white-tailed kite) are potential nest trees. To facilitate this process for small urban infill projects, the Conservancy has defined “potential nest tree” within an urban setting as native and non-native trees (e.g., cottonwood, valley oak, walnut, sycamore, eucalyptus, redwood, ornamental pine) that are at least 40 feet tall. If potential nest trees do not occur onsite or within the resource protection buffer, no further surveys are required. If potential nest trees do occur, then surveys are required to determine presence/absence of active nests. Upon request and on a case-by-case basis, the Conservancy is available to assess the presence/absence of active Swainson’s hawk/white-tailed kite nests on and around urban infill project sites.
- Discretionary projects that are exempt from fees and AMMs do not need to fill out the HCP/NCCP Application, just the Screening Form.
- Projects exempt from fees but for which AMMs are required will need to complete the HCP/NCCP Application, but only need to fill out Boxes A-C, F, G, and I of the HCP/NCCP Application.

Guidance for Specific Plans

Specific Plan EIRs should require each project within the Specific Plan to apply for HCP/NCCP coverage prior to grading permit issuance. Developers for each individual project within the Specific Plan are responsible for applying for HCP/NCCP coverage and payment of relevant fees.

Each project may use the Specific Plan EIR to satisfy planning level survey requirements provided the appropriate information (Permitting Guide Table 6-2) is included and the information is still valid at the time of application (i.e., conditions have not changed to the extent that the information is no longer accurate). Species-specific planning level surveys are valid for two years after the survey is conducted.

The HCP/NCCP did not intend to double count indirect impacts, therefore if the 50-foot buffer from the edge of development for one project overlaps with proposed development for a neighboring project within the Specific Plan Area, the 50-foot buffer fee does not apply.

1.6 Integration with Other Planning and Permitting Processes

Integration with the Local Land Development Application Review and CEQA Process

The following describes four steps of the local land development application process for projects that are not exempt from CEQA (e.g., negative declarations, mitigated negative declarations, and environmental impact reports).

Step 1. Land Development Pre-Application³

- Applicant coordinates with the member agency.
- Applicant submits Screening Form to the member agency for review
- Applicant or member agency prepares Yolo HCP/NCCP initial assessment of land cover using the GeoMapper tool, aerial maps, or based on site visit.
- Member agency determines eligibility for coverage under the Yolo HCP/NCCP and circulates Screening Form to the Conservancy.
- Conservancy logs the project into the Yolo HCP/NCCP tracking system and reviews materials sent by member agency.
- Conservancy is available to the member agency for technical assistance.

Step 2. Submittal of Land Development Application

- Applicant submits land development application to member agency.
- Member agency submits Yolo HCP/NCCP Application Form. Member agency may recommend applicant to submit Yolo HCP/NCCP's Preliminary Application, including **planning level survey** to the member agency. See Table 6-1 of the permitting guide for description of required or recommended attachments or elements of the planning level survey for the Preliminary Yolo HCP/NCCP Application as compared with the Yolo HCP/NCCP's Final Application.
- The Yolo HCP/NCCP planning level survey (required as an attachment to the Yolo HCP/NCCP Application Form) and the CEQA biological resources assessment (see Step 3) can be the same document if the CEQA assessment includes elements required for Yolo HCP/NCCP permit coverage, as described in this guide, and the HCP/NCCP clearly references the appropriate report sections.
- Member agency planning staff review the Yolo HCP/NCCP Application Form and provide comments to the applicant (for member agency projects, the member agency superuser will review the Preliminary Reporting Form)
- Conservancy is available to the member agency for technical assistance.

³ The *land development pre-application* and *land development application* are applications submitted to the local agency for CEQA review and discretionary approval.

Step 3. Member Agency Undertakes CEQA Clearance for Project

- Member agency/applicant prepares CEQA document, including Conservancy template language explaining the Yolo HCP/NCCP and consideration of the Yolo HCP/NCCP in the CEQA analysis.
- CEQA biological resources assessment should include either a planning level survey required for HCP/NCCP permit coverage or equivalent information with the location of the information identified in the HCP/NCCP Application Form.

Step 4. Member Agency Action on Project

- Member agency provides its discretionary approval of the land development project with a standard condition to secure Yolo HCP/NCCP permit coverage, pay applicable fees, and implement applicable AMMs.
- If not completed under Step 2 or if the member agency requested revisions to Application Form under Step 2, the applicant completes the Yolo HCP/NCCP's the Final Application (for member agency projects, a Final Reporting Form is completed), including required attachments. This package is reviewed for completeness and adequacy by the member agency planning staff/superuser.
- Member agency issues Yolo HCP/NCCP ***Certificate of Approval*** for non-member agency projects or a ***Certificate of Compliance*** for member agency projects. This must occur prior to site disturbance.
- Applicant submits brief post-construction report to the member agency and the Conservancy documenting that the AMMs, including preconstruction surveys, and construction monitoring were properly implemented.

Table 1-4 outlines the tasks involved and provides guidance to member agencies regarding the integration of the Yolo HCP/NCCP requirements with the existing land development application review and CEQA process.

Table 1-4. Integration of Yolo HCP/NCCP Compliance with Local Land Development (Planning Application Review and CEQA Process)

Task	Local Agency Planning/CEQA	Yolo HCP/NCCP	Notes
1	Land development pre-application	<ul style="list-style-type: none"> Submit Screening Form and application fee Conduct initial assessment 	<p>This may be a formal or informal step (depending on the member agency process) during which the land development applicant undertakes early coordination with the member/lead agency planning staff. Conservancy staff is available to provide technical assistance to the member agency.</p> <p>If the applicant wishes to dedicate land or restore wetlands in-lieu of HCP/NCCP fees, they should initiate discussions with the member/lead agency as soon as possible. The member/lead agency will contact the Conservancy.</p>
2	Land development application submitted to local planning office	<ul style="list-style-type: none"> Submit Preliminary Application Form 	<p>The biological evaluations may be prepared for the applicant prior to the CEQA process and subsequently shared with the CEQA consultant, or CEQA consultant can prepare the necessary information as part of the biological resource evaluation that will be prepared for CEQA compliance.</p> <p>It is important that the CEQA consultant be made aware of the need to integrate the HCP/NCCP into the CEQA impact analysis including the specific technical requirements necessary to satisfy the HCP/NCCP requirements for biological evaluations.</p> <p>Permit coverage cannot be provided until the applicant has completed the required Yolo HCP/NCCP application process.</p>
3	Application completeness process	<ul style="list-style-type: none"> Submit biological evaluations,¹ if available (planning level survey) 	
4	CEQA environmental determination (ED) – exempt from CEQA, negative declaration (ND), mitigated negative declaration (MND), sustainable communities environmental assessment (SCEA), environmental impact report (EIR)		
5	CEQA initial study (IS) and confirmation of ED; preparation of CEQA document		
6	CEQA IS checklist (CEQA Guidelines Appendix G); questions for biological resources (Section IV)	See 6a) through 6f).	See 6a) through 6f)

Task	Local Agency Planning/CEQA	Yolo HCP/NCCP	Notes
6a)	<p>Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>	<p>For the 12 covered species, the CEQA analysis should point to and rely on the Yolo HCP/NCCP. Site-specific information about the covered species should be disclosed. This should include disclosure of acres of habitat affected, how Yolo HCP/NCCP resource protection buffers would apply, whether design or other changes would avoid or minimize impacts (e.g., timing changes to avoid nesting season). Applicable AMMs should be identified and may be listed as mitigation measures. Information about how compliance with the Yolo HCP/NCCP would achieve mitigation should be provided. No further mitigation beyond compliance with the Yolo HCP/NCCP is required under CEQA for these species.</p>	<p>For non-covered special status species, CEQA compliance is required, though partial or full CEQA mitigation may result indirectly from HCP/NCCP. The CEQA consultant should consider whether non-covered species receive mitigation benefit from compliance with the HCP/NCCP for covered species and address this in the CEQA document.</p> <p>The level that non-covered species are protected by the HCP/NCCP could be further explored and documented by the Conservancy if there is funding. Conservancy will develop standard language for member agencies to use in CEQA documents to describe reliance on the HCP/NCCP for the 12 covered species.</p>

Task	Local Agency Planning/CEQA	Yolo HCP/NCCP	Notes
6b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	For impacts in this category, the CEQA analysis should point to and rely on the Yolo HCP/NCCP. Site-specific information about the covered species should be disclosed. This should include disclosure of acres of habitat impacted, how Yolo HCP/NCCP resource protection buffers will apply, whether design or other changes would avoid or minimize impacts (e.g., timing changes to avoid nesting season). Applicable AMMs should be identified and may be listed as mitigation measures. Information about how compliance with the HCP would achieve mitigation should be provided. No further mitigation beyond compliance with the Yolo HCP/NCCP is required under CEQA for these natural communities, including oak woodlands, pursuant to PRC Section 21083.4.	PRC Section 21083.4 addresses Conversion of Oak Woodlands. It applies only to counties. It requires an analysis of this issue as part of the CEQA compliance for projects in the unincorporated area and identifies specific mitigation strategies. PRC Section 21083.4(d)(1) exempts projects undertaken pursuant to an approved NCCP that preserves oak habitat. The HCP/NCCP fulfills this requirement. The CEQA document should discuss and disclose this.
6c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	The Yolo HCP/NCCP provides no Section 404 coverage or direct coverage for impacts on wetlands. The Conservancy and member agencies may choose to expand the Yolo HCP/NCCP to cover Section 404 mitigation in the future.	Through project specific negotiation, applicants of projects that require Section 404 approval may be able to attain agreement from the federal agencies to accept compliance with the HCP/NCCP as fulfilling Section 404 mitigation requirements.

Task	Local Agency Planning/CEQA	Yolo HCP/NCCP	Notes
6d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	See 6a).	<p>For other non-covered special status species, CEQA compliance is required, though partial or full CEQA mitigation may result indirectly from HCP/NCCP. The CEQA consultant should consider whether non-covered species receive mitigation benefit from compliance with the HCP/NCCP for covered species and address this in the CEQA document.</p> <p>The level that non-covered species are protected by the HCP/NCCP could be further explored and documented by the Conservancy if there is funding. Conservancy will develop standard language for member agencies and/or CEQA consultants to use in CEQA document to describe reliance on the HCP/NCCP for the 12 covered species.</p>
6e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<p>All of the member agencies have general plan policies protecting biological resources, and each member agency determined the Yolo HCP/NCCP to be consistent with those policies upon adoption of the Yolo HCP/NCCP in May/June 2018.</p> <p>None of the member agencies had separate ordinances for biological resources before the Yolo HCP/NCCP was adopted.</p> <p>Most of the member agencies have regulations addressing tree protection and agricultural land protection.</p> <p>Yolo HCP/NCCP Section 7.5.8 describes the easement stacking policy.</p>	<p>To address this threshold the CEQA document should analyze project compliance or conflict with local tree protection ordinances and local agricultural land protection ordinances.</p> <p>Member/lead agencies may independently allow applicants to receive credit for HCP/NCCP land cover fees towards all or a portion of the otherwise separate requirement for mitigation for loss of agricultural land under local ordinance and CEQA. The efficacy of this as a policy rests solely with the member/lead agency. The YHC takes no position on this matter.</p>
6f)	Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	The CEQA analysis should describe the Yolo HCP/NCCP, the local agency's status as a member agency, and the process and agreements in place to ensure compliance.	Conservancy will develop standard language for member agencies and/or CEQA consultants to use to address this threshold.

Task	Local Agency Planning/CEQA	Yolo HCP/NCCP	Notes
7	CEQA Guidelines Section 15065(a)(1) compliance	See 7a) through 7d).	CEQA documents do not always address these thresholds, but CEQA best practices support analysis of these thresholds in all CEQA documents.
7a)	Substantially reduce the habitat of a fish or wildlife species?	See 6a).	For other non-covered special status species, CEQA compliance is required, though partial or full CEQA mitigation may result indirectly from the Yolo HCP/NCCP. The level of protection for non-covered species by the Yolo HCP/NCCP could be further explored and documented if there is funding. The Conservancy will develop standard language for member agencies and/or CEQA consultants to use in CEQA documents to describe reliance on the Yolo HCP/NCCP for the 12 covered species.
7b)	Cause a fish or wildlife population to drop below self-sustaining levels?		
7c)	Threaten to eliminate a plant or animal community?		
7d)	Substantially reduce the number or restrict the range of an endangered, rare or threatened species?		
8	For projects that qualify for CEQA exemptions	Ensure that applicable AMMs (or a requirement to satisfy applicable AMMS) are added to project conditions, if any.	
9	Project approval	Member agency approves project with a standard condition to complete a Final Application Form (including all attachments), secure Yolo HCP/NCCP permit coverage, pay applicable fees, and implement applicable AMMs.	After approval, the applicant must complete and submit the Final Application, including required attachments, and will pay the applicable fees. The member agency may then issue the Certificate of Approval.
10	Prior to ground disturbance ³	Applicant must have paid applicable fees ³ or satisfied requirements in other approved manner (e.g., In-lieu payments).	The applicant must conduct all planning surveys prior to issuance of grading permit or commencement of site disturbance activities (whichever occurs first). For projects with approved phasing, the Conservancy will coordinate with the member agency to develop procedures/applicant agreements for phased payment of fees consistent with phased project approvals.

Task	Local Agency Planning/CEQA	Yolo HCP/NCCP	Notes
11	Project construction	Project construction can commence after an applicant has secured the Certificate of Approval, paid all fees, and conducted all required pre-construction surveys. The AMMs may require actions during and immediately prior to construction, such as application of buffers, preconstruction surveys, and use of construction monitors.	Results from pre-construction surveys must be submitted to the member agency and transmitted to the Conservancy.
12	Following project completion and/or during operation	The applicant will provide project-level monitoring and reporting and submit a post-construction checklist memo to the Conservancy that describes compliance with construction AMMs and site post-project condition report for temporary impacts.	N/A.

¹ See separate discussion of HCP/NCCP biological evaluations in Chapter 6 of this guide.

² Only ministerial projects/activities are exempt from the Yolo HCP/NCCP. CEQA exempt projects may be subject to Conservancy fees and may be required to demonstrate compliance with AMMs.

³ Yolo HCP/NCCP Section 8.4.1.7 states: “For private projects, the Conservancy will require the payment of HCP/NCCP fees by the time the grading permit for the project is issued. If a grading permit is not required, fees must be paid before or at the time the first construction permit is issued. For member agency projects, the Conservancy will require payment of HCP/NCCP fees prior to implementing the covered activity. For member agency projects conducted by outside contractors, the timing of fee payment may coincide with the award of the construction contract because this represents the time at which the public agency commits to implementing the project.”

AMM = avoidance and minimization measures

CEQA = California Environmental Quality Act

Conservancy – Yolo Habitat Conservancy

HCP/NCCP = habitat conservation plan/natural communities conservation plan

PRC = Public Resources Code

Important Notes about CEQA and the Yolo HCP/NCCP

- A private project that is exempt from CEQA may nevertheless be subject to the Yolo HCP/NCCP if the project is discretionary.
- The Yolo HCP/NCCP AMMs are conditions of using the incidental take permits. For land development projects with conditions of approval, member agencies are encouraged to add avoidance and minimization measures to the conditions of approval just like lead agencies add CEQA mitigation measures to conditions of approval. If possible, member agencies should identify applicable AMMs as mitigation measures in the CEQA document.
- At a minimum, project approval conditions for projects subject to the Yolo HCP/NCCP should identify a standard condition to complete a final Application (including all attachments), secure Yolo HCP/NCCP permit coverage, pay applicable fees, and implement applicable AMMs.
- Covered activities that are not otherwise exempt from the Yolo HCP/NCCP must have a Certificate of Approval from the member agency to document compliance with the plan, and must conduct all pre-construction surveys and implement AMMs prior to ground disturbance.

Integration with Projects Requiring Section 7 Consultation with Federal Agencies

Pursuant to Section 7 of ESA, for projects requiring federal funding or permitting, federal agencies must consult with USFWS if the project is likely to adversely affect a federally listed species. If the federally listed species is covered under the Yolo HCP/NCCP, the Yolo HCP/NCCP helps to expedite the Section 7 consultation process. The applicant and federal agency must take the following steps to complete the consultation process.

1. The applicant provides a copy of the ***Certificate of Inclusion***, Certificate of Approval, or Certificate of Compliance with the completed application and attachments to the federal agency. The applicant informs the federal agency that the project is covered under the Yolo HCP/NCCP and the internal Section 7 consultation conducted by USFWS for the Yolo HCP/NCCP.
2. The federal agency forwards the package of information to USFWS with a letter or email stating that the Section 7 obligation has been met by the Yolo HCP/NCCP.
3. After USFWS confirms the information, it sends an email or letter to the federal agency verifying that the Section 7 obligation has been met by the Yolo HCP/NCCP.

Chapter 2 Screening Form

The applicant will work with the appropriate local agency to complete the Screening Form and evaluate if a project qualifies for permit coverage under the Yolo HCP/NCCP permits and is subject to the permit requirements. The Screening Form is not an application for permit coverage under the Yolo HCP/NCCP; rather, it is a tool to determine whether a project should continue with the application process. If you are a member agency with a member agency project, please use the Screening Form to determine whether your project needs to go through the Yolo HCP/NCCP application process (Chapter 2).

Coverage Screening Limitations

The Screening Form provides an early indication of the types of impacts and associated AMMs that may apply to the project. The applicant must verify the land cover type, calculate fees, conduct planning level surveys, and assign AMMs as part of the application process. (i.e., Submittal of a Final Application).

Local agencies use the Screening Form to make the following determinations regarding a proposed project.

- Whether the proposed project is subject to the Yolo HCP/NCCP (i.e., the project needs to receive take authorization through the Yolo HCP/NCCP. This includes, for example, whether the project is *ministerial* or discretionary and/or whether the project will result in any site disturbance or take of covered species.
- Whether the proposed project is eligible for permit coverage under the Yolo HCP/NCCP. This includes, for example, whether the project is a covered activity.
- Whether the project is exempt from Yolo HCP/NCCP fees. This includes, for example, exemptions from land cover and wetland fees.
- Whether the proposed project is exempt from Yolo HCP/NCCP AMMs.

The planning office of the member agency with jurisdiction over the area in which the project is proposed must confirm each of these conclusions. A project applicant seeking permit coverage as an SPE does not need to consult with any of the member agencies, but rather will work directly with the Conservancy, regardless of the location of the project.

Box A: Is the Project a Covered Activity?

Box A, Item 1: Discretionary vs. Ministerial

The Yolo HCP/NCCP does not cover ministerial projects unless the applicant is participating as an SPE. Box A determines whether a member agency has discretionary permit authority over the project. If the applicant is unsure, they can contact their member agency to help fill out Box A.

If a project received its discretionary permit or approval from a member agency prior to member agency adoption of the final Yolo HCP/NCCP, the project does not need to go through

the Yolo HCP/NCCP approval process unless the project-specific CEQA requirements dictate that the project mitigate impacts through participation in the Yolo HCP/NCCP.

If a project applicant desires permit coverage under the Yolo HCP/NCCP for a ministerial project, the applicant may apply for permit coverage as an SPE. If an applicant desires permit coverage for a project as an SPE, the applicant must submit the Screening Form to the Conservancy office prior to completing the Application Form. SPE permit coverage is not guaranteed and will be authorized on a case-by-case basis by the Conservancy.

Box A, Item 2: Yolo HCP/NCCP Covered Activities

Item 2 indicates whether the project falls within the scope of project/activities covered by the HCP/NCCP. Most projects requiring discretionary approval by one of the member agencies are Yolo HCP/NCCP covered activities, but some projects (e.g., wind and solar) are specifically excluded and not covered under the HCP/NCCP. The Item 2 determination will require approval sign-off by the local agency with approval authority (or Conservancy for Special Participating Entities).

Box B: What is the Project?

Box B provides basic background information about the project.

Box C: Is the Project Exempt from Fees or AMMs?

The Box C screening questions determine whether the applicant needs permit coverage under the Yolo HCP/NCCP based on whether (a) land cover fees, and (b) AMMs apply. If a project is exempt from land cover fees and AMMs, the applicant can end the application process with the Screening Form. Otherwise, the applicant will need to proceed through the application process to receive authorization under the Yolo HCP/NCCP.

For projects that are exempt from land cover fees but require application of AMMS, a simplified application process is available as described in under Box C, Item 7, under *Projects on Developed Land that Potentially Affect Covered Species in the Surrounding Area*.

The applicant will need to identify land cover types and covered species habitat on and around the project site to fill out the screening questions. If a planning survey has not been conducted, the applicant may utilize/conduct an initial assessment as described in Section 6.1, *Initial Assessment*. The initial assessment will identify the likely land cover type(s) and any ***sensitive natural communities*** and covered species habitats associated with the project area. If the completed Screening Form indicates that permit coverage is not needed because the project site is on ***developed*** land and no covered species or associated habitat would be affected, the member agency land use planner or a Conservancy will need to verify that this determination is accurate.

Alternatively, the applicant can opt to retain a qualified biologist to conduct a planning level survey, as described above, in Section 6.2, *Planning Level Surveys*, to obtain more accurate information for completing the Screening Form.

Box C, Items 1 and 2: 5,000 Square Foot Exemption

Items 1 and 2 determine whether a project qualifies for a land cover fee exemption because it is less than 5,000 square feet. This fee exemption applies to additions to existing structures or new structures within 50 feet of an existing structure (e.g., a new garage) that result in less than 5,000 square feet of impervious surface (Item 1) *if* no sensitive natural communities (i.e., fresh emergent wetland, valley foothill riparian, and lacustrine or riverine land cover types) are affected (Item 2). Expansion measurements are based on the footprint of the existing structure. Subsequent additions must be added to the original amount to determine whether this threshold has been crossed.

Initial Assessment

The initial assessment conducted using GeoMapper relies on regional scale data to provide preliminary information that may assist an applicant in understanding how the Yolo HCP/NCCP may apply to their project early in the project planning and application process. This Initial Assessment is for informational purposes only and does not replace the need to provide verified site-specific information when submitting the Application. A planning level survey is site-specific and must be verified in the field.

If Item 1 is checked as “yes” and Item 2 is checked as “no,” the project is exempt from land cover fees, but AMMs may apply. The applicant should skip to Item 6 to determine whether AMMs apply.

Box C, Items 3 and 4: Two-acre Exemption

Items 3 and 4 determine whether a project may be eligible for a land cover fee and wetland fee exemption because it is on a parcel less than 2.0 acres in size. This fee exemption applies to activities on parcels less than 2.0 acres, unless the project will adversely affect *suitable habitat* for a covered species. If a project is 2.0 acres on a parcel larger than 2.0 acres, the project is not exempt.

If Item 3 is checked “yes” and Item 4 is checked “no,” the project is exempt from land cover fees and wetland fees but AMMs may apply. The applicant skips to Item 6 to determine whether AMMs apply.

Table 2-1. Yolo HCP/NCCP Land Cover Types

Land Cover Type	Land Cover Fee?	Definition
Sensitive Natural Communities		
Alkali Prairie Natural Community		
Alkali prairie	Yes	Areas dominated by herbaceous vegetation with soils composed of saline-alkaline clay and salts such as sodium, magnesium, and boron. Dominant plant species is generally saltgrass. Other alkali-adapted species include pickleweed, bush seepweed, alkali heath, common spikeweed, and annual hairgrass.
Fresh Emergent Wetland Natural Community		

Land Cover Type	Land Cover Fee?	Definition
Alkali-bulrush-bulrush brackish marsh alliance	Yes	Brackish, alkali emergent wetland vegetation along streams and rivers and at the margins of ponds with some areas of open water, dominated by bulrushes.
Bulrush-cattail wetland alliance or freshwater marsh alliance	Yes	Freshwater emergent wetland vegetation along streams and rivers, and at the margins of ponds with some areas of open water, dominated by bulrushes and cattails.
<i>Carex</i> -spp.-wetland grasses-wetland forbs alliance	Yes	Freshwater emergent wetland vegetation along streams and rivers, and at the margins of ponds with some areas of open water, dominated by sedges and wetland grasses.
<i>Crypsis</i> spp.-wetland grasses-wetland forbs	Yes	Emergent wetland vegetation dominated by pickle grasses and wetland forbs.
Perennial pepperweed alliance	Yes	Wetland vegetation dominated by pepperweed.
Lacustrine and Riverine Natural Community		
Open water	Yes	The open water portions of lakes, rivers, and streams.
Valley Foothill Riparian Natural Community		
Blackberry alliance	Yes	Scrubby vegetation along streams and rivers, dominated by blackberry shrubs.
Coyote brush	Yes	Scrubby vegetation along streams and rivers, dominated by coyote brush.
Fremont Cottonwood-valley oak-willow (ash-sycamore) riparian forest association	Yes	Deciduous trees along streams and rivers, dominated by cottonwoods, willows, and oaks, and sometimes by ash or sycamore. Can include areas dominated by herbaceous or shrubby riparian vegetation if less than 1 acre in size.
Giant reed series	Yes	Vegetation along streams and rivers dominated by giant reed.
Great valley oak riparian association (also includes valley-oak alliance-riparian)	Yes	Deciduous trees along streams and rivers, dominated by valley oaks. Can include areas dominated by herbaceous or shrubby riparian vegetation if less than 1 acre in size.
Mixed Fremont cottonwood-willow spp. alliance	Yes	Deciduous trees along streams and rivers, dominated by cottonwoods and willows. Can include areas dominated by herbaceous or shrubby riparian vegetation if less than 1 acre in size.
Mixed willow alliance	Yes	Deciduous trees along streams and rivers, dominated by cottonwoods and willows. Can include areas dominated by herbaceous or shrubby riparian vegetation if less than 1 acre in size.
Tamarisk alliance	Yes	Stands of tamarisk along streams and rivers.
Riparian scrub	Yes	Scrubby vegetation along streams and at the margins of rivers, dominated by willows. Can include areas dominated by herbaceous riparian vegetation if less than 1 acre in size.
White alder (mixed willow) riparian forest	Yes	Forest along streams and rivers, dominated by white alder. Also may include willows as dominant species.
Agricultural Land Cover Types		

Land Cover Type	Land Cover Fee?	Definition
Cultivated Lands Seminatural Community^b		
Rice	Yes	Agricultural fields planted in rice. Aerial profile shows areas that are designed for periodic flooding, either contour or laser leveled, unusually shaped polygons with berms between fields.
Field crops	Yes	Agricultural fields planted in corn, dry beans, grain sorghum, safflower, sudan, sugar beets, sunflowers, or other crops grown in fields on a large scale that do not fit into other cultivated lands seminatural community categories.
Truck/berry crops	Yes	Agricultural fields planted in asparagus, melons/squash/cucumbers, onions/garlic, peppers, tomatoes, strawberries, or other berry crops.
Grain and hay crops	Yes	Irrigated and dryland grain and hay crops. This predominantly consists of wheat, barley, rye, and oat hay.
Cultivated lands/pasture	Yes	Miscellaneous grasses grown for seed and irrigated pasture.
Other Agriculture		
Citrus/subtropical	Yes	Orchards composed of citrus or other subtropical fruit.
Deciduous fruits/nuts	Yes	Orchards composed of nuts or fruits that are not citrus or subtropical.
Vineyards	Yes	Grapes and other vine crops.
Pasture/turf farm	Yes	Pasture raised for turf.
Flower/nursery/tree farms	Yes	Flower and tree farms and nurseries.
Semiagricultural/Incidental to Agriculture		
Semiagricultural/Incidental to agriculture	Yes	Semiagricultural areas include livestock feedlots, farm steads, and miscellaneous semiagricultural features such as small roads, ditches, and unplanted areas of cropped fields (e.g., field edges).
Other Land Cover Types		
Barren		
Barren-anthropogenic (levees)	No ^a	Human-made barren, non-vegetated areas, primarily along on levees.
Barren-sand and gravel bars	Yes	Sparsely vegetated areas that are associated with active erosion and depositional processes along stream courses, such as floodplain areas along Cache Creek.
Blue Oak Woodland		
Blue oak alliance	Yes	Oak woodland dominated by blue oaks.

Land Cover Type	Land Cover Fee?	Definition
Developed		
Urban or built up	No ^a	Developed areas are dominated by pavement and building structures. These areas include urban vegetation and all areas with structures, graded lots, road and highway medians, anthropogenic drainage canal vegetation, rail rights-of-way, and sewage treatment ponds that do not provide habitat. (Yolo HCP/NCCP Section 2.5.5) Vegetation in developed areas generally consists of vegetated corridors (e.g., ornamental vegetation maintained adjacent to highways) and patches of mostly ornamental vegetation, such as tree groves, street strips, shade trees, lawns, and shrubs that typically are supported by irrigation. Trees in developed lands may support roosting and nesting of covered species. (Yolo HCP/NCCP Section 2.5.5)
Urban ruderal	No ^a	Areas dominated by pavement and building structures. Includes barren lands graded for development
Vegetated corridor	No ^a	Small, weedy patches of land within an otherwise urban landscape (i.e., urban in-fill)*. Differs from grassland in that it is composed of mostly of weedy forbs that invade after disturbance, such as clovers, mustard (<i>Brassica rapa</i>) or yellow star thistle. While grassland may include these early invading, weedy species, they are not dominant in grassland. (See Chapter 2 instructions for Screening Form, Box C, Item 5, for a description of how the distinguish urban ruderal from other land cover types.)
Eucalyptus		
Eucalyptus alliance	Yes	Ornamental vegetation maintained adjacent to highways or in association with houses and developed areas, or other vegetated corridors associated with developed areas and isolated from intact stream channels.
Grassland Natural Community		
California annual grassland alliance	Yes	Stands of eucalyptus trees.
Lotus scoparius alliance	Yes	Grassland dominated by annual grasses and forbs. Common species include wild oats, soft chess, ripgut brome, yellow star-thistle, broadleaf filaree, cutleaf filaree, Italian ryegrass, medusahead, various introduced clovers, and Zorro fescue. Associated native herbaceous species may also occur.
Sparse bush lupine/annual grasses/rock outcrop alliance	Yes	Open shrublands dominated by deerweed, where stands colonize regularly disturbed, steep and unstable soils with rocky surfaces and little soil development.
<p>^a Exception – land cover fees may be applicable if covered species habitat is present. Source: Yolo HCP/NCCP Section 8.4.1.1.</p> <p>^b Fallow agricultural lands, including undeveloped parcels along the urban-agricultural interface >2 acres, are treated as agricultural land requiring a land cover fee, rather than barren (anthropogenic) or urban ruderal which do not require a land cover fee. See Chapter 2 instructions for Screening Form, Box C, Item 5, for a description of how to distinguish urban-ruderal from agricultural lands.</p>		

Box C, Item 5: Fee Paying Land Cover Types

If a project does not meet any of the fee exemptions in Items 1–4, the applicant should continue with completion of the form. Item 5 identifies whether the project will affect fee-paying land cover types. See Table 2-1 of this permitting guide, which defines each of the land cover types and indicates whether each type requires a fee. If fee-paying land cover types will be affected, the project requires permit coverage. If no fee paying land cover types will be affected, the project is exempt from land cover fees and wetland fees but AMMs may apply. The applicant should next go to Item 6 to determine if AMMs apply.

Distinguishing Urban-Ruderal from Other Land Cover Types

It is sometimes difficult to distinguish urban-ruderal (non-fee paying land cover type) from grassland or fallow agricultural lands (fee-paying land cover type). The intent of the urban-ruderal designation, which is exempt from land cover fees, is to characterize sites that have already been disturbed and have no covered species habitat value, such as small infill areas within the urban core. The plant composition would be primarily invasive weed species, but sometimes it is difficult to distinguish these urban-ruderal lands (non-fee paying land cover type) from grasslands or fallow agricultural lands that have weedy components (fee paying land cover types). A description of how to distinguish urban-ruderal lands from grasslands or agricultural lands is provided in the detailed instructions for the Screening Form, Box C, found in Chapter 2.

A couple of things are important when characterizing a site as urban ruderal and distinguishing it from grassland or agricultural land. The qualified biologist should follow these guidelines when uncertain whether an area should be mapped as urban-ruderal.

1. Review the recent history of land use on the site. An idle agricultural field at the edge of an urban area—or a recent infill resulting from new surrounding development—can potentially meet the definition in Table 2-1 for urban-ruderal, but may be more accurately classified as agricultural land. Idle fields are typically comprised of a variety of non-native weed species, often very dense associations of invasive species. If the surrounding agricultural land was recently developed and a small infill or edge remains, one might regard this as an urban-ruderal land cover. But instead, it could be part of an idle agricultural field. In one or two seasons, an active agricultural field can convert to a weedy, idle field, which may meet the vegetation definition of an urban-ruderal site, but may be more appropriately considered agricultural land cover. As such, reviewing the recent land use history of the site is important in making this distinction.
2. Carefully assess the vegetation composition and determine the dominant species. Of the three types under grassland natural community, only the California annual grassland alliance is potentially problematic (see definition in Table 2-1, and note the potential overlap with the urban-ruderal definition). To distinguish urban-ruderal from California annual grassland alliance, it is important for the qualified biologist to clearly identify the dominant species and their relative cover. The land cover definitions refer to the *dominant* plant associations. A grassland may, and usually does, include a variety of invasive species, such as yellow star-thistle. If the dominant plants are grasses and forbs, but the site has an herbaceous overstory of yellow star-thistle (which might be more obvious through casual

observation), then by definition, the site is a grassland. Biologists can make this distinction through a simple visual survey of the site. There is no expectation that a complete vegetation survey will be conducted. The result could be a simple table that describes the dominant species or species alliance and their relative cover or sufficient text to demonstrate the results of the assessment.

Box C, Item 6: Proximity to Sensitive Natural Communities or Covered Species Habitat

Item 6 determines whether the project has the potential to affect sensitive natural communities or covered species in the vicinity of the project site, based on the resource protection buffer distances provided in Table 2-2, below.

If the project is entirely on developed land, and the only factor that would require Yolo HCP/NCCP permit coverage is potential effects on off-site resources due to encroachment within the resource protection buffer distances described in Table 2-2, then the applicant may have the ability to avoid these offsite resource (as described under Item 7) and thus avoid the need for permit coverage under the Yolo HCP/NCCP.

Table 2-2. Project Proximity to Sensitive Natural Communities or Covered Species Habitats Triggering Avoidance and Minimization Measures

Sensitive Natural Community / Covered Species	Avoidance and Minimization Measure is triggered (Select YES for Screening Form , Box B, Item 3) if the Project Footprint is within:
Sensitive Natural Community	
Alkali prairie and vernal pool complex	250 feet of land cover types categorized under this natural community ^a
Valley foothill riparian	100 feet of land cover types categorized under this natural community ^a
Lacustrine and riverine	25 feet of land cover types categorized under this natural community ^a in urban planning units, and within 100 feet in all other planning units
Fresh emergent wetlands	50 feet of land cover type land cover types categorized under this natural community ^a
Covered Species	
Palmate-bracted bird's beak	250 feet of suitable habitat ^b
Valley elderberry longhorn beetle	100 feet of elderberry shrubs with stem(s) greater than 1 inch in diameter at ground level
California tiger salamander	500 feet of suitable aquatic and/or upland habitat ^b
Giant garter snake	200 feet of suitable aquatic habitat ^b
Swainson's hawk nests	1,320 feet of suitable foraging habitat and/or nest trees ^b
White-tailed kite nests	1,320 feet of suitable foraging habitat and/or nest trees ^b
Western burrowing owl	500 feet of suitable habitat ^b
Western yellow-billed cuckoo	500 feet of suitable habitat ^b

Sensitive Natural Community / Covered Species	Avoidance and Minimization Measure is triggered (Select YES for Screening Form , Box B, Item 3) if the Project Footprint is within:
Least Bell's vireo	500 feet of suitable habitat ^b
Bank swallow	500 feet of suitable habitat ^b
Tricolored blackbird	1,300 feet of suitable habitat ^b
Western pond turtle	No species-specific <i>buffer</i> distance ^c
^a Land cover types falling within each natural community category are defined in Table 2-1.	
^b See <i>Suitable Habitat</i> definition in list of terms, beginning of Permitting Guide.	
^c Habitat is located within the lacustrine and riverine natural community; therefore, buffers that trigger avoidance and mitigation measures for that natural community provide a functional buffer for western pond turtle.	

Box C, Item 7: Avoidance of Sensitive Natural Communities or Covered Species Habitat

If the project overlaps with any resource protection buffers for sensitive natural communities or covered species suitable habitat, the applicant is encouraged to consider redesigning the project or implementing other measures to avoid effects on these sensitive natural communities and covered species habitats to the extent practical. An applicant is encouraged to design the project to provide setbacks away from sensitive natural communities and covered species habitat and confine project activities outside of the specified resource protection buffers.

Alternatively, an applicant has the option of working with a qualified biologist to determine whether other measures may be implemented to avoid completely the effects on sensitive natural communities and covered species. The qualified biologist may make this determination based on the nature of the project activity, site-specific conditions such as topographic or hydrologic barriers, avoidance measures incorporated into the project, or other relevant factors. For example, if tall buildings or a hill are present between the project site and the resource to be avoided, the qualified biologist may determine that the site is adequately buffered from the sensitive natural community or covered species habitat feature and the project would not adversely affect this resource. If a qualified biologist determines that the project would not affect sensitive natural communities or covered species, the project does not require permit coverage under the Yolo HCP/NCCP. The qualified biologist must provide a written assessment outlining the rationale for this determination, including relevant maps and AMMs. This option is only available if the project is on developed land (see Yolo HCP/NCCP Section 4.5, second bullet).

If the applicant is able to avoid sensitive natural communities and covered species, check “yes” and go to Box D, Item 2: *The applicant’s project does not require permit coverage under the Yolo HCP/NCCP*. The local planning office must confirm this conclusion (except for member agency projects). If the project is unable to avoid sensitive natural communities and covered species habitats, check “no” and go to Box C, Item 1: *The applicant’s project does require permit coverage under the Yolo HCP/NCCP*.

If the initial assessment conducted using GeoMapper identifies potential qualified land cover types on the project site or identifies the project site as being potentially within sensitive natural communities or covered species habitat resource protection buffers, but the applicant

does not believe that this is accurate, they may opt to retain a qualified biologist to conduct a field verification of the land cover. This field verification could be conducted as part of a broader planning level survey (see Section 6.2 and Appendix A). The applicant would then use the results of the field verification to fill out the Screening Form. If the applicant uses a field verification or planning level survey to answer the questions in the Screening Form, the applicant must include the results of the survey when submitting the Screening Form to the applicable member agency.

Projects on Developed Land that Potentially Affect Covered Species in the Surrounding Area

As described under Box B, Items 1 through 3, projects entirely on developed land that could affect offsite habitat may implement measures in coordination with a qualified biologist to demonstrate the project would not affect covered species or their habitat and avoid the need for Yolo HCP/NCCP permit coverage. If a project on developed land cannot demonstrate complete avoidance of effects on covered species, the project will need Yolo HCP/NCCP permit coverage and will need to complete the Application Form, but only Boxes A through C, F, G, and I of this form. Although the project is exempt from land cover fees, the applicant will need to implement measures immediately prior to and/or during project construction to minimize effects on the species (i.e., AMMs). These measures may include pre-construction surveys or construction monitoring by a qualified biologist.

If a project does not require land cover fees because it is entirely on developed land, and the project does not require AMMs, then Box D, Item 2 should be checked, as described below. The project does not require permit coverage and no additional forms are necessary.

Box D: Conclusions and Form Submittal Instructions

By completing previous items in the Screening Form, the applicant will have been directed to either check Box D, Item 1 (indicating the project does require Yolo HCP/NCCP permit coverage) or Box D, Item 2 (indicating the project does not require Yolo HCP/NCCP permit coverage).

If Yolo HCP/NCCP coverage is not required for the project, the applicant may still seek permit coverage as an SPE. The applicant should contact the Conservancy to continue the application process as an SPE. SPE permit coverage is not guaranteed. SPEs will need to develop a cost recovery agreement with the Conservancy. Additional details regarding SPEs are available in the Yolo HCP/NCCP Sections 4.2.1.3 and 7.2.5.

Box E: Signatures

Box E, Items 1 and 2

The applicant provides the property owner's name and contact information and sign and date the form.

Box E, Items 3 and 4

If a consultant or other agent completed this form on behalf of the property owner, provide the consultant name and contact information as well as the signature from an authorized representative.

Submittal Process

See the submittal instructions at the bottom of the Screening Form. If the form indicates that the project may require Yolo HCP/NCCP permit coverage (Box C, Item 1), include the application fee (unless the project has no fee-paying land cover types and only requires coverage for implementation of AMMs) and next complete the Application Form.

The Application is the official form for permit coverage under the Yolo HCP/NCCP. If the Screening Form (Chapter 2) indicates the project is a covered activity, the applicant will work with the appropriate member agency with discretionary permitting and approval authority over the project to complete an Application. The Application identifies relevant project information, determines land cover fee and wetland fee obligations, and identifies applicable AMMs. A Preliminary Application may be submitted prior to completion of the CEQA process to allow for required biological evaluations to take place as a component of CEQA compliance and to encourage project design modifications that would minimize species and habitat impacts.

The applicant must complete and execute a Final Application to secure Yolo HCP/NCCP permit coverage. This may occur after the completion of CEQA compliance and final action by the local agency to approve and condition the project. The applicant will have all the information needed to complete the form at that time, as well as certainty regarding the ability of the project to move forward.

Please note the following.

- The requirements in this application are minimum requirements. The Conservancy or the member agency with discretionary permitting authority may request more information to clarify or complete an application package.
- If a project requires multiple development permits, the Yolo HCP/NCCP requires an approved application for permit coverage and payment of fees before the member agency grants the first development permit authorizing ground disturbing activity (usually a grading permit). If a project consists of multiple phases, the Conservancy or the member agency may allow the applicant to phase Yolo HCP/NCCP fees, provided early phases of development do not diminish the habitat value associated with undeveloped lands by isolating that habitat. Because the later phases could potentially not be developed, earlier phases must apply the AMMs described in Box G to address potential indirect effects on adjacent habitat associated with subsequent phases. If the applications are phased for a project, subsequent phases must go through this application process (unless the application is initially completed for all phases prior to commencement of the project) with the Conservancy or the member agency, even if no CEQA compliance is necessary for subsequent phases.
- To avoid project delays, applicants are advised to become familiar with the survey timing requirements (Table 6-2) and start planning for surveys based on site conditions as soon as possible.

Box A: Preliminary vs. Final Submittal

The applicant is encouraged to complete and submit a preliminary version of the Application (the Preliminary Application) early in the process. Ideally this would occur after (or at the same

time) a land development application is been submitted and prior to completion of the CEQA impact analysis. This allows for the applicant to work with the appropriate local agency to determine potential Yolo HCP/NCCP fees and applicable AMMs. Important to note is that some of the AMMs—particularly those requiring species surveys—must be conducted during certain times of year (Table 6-2). Applicants are advised to become familiar with these conditions and plan the project development process accordingly.

The applicant should complete and submit both the Screening Form (required) and the Preliminary Application (optional but encouraged) prior to submitting the Final Application, which is the official application form for Yolo HCP/NCCP permit coverage. The final determination of fees and conditions will be through the review of the Final Application conducted by the local agency with approval authority. The planning level surveys are not required until submittal of the Final Application; however, the Conservancy strongly encourages applicants to complete this survey to verify the land cover at the project site early in the process, ideally prior to or at the same time as the CEQA impact analysis, to more accurately determine Yolo HCP/NCCP AMMs, fees, and any pre-construction surveys that will be required.

Boxes B and C: Application Details

For Box B, Item 3, the applicant should use the application file number provided by the member agency. For Item 4, the applicant should check the “Special Participating Entity” box if the project is not subject to the jurisdiction of one of the member agencies or if the applicant’s project is not specifically identified (or specifically precluded) in the Yolo HCP/NCCP as a covered activity. Please provide current contact information in Box C.

Box D: Project Overview

Box D, Items 1–3: Project Location, Parcel Information

The applicant must provide the physical address for the project. If the project does not have an address, the applicant must provide a brief description of the project location sufficient to find the site on a map, as well as the assessor’s parcel number(s) (APN[s]) and total acreage of the proposed project. Applicants with linear projects spanning multiple parcels do not need to provide this parcel information. The total acreage should equal the sum of all the land cover type acreages entered in Box E of the application.

Box D, Item 4: Planning Units

The applicant must determine the planning unit within which the project occurs. This can be done using the Conservancy’s online GeoMapper, aerial photos, maps, or other available resources.

Box D, Item 5: Project Description (Attachment 1)

The applicant must provide a written description (labeled as “Attachment 1,” or identify page numbers in the planning level survey or equivalent report such as PES or NES) that describes the project and its location, including all proposed development that will occur on site. Such

development includes all proposed structures (e.g., residences, barns, detached buildings) and associated improvements (e.g., septic systems, new or improvements to existing roads, driveways, bridges, outfalls, vehicle parking areas, tennis courts, swimming pools, decks, patios). In describing the project, the applicant must identify areas that are permanently affected by the project and any construction activity that will result in **temporary impacts** on the project site (i.e., construction staging areas, septic systems, or installation of subsurface utilities, etc., where land cover types will be restored to pre-project conditions within one year of disturbance).

Box D, Item 6: Vicinity Map (Attachment 2)

The applicant must provide an Adobe PDF of a vicinity map (labeled as “Attachment 2,” or identify page numbers in the planning level survey or equivalent report). The vicinity map must show the location of the project relative to adjacent property, streets, and highways. The scale should be such that the project site consists of only the center portion of the vicinity map, with approximately 0.25 mile around the site shown. On the map, include the scale and a north arrow.

Box D, Item 7: Site Plan (Attachment 3)

The applicant must provide both an Adobe PDF and a CAD- or GIS-compatible site plan (labeled as “Attachment 3”) that provides a site plan with verified land cover types. Instead of providing a separate PDF, the applicant may include the site plan in the planning level survey or equivalent report and indicate the relevant report page number under Box D, Item 7.

The site plan must show the proposed development area, verified land cover type(s) in the development area, any relevant landforms, roads, waterbodies, and existing and proposed structures that the proposed project would affect. The preferred spatial data formats are either shapefiles or ESRI’s personal (.mdb)/file (.gdb) geodatabases. Layer files (.lyr), which apply symbology to the data are helpful, as are Layer Package files (.lpx), which provide both data and symbology packaged together. The applicant may submit CAD files provided the projected coordinate system is documented and linetypes are explained. Permanent impact and temporary impact areas shown on the site plan must match the calculated areas in Box E of the Application.

Box E: Natural Community and Land Cover Impacts and Mitigation Fees

Box E (Attachment 4)

Provide a planning level survey report with field verification (labeled as “Attachment 4”) completed by a qualified biologist. The recommended or required elements of the report are provided in Table 6-2. If the site includes the urban or built up land cover type, member agency staff with the appropriate expertise or a qualified biologist can verify the land cover type. The Conservancy may independently verify this determination.

Box E, Items 1-27: Land Cover Impacts

The applicant must fill out the acres of verified permanent impact for each land cover type in Box E, Items 1 through 27. For **permanent impacts**, the applicant will calculate the area of permanent impact and fee-paying land cover types within the 50-foot **land cover fee buffer** (a 10-foot land cover fee buffer applies to linear projects). The land cover fee buffer does not apply to temporary impacts.

The member agency must verify land cover as part of the Application. A member agency land use planner can verify if a site is urban or built up based on the Conservancy's definition and a site visit. The Conservancy may independently verify the lead agency's verification of land cover as urban or built up. If the site is not entirely on an urban or built up land cover type, a qualified biologist must provide the land cover evaluation for the member agency to verify.

Table 6-1 provides the required elements of a planning level survey.

The applicant must enter the amount of the Conservancy's adopted application fee for the Application. The application fee covers Conservancy staff time to review and assist with the application. If the applicant pays the application fee with submittal of the Screening Form, the amount will be deducted from the total fees owed by the applicant with Final Application submittal, unless the applicant owes no fees. The member agency will collect the application fee, but the applicant will write the check to the Conservancy. The application fee is not required for projects that do not affect fee-requiring land cover types (i.e., if the project requires AMMs but does not require land cover fees).

Determining Area of Impact

Figures 3-1 and 3-2 illustrate how to determine the area of impact for fee calculations.

Calculating the project's area of impact:

Land cover fee = the area of permanent impact, plus a buffer of 50 feet (but not extending beyond the boundary of the parcel). See Figure 3-1.

Land cover fee for linear projects = the area of permanent impact, plus a 10 foot buffer, regardless of parcel size. See Figure 3-2.

Figure 3-1. Determining Area of Impact for Fee Calculations of Non-Linear Projects

land cover fee = the area of permanent impact, plus a buffer of 50 feet (but not extending beyond the boundary of the parcel)

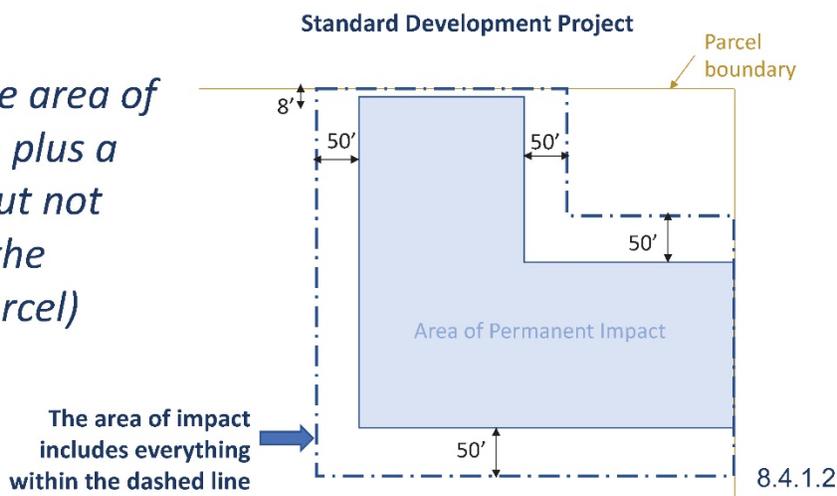
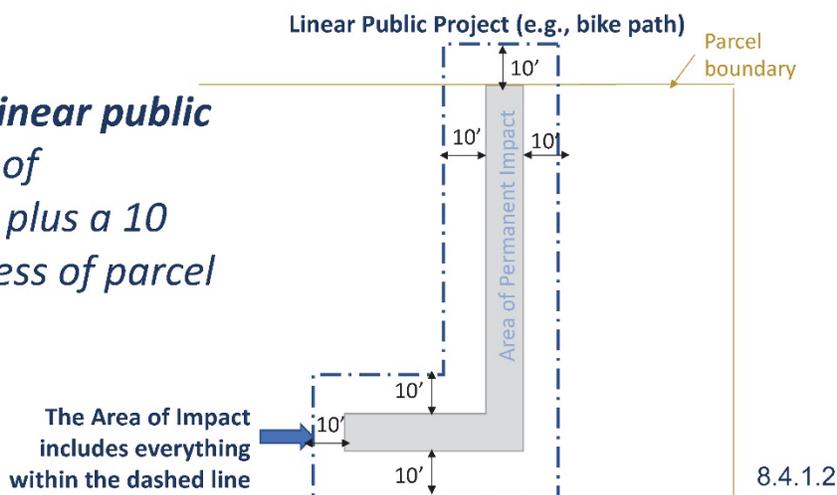


Figure 3-2. Determining Area of Impact for Fee Calculations of Linear Projects

land cover fee for linear public projects = the area of permanent impact, plus a 10 foot buffer, regardless of parcel size



Lot Splits and Subdivisions

Following are some specific examples of land cover fees associated with lot splits and subdivisions.

- If an applicant wants to split a property that consists of a fee-paying land cover type(s) into multiple parcels that could each subsequently be developed (i.e., they are not zoned as Agricultural Intensive or Extensive), the member agency should charge the applicant the land cover fee for the entire original parcel at or before the time of the parcel split. This situation may arise if a developer is subdividing a parcel for future residential development.
- If an applicant receives tentative map approval to subdivide a large parcel (greater than 80 acres) in a rural planning unit located within the Agricultural Intensive and Extensive zones (A-N and A-X), then at or before the time of final or parcel map approval, the applicant will be charged a land cover fee for 2.5 acres for each new parcel. The 2.5-acre amount is the assumed project footprint associated with an agricultural home site. Since a 2.5-acre area is

sufficiently large to cover development of a house and surrounding indirect effects, no additional land cover fee buffer is applied beyond the 2.5 acres.

- If an applicant has a by-right to-build on a single parcel without paying Yolo HCP/NCCP fees and then proposes to split the parcel into two or more parcels, then the applicant only needs to pay the fees on the new resultant parcels and not on the original area covered by-right to-build.
- For example:
 - A 6 acre parcel has a by-right to-build two homes without paying HCP/NCCP fees.
 - The resultant two 2-acre parcels would be required to pay fees, but the initial parcel (now just 2 acres instead of 6,) still has a by-right to-build without paying fees. Therefore, the applicant only needs to pay fees on 4 acres (the two resultant parcels) rather than the entire 6 acres.

Minimum Mapping Units for Land Cover Mapping

The applicant should provide calculations in Box E using the following method.

- For all land cover types (except fresh emergent wetland, valley foothill riparian, and lacustrine and riverine), provide calculations to nearest tenth (0.1) of an acre.
- For fresh emergent wetland, valley foothill riparian, and lacustrine and riverine land cover types, provide calculations to the nearest hundredth (0.01) of an acre.
- For streams, provide calculations in linear feet. Please contact the Conservancy for information about the SPE fees.

For Line 24, please enter the amount the applicant paid to the Conservancy for the application fee if already paid. The member agency will deduct the application fee from the total fees owed by the applicant, unless the applicant owes no fees. (An applicant who owes no fees must still pay the application fee.) The application fee covers Conservancy staff time to review and assist with the application.

If the applicant provides land in lieu of the fee or purchases credits from an approved mitigation receiving site, please see the section describing the process for securing this approval and contact the Conservancy for further information.

The member agency will collect the full land cover/wetlands fee prior to issuing the first development permit authorizing ground-disturbing activity (usually a grading permit). The member agency will transmit all fees to the Conservancy quarterly, or more frequently if requested by the Conservancy.

Box E, Item 30: Dedicating Land In Lieu of Paying Fees (Attachment 5)

If the applicant proposes to dedicate land in lieu of paying fees, the applicant must summarize these actions and attach written documentation indicating the Conservancy has approved these actions in lieu of fees (labeled as “Attachment 6”).

Box F: AMMs: Conduct Species Surveys

Box F, Items 1–15 (Attachments 6 and 7)

If the habitat for a covered species potentially occurs in or near the impact area as determined during the processes for completing the Screening Form and Application, a qualified biologist must verify habitat presence. If habitat is present in or near the impact area for the species indicated in Box F, species surveys by a qualified biologist may potentially be required for some species and the survey findings, including survey methods, timing, results, and qualifications of the biologist, must be included with the application. Label the species survey(s) “Attachment 6.” The species survey(s) must follow protocols provided in Appendix A. All planning level surveys must be complete before submitting the Final Application.

Applicants should note the timing requirements for species-specific planning level surveys for all covered species in Table 6-2 of this manual so that they can meet intended schedules and avoid project delays. See Section 6.2 for additional details regarding species surveys.

Applicants should attach a description of the anticipated impacts the proposed activity will have on each affected covered species, and label this “Attachment 8.” This information will be used to track take limits for the Yolo HCP/NCCP. Attachment 7 should include the following information.

- Acres of each covered species habitat type to be removed or converted. Differentiate between permanent and temporary effects. Habitat determinations must be made by a qualified biologist.
- Number of Swainson’s hawk nest trees (occupied by an active nest within the last 5 years) to be removed (these trees must be unoccupied while removed). This is limited to 20 trees during the 50-year permit term.
- Number of white-tailed kite nest trees (occupied by an active nest within the last 5 years) to be removed (these trees must be unoccupied while removed). This is limited to one tree over the 50-year permit term.
- Anticipated number of occupied burrowing owl sites to be relocated. This is limited to four during the 50-year permit term).
- If the project will isolate any upland habitat for giant garter snake, California tiger salamander, or western pond turtle from all adjacent aquatic habitat, provide the number of upland acres that will become isolated for each species. This is limited to 55 acres of upland habitat that may be isolated in this manner over the 50-year permit term.

Box G: Conditions of Approval: Preconstruction Surveys

Box G, Items 1–7

Check the appropriate boxes for pre-construction surveys that will need to be conducted. Pre-construction surveys are generally conducted during the post-application phase, after project design is complete and the application has been approved, and immediately prior to project construction. The purpose of the pre-construction survey is to determine whether species are

present and whether measures must be implemented to avoid injuring or killing individuals. Preconstruction survey requirements are provided in Table 6-2.

Box H: Conditions of Approval: Avoidance and Minimization Measures

Box H, Items 1–21 (Attachment 8)

Chapter 5 lists the full text of each AMM.

As described in Table 6-2, the planning level survey will identify covered species habitat present on the project site, as well as sensitive natural communities and covered species habitat in the project site vicinity. The qualified biologist will use information gathered during the planning level survey to determine which AMMs apply to the project. It is important to identify AMMs as early in the planning process as possible because the AMMs could affect project design and timing. To avoid project delays, applicants are advised to become familiar with the survey timing requirements (Table 6-2) and start planning for surveys based on site conditions as soon as possible while completing the Preliminary Application. The AMMs may also include **construction requirements** such as monitoring by a qualified biologist during construction for some covered species. Applicants should plan for the implementation of these construction requirements during project planning.

Box I: Attachment Checklist

The applicant will check each box that corresponds with an attachment included in the application. If the required information is provided in an attached report, provide the name of the report and the page numbers at which the information can be found.

Box J: Signatures

This box requires signatures and contact information from the landowner and project agent or applicant.

Post-Construction Checklist

Following construction, the applicant will submit a post-construction checklist to the member agency's land use planner and the Conservancy describing the results of preconstruction surveys and construction requirements. This will be important for the Conservancy to be able to document compliance with the terms of the Yolo HCP/NCCP permit. The memo is available on the Conservancy's web site under the "Permitting" tab under "Resources." The checklist is a simple form designed to indicate completion of required AMMs along with brief results of the surveys, monitoring, and other actions, including but not limited to the following types of information.

1. If elderberry shrubs were transplanted.

2. For projects requiring construction monitoring, a description of any covered species individuals observed during construction monitoring. If any individuals had to be relocated during construction, a description of the numbers of individuals moved and location(s) to which they were moved. Describe and quantify any individuals injured or killed.
3. Any additional information specified in the AMMs for post-construction reporting (e.g., documentation of restoration for temporarily affected areas).

Chapter 4

Screening and Reporting Form (Member Agency Projects)

Member agencies, who are Permittees, will submit the **Screening Form** and the **Reporting Form** to the Conservancy instead of filling out the private project Application to document their intent to utilize the Yolo HCP/NCCP permit coverage for member agency projects. This chapter provides instructions for filling out the Screening Form and Reporting Form for member agency projects (the same Screening Form is used for both member agency and non-member agency projects, but this chapter provides special instructions for member agencies).

4.1 Screening Form

The member agency will complete the Screening Form to evaluate whether a member agency project qualifies for coverage under the Yolo HCP/NCCP permits and is subject to the permit requirements. The Screening Form is not an application for coverage under the Yolo HCP/NCCP; rather is a tool to determine whether a project is eligible for coverage. The member agency should follow the instructions in Chapter 2 for filling out the Screening Form, with the following differences:

Box A: Project Information

Box A, Items 5

Item 5 asks whether the project requires discretionary approval, but this question is not typically relevant for member agency projects. The following types of public works maintenance projects are generally considered ministerial, involve activities on existing developed land, such as the paved and graveled surfaces, and would not be subject to the requirements of the Yolo HCP/NCCP.

- Chip seals
- Slurry seals
- Hot mix asphalt overlays
- Cold-in-place recycling
- Full depth reclamation of existing developed land (grinding and repaving in place with existing materials and added cement)
- Guardrail replacement
- Modification or addition of traffic control features (e.g., striping and signage)
- Pothole repairs/dig out repairs on existing roads

Member agency projects may skip this question, or mark “ministerial” if the project fits one of the categories above. If the project does not fit into one of these categories, the project is subject to the Yolo HCP/NCCP and the member agency should fill out the *Reporting Form*.

Box E: Signatures

The member agency should provide their contact’s name and contact information and sign and date the form.

Submittal Process

Regardless of whether the project requires Yolo HCP/NCCP coverage, member agencies should submit the completed Screening Form to the Conservancy and provide a copy to the applicable local planning office for review to ensure the form is completed accurately.

4.2 Reporting Form

The *Reporting Form* is the official form for coverage of member agency projects under the Yolo HCP/NCCP. The member agency should fill out the Reporting Form following the same instructions in Chapter 3 for the Application, with the following differences:

Box B: Application Details

Box B, Items 3

Provide a tracking number used by the member agency to track the project. This can be a contract number or other numbering system the member agency has established. If the project has no applicable tracking number, mark “N/A”.

Box E: Natural Community and Land Cover Impacts and Mitigation Fees

Lumping Fee Buffer Calculations for Linear Projects

For long, linear projects, calculating multiple land cover polygons within a 10-foot fee buffer can be cumbersome and information on every land cover type is not necessary to calculate the fees. For this reason, a member agency may opt to lump land cover acres for all non-fee paying types and all fee-paying land cover types (except wetland types). If so, the member agency may enter the number of fee buffer acres of all *non-fee paying land cover types* in the fee buffer column of Item 1, and check the box for footnote a. The member agency may also enter the number of fee buffer acres of all *fee paying land cover types* (except wetland land cover types) in the fee buffer column of Item 1, and check the box for footnote b. Fresh Emergent Wetland, Valley Foothill Riparian, and Lacustrine and Riverine land cover types cannot be lumped with other land cover types and need to be entered in the fee buffer column for Items 17, 18, and 19, respectively.

Chapter 5

Avoidance and Minimization Measures

The AMMs described in this chapter are as follows.

General Project Design

- AMM1, *Establish Resource Protection Buffers*
- AMM2, *Design Developments to Minimize Indirect Effects at Urban–Habitat Interfaces*

General Construction and Operations and Maintenance

- AMM3, *Confine and Delineate Work Area*
- AMM4, *Cover Trenches and Holes during Construction and Maintenance*
- AMM5, *Control Fugitive Dust*
- AMM6, *Conduct Worker Training*
- AMM7, *Control Nighttime Lighting of Project Construction Sites*
- AMM8, *Avoid and Minimize Effects of Construction Staging Areas and Temporary Work Areas*

Sensitive Natural Communities

- AMM9, *Establish Resource Protection Buffers Around Sensitive Natural Communities*
- AMM10, *Avoid and Minimize Effects on Wetlands and Waters*

Covered Species

- AMM11, *Minimize Take and Adverse Effects on Palmate-Bracted Bird's Beak*
- AMM12, *Minimize Take and Adverse Effects on Habitat of Valley Elderberry Longhorn Beetle*
- AMM13, *Minimize Take and Adverse Effects on Habitat of California Tiger Salamander*
- AMM14, *Minimize Take and Adverse Effects on Habitat of Western Pond Turtle*
- AMM15, *Minimize Take and Adverse Effects on Habitat of Giant Garter Snake*
- AMM16, *Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite*
- AMM17, *Minimize Take and Adverse Effects on Habitat of Western Yellow-Billed Cuckoo*
- AMM18, *Minimize Take and Adverse Effects on Western Burrowing Owl*
- AMM19, *Minimize Take and Adverse Effects on Least Bell's Vireo*
- AMM20, *Minimize Take and Adverse Effects on Habitat of Bank Swallow*
- AMM21, *Minimize Take and Adverse Effects on Habitat of Tricolored Blackbird*

General Project Design

The following measures apply generally to all covered activities for designated sensitive natural communities and covered species. These measures involve adjusting project footprints or incorporating design measures to avoid and minimize effects on natural communities and covered species.

AMM1, Establish Resource Protection Buffers. This is a general AMM regarding how to apply resource protection buffers. More specific resource protection buffer requirements are provided for the specific natural communities and covered species in subsequent AMMs.

Project proponents will design projects to avoid and minimize direct and indirect effects of permanent development on the sensitive natural communities specified in Yolo HCP/NCCP Table 4-1 (herein referred to as *sensitive natural communities*) and covered species habitat specified in Yolo HCP/NCCP Table 4-1 by providing resource protection buffers, as stipulated in the relevant sensitive natural community AMMs and covered species AMMs. Although the contents of this AMM somewhat overlap with the resource protection buffer stipulations in the natural community and covered species AMMs, it provides additional information on requirements common to all permanent resource protection buffers incorporated into project design.

On lands owned by the project proponent, the project proponent will establish a conservation easement, consistent with Yolo HCP/NCCP Section 6.4.1.3, to protect the resource protection buffer permanently if that land is being offered in lieu of development fees, as described in Yolo HCP/NCCP Section 4.2.2.6, Item 6. The project proponent will design resource protection buffer zones adjacent to permanent residential development projects to control access by humans and pets (*AMM2, Design Developments to Minimize Indirect Effects at Urban-Habitat Interfaces*).

Where existing development is already within the stipulated buffer distance (i.e., existing uses prevent establishment of the full resource protection buffer), the development will not encroach farther into the space between the development and the sensitive natural community.

This AMM does not apply to seasonal construction resource protection buffers for covered species, which are detailed for each species in Yolo HCP/NCCP Section 4.3.4.

A lesser resource protection buffer than is stipulated in the AMMs may be approved by the Conservancy, USFWS, and CDFW if they determine that the sensitive natural community or covered species is avoided to an extent that is consistent with the project purpose. For example, if the purpose of the project is to provide a stream crossing or replace a bridge, the project may encroach into the resource protection buffer and the natural community or species habitat to the extent that is necessary to fulfill the project purpose.

AMM2, Design Developments to Minimize Indirect Effects at Urban-Habitat Interfaces. For development projects implemented adjacent to non-agricultural natural communities and covered species habitats, project proponents will incorporate urban-habitat interface elements

into project design to minimize the following indirect effects of the development on adjacent habitat areas.

- Noise and visual disturbances that diminish the ability of covered and other native wildlife species to use the habitat.
- Increased numbers of pets (e.g., dogs, cats) that can result in harassment and mortality of covered and other native wildlife species.
- Increased levels of direct habitat disturbances associated with increased human access to habitats (e.g., destruction of vegetation and injury or mortality of wildlife associated with use of off-road vehicles).
- Escape or planting of invasive nonnative plants.

This AMM does not apply to development where it is immediately adjacent to existing developed lands.

The project proponent will implement the following urban-habitat interface design elements and activities, as applicable, to each discretionary project.

- Place roads or other non-residential spaces, such as parks or greenbelts, rather than lots at the urban-natural community interface. The benefits of this may include a reduction in the number of incidences of pets entering the natural communities.
- Design roads, bike paths, and trails to discourage entry of humans and pets into adjacent natural communities and promote citizen policing at the natural community periphery.
- Establish barriers that discourage entry of humans and pets into natural community areas.
- Design fences to prevent pets from escaping yards into adjacent natural communities, control entry and dumping of trash into adjacent natural communities, and when appropriate, shield adjacent natural communities from visual disturbances that may interfere with normal wildlife behavioral patterns.
- Fence new public roads associated with developments to prevent unauthorized public access into habitat areas and effectively direct wildlife to specially designed crossing structures.
- Design development drainage systems and implement appropriate best management practices to avoid changes to overland flow and water quality in natural community areas, including stream courses.
- Design development lighting to avoid projecting light into adjacent natural community areas. For lights at or near the urban-natural community interface, use low-glare lighting to minimize lighting effects on natural communities.

General Construction and Operations and Maintenance

The following measures apply to covered activities for all natural communities and covered species. The applicants will incorporate these measures into construction or operations and maintenance procedures to avoid and minimize effects on natural communities and covered species.

AMM3, Confine and Delineate Work Area. Where natural communities and covered species habitat are present, workers will confine land clearing to the minimum area necessary to

facilitate construction activities. Workers will restrict movement of heavy equipment to and from the project site to established roadways to minimize natural community and covered species habitat disturbance. The project proponent will clearly identify boundaries of work areas using temporary fencing or equivalent and will identify areas designated as environmentally sensitive. All construction vehicles, other equipment, and personnel will avoid these designated areas.

AMM4, Cover Trenches and Holes during Construction and Maintenance. To prevent injury and mortality of giant garter snake, western pond turtle, and California tiger salamander, workers will cover open trenches and holes associated with implementation of covered activities that affect habitat for these species or design the trenches and holes with escape ramps that can be used during non-working hours. The construction contractor will inspect open trenches and holes prior to filling and contact a qualified biologist to remove or release any trapped wildlife found in the trenches or holes.

AMM5, Control Fugitive Dust. Workers will minimize the spread of dust from work sites to natural communities or covered species habitats on adjacent lands.

AMM6, Conduct Worker Training. All construction personnel will participate in a worker environmental training program approved/authorized by the Conservancy and administered by a qualified biologist. The training will provide education regarding sensitive natural communities and covered species and their habitats, the need to avoid adverse effects, state and federal protection, and the legal implications of violating the ESA and Natural Community Conservation Planning Act permits. A pre-recorded video presentation by a qualified biologist shown to construction personnel may fulfill the training requirement.

AMM7, Control Nighttime Lighting of Project Construction Sites. Workers will direct all lights for nighttime lighting of project construction sites into the project construction area and minimize the lighting of natural habitat areas adjacent to the project construction area.

AMM8, Avoid and Minimize Effects of Construction Staging Areas and Temporary Work Areas. Project proponents should locate construction staging and other temporary work areas for covered activities in areas that will ultimately be a part of the permanent project development footprint. If construction staging and other temporary work areas must be located outside of permanent project footprints, they will be located either in areas that do not support habitat for covered species, or are easily restored to prior or improved ecological functions (e.g., grassland and agricultural land). Construction staging and other temporary work areas located outside of project footprints will be sited in areas that avoid adverse effects on the following.

- Serpentine, valley oak woodland, alkali prairie, vernal pool complex, valley foothill riparian, and fresh emergent wetland land cover types.
- Occupied western burrowing owl burrows.⁴

⁴ *Occupied* for the purpose of AMM8 means at least one burrowing owl has been observed occupying the burrow within the last 3 years. Occupancy of a burrow may also be indicated by owl sign at the burrow entrance, including molted feathers, cast pellets, prey remains, eggshell fragments, or excrement at or near a burrow entrance or perch site (California Department of Fish and Game 2012, Appendix L).

- Nest sites for covered bird species and all raptors, including noncovered raptors, during the breeding season.

Project proponents will follow specific AMMs for sensitive natural communities and covered species in temporary staging and work areas. For establishment of temporary work areas outside of the project footprint, project proponents will conduct surveys to determine if any of the biological resources listed above are present.

Within 1 year following removal of land cover, project proponents will restore temporary work and staging areas to a condition equal to or greater than the covered species habitat function of the affected habitat. Restoration of vegetation in temporary work and staging areas will use clean, native seed mixes approved by the Conservancy that are free of noxious plant species seeds.

Sensitive Natural Communities

The following AMMs apply to sensitive natural communities. AMMs for the natural communities not included below but providing covered species habitat are described in AMMs for covered species.

AMM9, Establish Resource Protection Buffers around Sensitive Natural Communities. The resource protection buffers for each sensitive natural community are as follows.

- *Alkali seasonal wetlands and vernal pools:* Two-hundred and fifty feet is the area necessary to provide the hydrologic conditions needed to support the wetlands within these natural communities. Covered activities will avoid vernal pools or alkali seasonal wetlands (seasonal wetlands within alkali prairie) by 250 feet, or other distance based on site specific topography to avoid indirect hydrologic effects.⁵ A resource protection buffer of less than 250 feet around vernal pools or alkali seasonal wetlands will be subject to wildlife agency concurrence that effects will be avoided. Considerations that may warrant a resource protection buffer of less than 250 feet may include topography (i.e., if the surrounding microwatershed extends less than 250 feet from the pool or wetland), intervening hydrologic barriers such as roads or canals, or other factors indicating that the proposed disturbance area does not contribute to the pool's hydrology. Other considerations may include temporary disturbance during the dry season where measures are implemented to avoid disturbance of the underlying claypan or hardpan, and the area is returned to pre-project conditions prior to the following rainy season.
- *Valley foothill riparian:* One hundred feet from canopy drip-line. If avoidance is infeasible, a lesser resource protection buffer or encroachment into the sensitive natural community may be allowed if approved by the Conservancy and the wildlife agencies, based on the criteria listed in *AMM1*. Transportation or utility crossings may encroach into this sensitive natural community provided effects are minimized and all other applicable AMMs are followed.
- *Lacustrine and riverine:* Outside urban planning units, 100 feet from the top of banks.⁶ Within urban planning units, 25 feet from the top of the banks.

⁵ *Alkali seasonal wetlands* are seasonal wetlands within the alkali prairie natural community.

⁶ *Banks* are defined as the area within which water is contained in a channel.

- *Fresh emergent wetland*: Fifty feet from the edge of the natural community.

AMM1 provides additional details for resource protection buffers around natural communities. Additional resource protection buffers may be necessary for covered species, as described in species-specific AMMs.

AMM10, Avoid and Minimize Effects on Wetlands and Waters. Project proponents will comply with stormwater management plans that regulate development as part of compliance with regulations under National Pollutant Discharge Elimination System (NPDES) permit requirements. Covered activities that result in any fill of waters or wetlands will also comply with requirements under Section 404 of the Clean Water Act, State Water Resources Control Board (State Board), Regional Board, and Fish and Game Code Section 1602 regulations. Other than requirements for resource protection buffers, minimizing project footprint, and species-specific measures for wetland-dependent covered species, the Yolo HCP/NCCP does not include specific best management practices for protecting wetlands and waters because they may conflict with measures required by the U.S. Army Corps of Engineers, State Board, Regional Board, and CDFW.

Covered Species

The AMMs described in this section pertain specifically to covered species. These AMMs may change over time, depending on the most current guidelines developed by CDFW and USFWS and based on the best available data.

AMM11, Minimize Take and Adverse Effects on Palmate-Bracted Bird's Beak. Palmate-bracted bird's-beak is covered by the Yolo HCP/NCCP only for the removal of suitable habitat and not for the removal of palmate-bracted bird's beak plants. This AMM ensures compliance with this provision. To determine if palmate-bracted bird's beak is present and could be affected, the project proponent will conduct a planning-level survey for this species for any covered activities to be conducted within 250 feet of alkali seasonal wetlands. The survey will be conducted during the period from May 31 to September 30 and will be consistent with *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (California Department of Fish and Game 2009).

The project proponent will avoid occupied habitat where palmate-bracted bird's beak has been located within any of the last 15 years (seed viability could be as little as 3 years and as much as 6 years, as described in Yolo HCP/NCCP Appendix A, Section A.1.2). The project proponent also will avoid any new occurrences of this species identified during planning-level surveys. Avoidance will require a 250-foot setback from the occupied alkali seasonal wetland feature, or greater distance depending on site-specific topography to avoid hydrologic effects. A shorter resource protection buffer distance may apply if it is determined to avoid effects and is approved by the Conservancy, USFWS, and CDFW. Mortality of palmate-bracted bird's beak individuals will be avoided, except as needed through management activities that provide an overall benefit to the species.

AMM12, Minimize Take and Adverse Effects on Habitat of Valley Elderberry Longhorn Beetle. The project proponent will retain a qualified biologist who is familiar with valley elderberry longhorn beetle and evidence of its presence (i.e., exit holes in elderberry shrubs) to

map all elderberry shrubs in and within 100 feet of the project footprint with stems that are greater than 1 inch in diameter at ground level. To avoid take of valley elderberry longhorn beetle, the project proponent will maintain a resource protection buffer of at least 100 feet from any elderberry shrubs with stems greater than 1 inch in diameter at ground level. *AMM1* describes circumstances in which a lesser resource protection buffer may be applied. For elderberry shrubs that cannot be avoided with a designated resource protection buffer distance as described above, the qualified biologist will quantify the number of stems 1 inch or greater in diameter to be affected, and the presence or absence of exit holes. The Conservancy will use this information to determine the number of plants or cuttings to plant on a riparian restoration site to help offset the loss, consistent with Yolo HCP/NCCP Section 6.4.2.4.1. Additionally, prior to construction, the project proponent will transplant elderberry shrubs identified within the project footprint that cannot be avoided.

Transplantation will only occur if a shrub cannot be avoided and, if indirectly affected, the indirect effects would otherwise result in the death of stems or the entire shrub. If the project proponent chooses, in coordination with a qualified biologist, not to transplant the shrub because the activity would not likely result in death of stems of the shrub, then the qualified biologist will monitor the shrub annually for a 5-year monitoring period. The monitoring period may be reduced with concurrence from the wildlife agencies if the latest research and best available information at the time indicates that a shorter monitoring period is warranted. If death of stems at least 1 inch in diameter occurs within the monitoring period, and the qualified biologist determines that the shrub is sufficiently healthy to transplant, the project proponent will transplant the shrub as described in the following paragraph, in coordination with the qualified biologist. If the shrub dies during the monitoring period, or the qualified biologist determines that the shrub is no longer healthy enough to survive transplanting, then the Conservancy will offset the shrub loss consistent with the preceding paragraph.

The project proponent will transplant the shrubs into a location in the Yolo HCP/NCCP reserve system that has been approved by the Conservancy. Elderberry shrubs outside the project footprint but within the 100-foot resource protection buffer will not be transplanted.

Transplanting will follow the following measures.

1. **Monitoring:** A qualified biologist will be on site for the duration of the transplanting of the elderberry shrubs to ensure the effects on elderberry shrubs are minimized.
2. **Timing:** The project proponent will transplant elderberry plants when the plants are dormant, approximately November through the first 2 weeks of February, after they have lost their leaves. Transplanting during the non-growing season will reduce shock to the plant and increase transplantation success.
3. **Transplantation procedure:**
 - a. Cut the plant back 3 to 6 feet from the ground or to 50 percent of its height (whichever is taller) by removing branches and stems above this height. Replant the trunk and stems measuring 1 inch or greater in diameter. Remove leaves that remain on the plants.

- b. Relocate plant to approved location in the reserve system, and replant as described in Yolo HCP/NCCP Section 6.4.2.4.1.

AMM13, Minimize Take and Adverse Effects on Habitat of California Tiger Salamander. The project proponent will retain a qualified biologist to identify any suitable aquatic and upland habitats for California salamander (as defined in Yolo HCP/NCCP Appendix A, *Covered Species Accounts*) present in and within 500 feet of the project footprint during planning-level surveys. The qualified biologist will also assess whether critical habitat could be affected by the covered activity.

Except for habitat management and enhancement, all covered activities will provide a 500-foot setback from aquatic California tiger salamander habitat. If a covered activity is outside the Dunnigan Creek Unit of California tiger salamander critical habitat and, as designed, will not avoid aquatic habitat by at least 500 feet, the project proponent will either conduct visual and dip-net surveys, consistent with CDFW protocol, during the period for November 1 to May 15 (California Department of Fish and Game 2003) or assume presence. If the species is present or assumed to be present, the covered activity will not remove aquatic habitat until at least four new occupied breeding pools are discovered or established in the Plan Area and protected in the Plan Area. After the four new occupied breeding pools are protected, and with concurrence of USFWS and CDFW, up to three breeding pools may be affected. The breeding habitat may not be removed if USFWS and CDFW determine that the covered activity would remove a significant occurrence of this species that could be necessary for maintaining the genetic diversity or regional distribution of the species. This AMM applies to California tiger salamander aquatic habitat and surrounding uplands, as defined by reference to the setbacks described above; it does not apply to cultivated agricultural lands (i.e., agricultural lands other than grazing lands) or other low-value upland habitat for California tiger salamander.

AMM14, Minimize Take and Adverse Effects on Habitat of Western Pond Turtle. There are no specific design requirements for western pond turtle habitat. Project proponents must follow design requirements for the valley foothill riparian and lacustrine and riverine natural communities (AMMs 9 and 10), however. These AMMs require a 100-foot (minimum) permanent resource protection buffer zone from the canopy drip-line (the farthest edge on the ground where water will drip from the tree canopy, based on the outer boundary of the tree canopy). If modeled upland habitat will be affected, a qualified biologist must be present and will assess the likelihood of western pond turtle nests occurring in the disturbance area (based on sun exposure, soil conditions, and other species habitat requirements).

If a qualified biologist determines that there is a moderate to high likelihood of western pond turtle nests within the disturbance area, the qualified biologist will monitor all initial ground disturbing activity for nests that may be unearthed during the disturbance, and will move out of harm's way any turtles or hatchlings found.

AMM15, Minimize Take and Adverse Effects on Habitat of Giant Garter Snake. The project proponent will avoid effects on areas where planning-level surveys indicate the presence of suitable habitat for giant garter snake. To avoid effects on giant garter snake aquatic habitat, the project proponent will conduct no in-water/in-channel activity and maintain a permanent 200-foot resource protection buffer from the outer edge of potentially occupied aquatic habitat. If

the project proponent cannot avoid effects of construction activities, the project proponent will implement the measures below to minimize effects of construction projects (measures for maintenance activities are described after the following bulleted list).

- Conduct preconstruction clearance surveys using USFWS-approved methods within 24 hours prior to construction activities within identified giant garter snake aquatic and adjacent upland habitat. If construction activities stop for a period of 2 weeks or more, conduct another preconstruction clearance survey within 24 hours prior to resuming construction activity.
- Restrict all construction activity involving disturbance of giant garter snake habitat to the snake's active season, May 1 through October 1. During this period, the potential for direct mortality is reduced because snakes are expected to move and avoid danger.
- In areas where construction is to take place, encourage giant garter snakes to leave the site on their own by dewatering all irrigation ditches, canals, or other aquatic habitat (i.e., removing giant garter snake aquatic habitat) between April 15 and September 30. Dewatered habitat must remain dry, with no water puddles remaining, for at least 15 consecutive days prior to excavating or filling of the habitat. If a site cannot be completely dewatered, netting and salvage of giant garter snake prey items may be necessary to discourage use by snakes.
- Provide environmental awareness training for construction personnel, as approved by the Conservancy. Training may consist of showing a video prepared by a qualified biologist, or an in-person presentation by a qualified biologist. In addition to the video or in-person presentation, training may be supplemented with the distribution of approved brochures and other materials that describe resources protected under the Yolo HCP/NCCP and methods for avoiding effects.
- A qualified biologist will prepare a giant garter snake relocation plan that must be approved by the Conservancy prior to work in giant garter snake habitat. The qualified biologist will base the relocation plan on criteria provided by CDFW or USFWS, through the Conservancy.
- If a live giant garter snake is encountered during construction activities, immediately notify the project's biological monitor, USFWS, and CDFW. The monitor will stop construction in the vicinity of the snake, monitor the snake, and allow the snake to leave on its own. The monitor will remain in the area for the remainder of the workday to ensure the snake is not harmed or, if it leaves the site, does not return. If the giant garter snake does not leave on its own, the qualified biologist will relocate the snake consistent with the relocation plan described above.
- Employ the following management practices to minimize disturbances to habitat.
 - Install temporary fencing to identify and protect adjacent marshes, wetlands, and ditches from encroachment from construction equipment and personnel.
 - Maintain water quality and limit construction runoff into wetland areas through the use of hay bales, filter fences, vegetative buffer strips, or other accepted practices. No plastic, monofilament, jute, or similar erosion-control matting that could entangle snakes or other wildlife will be permitted.

Ongoing maintenance covered activities by local water and flood control agencies typically involve removal of vegetation, debris, and sediment from water conveyance canals as well as resloping, rocking, and stabilizing the canals that serve agricultural water users. Maintenance of these conveyance facilities can typically occur only from mid-January through April when conveyance canals and ditches are not in service by the agency, although some drainages are used for storm conveyance during the winter and are wet all year. This timing is during the giant garter snake's inactive period. This is when snakes may be using underground burrows and are most vulnerable to take because they are unable to move out of harm's way. Maintenance activities, therefore, will be limited to the giant garter snake's active season (May 1 to October 1) when possible. All personnel involved in maintenance activities within giant garter snake habitat will first participate in environmental awareness training for giant garter snake, as described above for construction-related activities. To minimize the take of giant garter snake, the local water or flood control agency will limit maintenance of conveyance structures located within modeled giant garter snake habitat (Yolo HCP/NCCP Appendix A) to clearing one side along at least 80 percent of the linear distance of canals and ditches during each maintenance year (e.g., the left bank of a canal is maintained in the first year and the right bank in the second year). To avoid collapses when resloping canal and ditch banks composed of heavy clay soils, clearing will be limited to one side of the channel during each maintenance year.

For channel maintenance activities conducted within giant garter snake habitat, the project proponent will place removed material in existing dredged sites along channels where prior maintenance dredge disposal has occurred. For portions of channels that do not have previously used spoil disposal sites and where surveys have been conducted to confirm that giant garter snakes are not present, removed materials may be placed along channels in areas that are not occupied by giant garter snake and where materials will not re-enter the canal because of stormwater runoff.

Modifications to this AMM may be made with the approval of the Conservancy, USFWS, and CDFW.

AMM16, Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite. The project proponent will retain a qualified biologist to conduct planning-level surveys and identify any nesting habitat present within 1,320 feet of the project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas.

If a construction project cannot avoid potential nest trees (as determined by the qualified biologist) by 1,320 feet, the project proponent will retain a qualified biologist to conduct pre-construction surveys for active nests consistent, with guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000), between March 15 and August 30, within 15 days prior to the beginning of the construction activity. The results of the survey will be submitted to the Conservancy and CDFW. If active nests are found during pre-construction surveys, a 1,320-foot initial temporary nest resource protection buffer shall be established. If project related activities within the temporary nest resource protection buffer are determined to be necessary during the nesting season, then the qualified biologist will monitor the nest and will, along with the project proponent, consult with CDFW to determine the best course of action necessary to

avoid nest abandonment or take of individuals. Work may be allowed only to proceed within the temporary nest resource protection buffer if Swainson's hawk or white-tailed kite are not exhibiting agitated behavior, such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, and only with the agreement of CDFW and USFWS. The designated on-site biologist/monitor shall be on-site daily while construction-related activities are taking place within the 1,320-foot resource protection buffer and shall have the authority to stop work if raptors are exhibiting agitated behavior. Up to 20 Swainson's hawk nest trees (documented nesting within the last 5 years) may be removed during the permit term, but they must be removed when not occupied by Swainson's hawks.

For covered activities that involve pruning or removal of a potential Swainson's hawk or white-tailed kite nest tree, the project proponent will conduct pre-construction surveys that are consistent with the guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000). If active nests are found during pre-construction surveys, no tree pruning or removal of the nest tree will occur during the period between March 1 and August 30 within 1,320 feet of an active nest, unless a qualified biologist determines that the young have fledged and the nest is no longer active.

AMM17, Minimize Take and Adverse Effects on Habitat of Western Yellow-Billed Cuckoo.

The project proponent will retain a qualified biologist to conduct planning-level surveys and assess whether habitat for western yellow-billed cuckoo (as defined in Appendix A) is present within 500 feet of covered activities. If habitat is present, the project proponent will redesign the project to avoid or minimize activities within 500 feet of western yellow-billed cuckoo habitat. If the activity will encroach within 500 feet of habitat and there are no breeding (or nesting) season records for the species within one-quarter mile of the covered activity within the previous three years, a qualified biologist will conduct planning-level surveys for active nests, consistent with USFWS protocol, during the period from June 1 to August 30. Operations and maintenance activities that do not occur during the breeding season (June 1 to August 30) and do not remove western yellow-billed cuckoo habitat are not required to conduct surveys or record searches; no further avoidance or minimization is necessary for such activities.

If an occupied territory is discovered during planning-level surveys, or there is a record of the species occurring within .25 mile of the covered activity within the previous 3 years, the project proponent will design the project to avoid activities within 500 feet of suitable habitat, unless the Conservancy, USFWS, and CDFW approve a shorter distance.

If an activity occurs within 500 feet of suitable habitat during the breeding season, regardless of whether or not a qualified biologist detected the species during planning-level surveys or there are records for the species in the area, a qualified biologist will conduct Pre-Construction Surveys that are consistent with USFWS protocol during the same season when the activity will occur. If the biologist finds active territories (i.e., presence of a singing male), the project proponent will avoid activity within 500 feet of suitable habitat that is contiguous with the territory from June 1 to August 30. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas.

AMM18, Minimize Take and Adverse Effects on Western Burrowing Owl. The project proponent will retain a qualified biologist to conduct planning-level surveys and identify

western burrowing owl habitat (as defined in Appendix A) within or adjacent to (i.e., within 500 feet of) a covered activity. If habitat for this species is present, additional surveys for the species by a qualified biologist are required, consistent with CDFW guidelines (2012).

If burrowing owls are identified during the planning-level survey, the project proponent will minimize activities that will affect occupied habitat as follows, by implementing pre-construction surveys and other AMMs. If burrowing owls are not found during the planning-level survey, then pre-construction surveys are not needed.

Occupied habitat is considered fully avoided if the project footprint does not impinge on a resource protection buffer around the suitable burrow. For occupied burrowing owl nest burrows, this resource protection buffer could range from 150 to 1,500 feet (Yolo HCP/NCCP Table 7-1), depending on the time of year and the level of disturbance, based on current guidelines (California Department of Fish and Game 2012). The Yolo HCP/NCCP generally defines low, medium, and high levels of disturbances of burrowing owls as follows.

- **Low:** Typically 71–80 dB, generally characterized by the presence of passenger vehicles, small gas-powered engines (e.g., lawn mowers, small chain saws, portable generators), and high-tension power lines. Includes electric hand tools (except circular saws, impact wrenches and similar). Management and enhancement activities would typically fall under this category. Human activity in the immediate vicinity of burrowing owls would also constitute a low level of disturbance, regardless of the noise levels.
- **Moderate:** Typically 81–90 dB, and would include medium- and large-sized construction equipment, such as backhoes, front end loaders, large pumps and generators, road graders, dozers, dump trucks, drill rigs, and other moderate to large diesel engines. Also includes power saws, large chainsaws, pneumatic drills and impact wrenches, and large gasoline-powered tools. Construction activities would normally fall under this category.
- **High:** Typically 91–100 dB, and is generally characterized by impacting devices, jackhammers, compression (“jake”) brakes on large trucks, and trains. This category includes both vibratory and impact pile drivers (smaller steel or wood piles) such as used to install piles and guard rails, and large pneumatic tools such as chipping machines. It may also include large diesel and gasoline engines, especially if in concert with other impacting devices. Felling of large trees (defined as dominant or subdominant trees in mature forests), truck horns, yarding tower whistles, and muffled or underground explosives are also included. Very few covered activities are expected to fall under this category, but some construction activities may result in this level of disturbance.

The project proponent may qualify for a reduced resource protection buffer size, based on existing vegetation, human development, and land use, if agreed upon by CDFW and USFWS (California Department of Fish and Game 2012).

Yolo HCP/NCCP Table 5-1. Recommended Restricted Activity Dates and Setback Distances by Level of Disturbance for Burrowing Owls

Time of Year	Level of Disturbance (feet) from Occupied Burrows		
	Low	Medium	High
April 1–August 15	600	1,500	1,500
August 16–October 15	600	600	1,500
October 16–March 31	150	300	1,500

If the project does not fully avoid direct and indirect effects on nesting sites (i.e., if the project cannot adhere to the resource protection buffers described above), the project proponent will retain a qualified biologist to conduct pre-construction surveys and document the presence or absence of western burrowing owls that could be affected by the covered activity. Prior to any ground disturbance related to covered activities, the qualified biologist will conduct the pre-construction surveys within 3 days prior to ground disturbance in areas identified in the planning-level surveys as having suitable burrowing owl burrows, consistent with CDFW pre-construction survey guidelines. The qualified biologist will conduct the pre-construction surveys 3 days prior to ground disturbance. Time lapses between ground disturbing activities will trigger subsequent surveys prior to ground disturbance.

If the biologist finds the site to be occupied⁷ by western burrowing owls during the breeding season (February 1 to August 31), the project proponent will avoid all nest sites during the remainder of the breeding season or while the nest is occupied by adults or young. Occupation includes individuals or family groups that forage on or near the site following fledging. Avoidance will be based on the resource protection buffer distances described above, Construction may occur inside of the resource protection buffer during the breeding season if the nest is not disturbed and the project proponent develops an AMM plan that is approved by the Conservancy, CDFW, and USFWS prior to project construction, based on the following criteria.

- The Conservancy, CDFW, and USFWS approves the AMM plan provided by the project proponent.
- A qualified biologist monitors the owls for at least 3 days prior to construction to determine baseline nesting and foraging behavior (i.e., behavior without construction).
- The same qualified biologist monitors the owls during construction and finds no change in owl nesting and foraging behavior in response to construction activities.
- If the qualified biologist identifies a change in owl nesting and foraging behavior as a result of construction activities, the qualified biologist will have the authority to stop all construction related activities within the resource protection buffers described above. The qualified biologist will report this information to the Conservancy, CDFW, and USFWS within 24 hours, and the Conservancy will require that these activities immediately cease within the resource protection buffer. Construction cannot resume within the resource protection

⁷ Occupancy of burrowing owl habitat during preconstruction surveys is confirmed at a site when at least one burrowing owl or sign (fresh whitewash, fresh pellets, feathers, or nest ornamentation) is observed at or near a burrow entrance.

buffer until the adults and juveniles from the occupied burrows have moved out of the project site, and the Conservancy, CDFW, and USFWS agree.

- If monitoring indicates that the nest is abandoned prior to the end of nesting season and the burrow is no longer in use by owls, the project proponent may remove the resource protection buffer, only with concurrence from CDFW and USFWS. If the burrow cannot be avoided by construction activity, the biologist will excavate and collapse the burrow in accordance with CDFW's 2012 guidelines to prevent reoccupation after receiving approval from the wildlife agencies.

If evidence of western burrowing owl is detected outside the breeding season (December 1 to January 31), the project proponent will establish a resource protection buffer around occupied burrows, consistent with Yolo HCP/NCCP Table 7-1, as determined by a qualified biologist. Construction activities within the resource protection buffer are allowed if the following criteria are met to prevent owls from abandoning important overwintering sites.

- A qualified biologist monitors the owls for at least 3 days prior to construction to determine baseline foraging behavior (i.e., behavior without construction).
- The same qualified biologist monitors the owls during construction and finds no change in owl foraging behavior in response to construction activities.
- If there is any change in owl roosting and foraging behavior as a result of construction activities, these activities will cease within the resource protection buffer.
- If the owls are gone for at least 1 week, the project proponent may request approval from the Conservancy, CDFW, and USFWS for a qualified biologist to excavate and collapse usable burrows to prevent owls from reoccupying the site if the burrow cannot be avoided by construction activities. The qualified biologist will install one-way doors for a 48-hour period prior to collapsing any potentially occupied burrows. After all usable burrows are excavated, the resource protection buffer will be removed and construction may continue.

Monitoring must continue as described above for the nonbreeding season as long as the burrow remains active.

A qualified biologist will monitor the site, consistent with the requirements described above, to ensure that resource protection buffers are enforced and owls are not disturbed. Passive relocation (i.e., exclusion) of owls has been used in the past in the Plan Area to remove and exclude owls from active burrows during the nonbreeding season. Exclusion and burrow closure will not be conducted during the breeding season for any occupied burrow. If the Conservancy determines that passive relocation is necessary, the project proponent will develop a burrowing owl exclusion plan in consultation with CDFW biologists. The methods will be designed as described in the species monitoring guidelines (California Department of Fish and Game 2012) and consistent with the most up-to-date checklist of passive relocation techniques.⁸ This may include the installation of one-way doors in burrow entrances by a qualified biologist during the nonbreeding season. These doors will be in place for 48 hours and monitored twice daily to ensure that the owls have left the burrow, after which time the

⁸ The Conservancy will maintain a checklist of passive relocation techniques. The wildlife agencies will approve the initial list prepared by the Conservancy, and the Conservancy will update as needed in coordination with the wildlife agencies.

biologist will collapse the burrow to prevent reoccupation. Burrows will be excavated using hand tools. During excavation, an escape route will be maintained at all times. This may include inserting an artificial structure, such as piping, into the burrow to prevent collapsing until the entire burrow can be excavated and it can be determined that no owls are trapped inside the burrow. The Conservancy may allow other methods of passive or active relocation, based on best available science, if approved by the wildlife agencies. Artificial burrows will be constructed prior to exclusion and will be created less than 300 feet from the existing burrows on lands that are protected as part of the reserve system.

AMM19, Minimize Take and Adverse Effects on Least Bell's Vireo. The project proponent will retain a qualified biologist to conduct planning-level surveys and determine if habitat for least Bell's vireo (as defined in Yolo HCP/NCCP Appendix A) is present within 500 feet of covered activities. If habitat is present, the project proponent will redesign the project to avoid or minimize activities within 500 feet of least Bell's vireo habitat. If the activity will encroach within 500 feet of habitat and there are no breeding season records for the species within .25 mile of the covered activity within the previous 3 years, the qualified biologist will conduct planning-level surveys for active territories, consistent with USFWS (2001) guidelines, during the breeding season (April 1 to July 15). Operations and maintenance activities that do not occur during the breeding season and do not affect least Bell's vireo habitat are not required to conduct surveys or record searches, and no further avoidance or minimization is necessary for such activities.

- If an occupied territory is discovered during planning-level surveys, or there is a record of the species occurring within .25 mile of the covered activity within the previous 3 years, the project proponent will design the project to avoid activities within 500 feet of suitable habitat, unless the Conservancy, USFWS, and CDFW approve a shorter distance.
- If an activity occurs within 500 feet of suitable habitat during the breeding season, regardless of whether or not the species was detected during planning-level surveys or there are records for the species in the area, a qualified biologist will conduct pre-construction surveys, consistent with USFWS (2001) guidelines, during the same season when the activity will occur. If active territories are found, the project proponent will avoid activity within 500 feet of the habitat from April 1 to July 15. This resource protection buffer may be reduced with approval from the Conservancy, USFWS, and CDFW.
- The project proponent will avoid disturbance of previous least Bell's vireo territories (up to 3 years since known nest activity) during the breeding season, unless the disturbance is to maintain public safety. Least Bell's vireo uses previous territories; disturbance during the breeding season may preclude birds from using existing unoccupied territories.
- The required resource protection buffer may be reduced in areas where barriers or topographic relief features are adequate for protecting the nest from excessive noise or other disturbance. Conservancy staff members will coordinate with the wildlife agencies and evaluate exceptions to the minimum resource protection buffer distance on a case-by-case basis. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas.
- If occupied territories are identified, a qualified biologist will monitor construction activities in the vicinity of all active territories to ensure that covered activities do not affect nest success.

AMM20, Minimize Take and Adverse Effects on Habitat of Bank Swallow. The project proponent will retain a qualified biologist to identify and quantify (in acres) bank swallow nesting habitat (as defined in Yolo HCP/NCCP Appendix A) within 500 feet of the project footprint. If a 500-foot resource protection buffer from nesting habitat cannot be maintained, the qualified biologist will check records maintained by the Conservancy and CDFW to determine if bank swallow nesting colonies have been active on the site within the previous 5 years. If there are no records of nesting bank swallows on the site, the qualified biologist will conduct visual surveys during the period from March 1 to August 31 to determine if a nesting colony is present.

For operations and maintenance activities or other temporary activities that do not remove nesting habitat and occur outside the nesting season (September 1 to February 28), it is not necessary to conduct a record search, planning and pre-construction surveys, or any additional avoidance measures. If activities will occur during the nesting season, surveys will be necessary as for other covered activities, but the 500-foot survey distance and resource protection buffer distance may be reduced upon Conservancy and wildlife agency approval based on site-specific conditions. Such conditions may include the level of noise and disturbance generated by the activity, the duration of the activity, and the presence of visual and noise buffers (e.g., vegetation, structures) between the activity and the nesting colony.

If an active bank swallow colony is present or has been present within the last 5 years within the planning-level survey area, the Conservancy, USFWS and CDFW will be notified in writing within 15 working days. The project proponent will design the project to avoid adverse effects within 500 feet of the colony site(s), unless a shorter distance is approved by the Conservancy, USFWS, and CDFW, based on site-specific conditions such as visual barriers (trees or structures) between the activity and the colony. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas.

The reserve system management plan including bank swallow habitat will provide examples of additional measures that may apply to activities on reserve system lands to avoid and minimize effects on bank swallow.

AMM21, Minimize Take and Adverse Effects on Habitat of Tricolored Blackbird. The project proponent will retain a qualified biologist to identify and quantify (in acres) tricolored blackbird nesting and foraging habitat (as defined in Yolo HCP/NCCP Appendix A) within 1,300 feet of the project footprint. If a 1,300-foot resource protection buffer from nesting habitat cannot be maintained, the qualified biologist will check records maintained by the Conservancy (which will include California Natural Diversity Database data, and data from the tricolored blackbird portal) to determine if tricolored blackbird nesting colonies have been active in or within 1,300 feet of the project footprint during the previous 5 years. If there are no records of nesting tricolored blackbirds on the site, the qualified biologist will conduct visual surveys to determine if an active colony is present, during the period from March 1 to July 30, consistent with protocol described by Kelsey (2008).

Operations and maintenance activities or other temporary activities that do not remove nesting habitat and occur outside the nesting season (March 1 to July 30) do not need to conduct planning or construction surveys or implement any additional avoidance measures.

If an active tricolored blackbird colony is present or has been present within the last 5 years within the planning-level survey area, the project proponent will design the project to avoid adverse effects within 1,300 feet of the colony site(s), unless a shorter distance is approved by the Conservancy, USFWS, and CDFW. If a shorter distance is approved, the project proponent will still maintain a 1,300-foot resource protection buffer around active nesting colonies during the nesting season but may apply the approved lesser distance outside the nesting season. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas.

Chapter 6

Summary of Biological Evaluations

The purpose of this chapter is to provide an easy-to-use guide that clarifies the various types of **biological evaluations** needed to complete the Yolo HCP/NCCP Screening Form and Application, as described in greater detail in Chapters 2, 3, and 4. There are three types of biological evaluations associated with the Yolo HCP/NCCP permitting process: (1) Initial land cover and covered species habitat assessment; (2) planning level surveys; and (3) pre-construction surveys.

6.1 Initial Assessment

The initial assessment will provide the applicant, the member agency, and the Conservancy with information necessary to assess land cover and covered species habitat, and determine if a project is covered under the Yolo HCP/NCCP.

The applicant completes an initial assessment based on information from the Conservancy's most current database (available through Conservancy staff or using GeoMapper on the Conservancy's website) and current aerial photos to complete the Screening Form (See Chapter 2 for details on the Screening Form process). The land cover and covered species habitat assessment can be completed at any time of year, but results expire if the Conservancy database is updated. The assessment must be based on the most current available data at the time it is submitted. If the land cover type is urban or built up, a member agency staff member with the appropriate expertise may determine the land cover. The Conservancy will also independently verify land cover as urban or built up. For all other land cover types, however, a qualified biologist must verify the land cover and covered species habitat through a planning level survey.

Minimum size of land cover patches for covered species habitat mapping are .01 acre for riparian forest and scrub and fresh emergent wetland and lacustrine land cover types, and .1 acre for all other land cover types.

If the project is determined not to be a covered activity based on the initial assessment, then a planning level survey will be unnecessary. If, however, the project is determined to be a covered activity based on the initial assessment, the Conservancy recommends conducting a planning level survey as early in the planning process as possible.

6.2 Planning Level Surveys

There are two type of planning level surveys: 1) surveys conducted to assess land cover types and covered species habitat, and 2) surveys to determine the presence/absence of covered species through species-specific protocol surveys.

Planning Level Survey for Land Cover Types and Covered Species Habitat

This section is based on Yolo HCP/NCCP Sections 4.2.2.3 and 4.2.2.4.

For projects determined to require permit coverage under the Yolo HCP/NCCP, a qualified biologist must prepare a planning level survey report to provide the applicant, the member agency, and the Conservancy with information about land cover types and covered species habitat on site in order to determine fees, identify the need for species surveys, develop appropriate AMMs, and track loss of natural communities and covered species habitat.

The following are important features of this survey.

- Based on site conditions and definitions in Tables 2-1.
- Can be completed any time of year.
- Prepared by a qualified biologist.
- Valid for 3 years.
- Submitted with Screening Form if completed at that time, required with Application.
- If prepared early in applicant planning process, can be used to influence project design.
- Identifies actual acreage of all land cover types based on actual on-the-ground conditions.
- Documents acres of land cover impacts (permanent and temporary) by land cover type necessary to complete the Application. Minimum size of land cover patches for mapping are .01 acre for riparian forest and scrub and fresh emergent wetland and open water (lacustrine) land cover types, and .1 acre for all other land cover types.
- Used to assess whether the project should incorporate AMMs for sensitive natural communities or covered species habitat (Table 2-2).
- Used to assess need for species-specific planning level surveys.

Survey Protocols

Make sure the qualified biologist conducting planning level surveys uses the Yolo HCP/NCCP land cover classifications and covered species habitat definitions (Table 2-1 and Table 2-2) and follows the protocols outlined in Appendix A.

The Conservancy recommends that qualified biologists combine their planning level survey report for the Yolo HCP/NCCP with the biological report completed for CEQA or other environmental documents (e.g., biological assessment for ESA Section 7 consultation, preliminary evaluation study for California Department of Transportation projects). This will avoid duplication of effort by allowing one technical report to be used for multiple needs. If the biological resources assessment completed for CEQA or other environmental review process does not include all the necessary elements of a Yolo HCP/NCCP planning level survey report, the applicant must either revise the report to include these elements or attach the required elements to the Application (or Reporting Form) separately. The Application must clearly reference and attach the documents and page numbers where the relevant information is located.

Table 6-1 lists the elements of the planning level survey that must be attached to the Application.

Table 6-1. Required Elements of Planning Level Survey Reports

Element Needed	Description	Preliminary Application (or Reporting Form)	Final Application (or Reporting Form)
Project description	Or provide as Attachment 1 to Application. See also Permitting Guide Chapter 3 instructions for Application, Box D, Item 5.	Recommended	Required
Vicinity map pdf	Or provide as Attachment 2 to Application. See also Permitting Guide Chapter 3 instructions for Application, Box D, Item 6.	Recommended	Required
Site plan with verified land cover types	Or provide as Attachment 3 to Application. The land cover types must be consistent with the land cover definitions in Table 2-1 of this Permitting Guide. See also Permitting Guide Chapter 3 instructions for Application, Box D, Item 7, which describes the required CAD or GIS compatible data.	Required (if filling out Preliminary Application)	Required
Land cover table	Table with acres of each land cover type affected. For riparian forest and scrub and fresh emergent wetland and open water (lacustrine) land cover types, provide calculations to the nearest hundredth (0.01) of an acre. For all other land cover types, provide calculations to nearest tenth (0.1) of an acre. For streams, also provide calculations in linear feet. See also Permitting Guide Chapter 3 instructions for Application.	Required (if filling out Preliminary Application)	Required
Temporary impact photos	Or provide as Attachment 4 to Application. Photographs will be used to compare pre-project site conditions with conditions after the temporarily disturbed area has been restored to pre-project conditions. Provide photos that are adequate for this comparison. Document the date and the location from which the photos were taken.	Optional	Required

Element Needed	Description	Preliminary Application (or Reporting Form)	Final Application (or Reporting Form)
Covered species habitat present	Identification of presence of habitat for each covered species by habitat type (e.g., foraging or nesting) as determined by a qualified biologist.	Required (if filling out Preliminary Application)	Required
Covered species habitat map	Mapping of habitat for each covered species by habitat type (e.g., foraging or nesting) as determined by a qualified biologist.	Optional	Required
Covered species habitat table	Table with acres of habitat affected for each covered species. Amount of each habitat type for each covered species within the area of effect, as mapped to the nearest 0.1 acre.	Optional	Required
Proximity to resources	Identify proximity to sensitive natural communities or covered species habitats that may trigger avoidance and minimization measures (or additional surveys), as defined in Table 2-2 of the Permitting Guide.	Recommended if available	Required
Identify planning surveys needed	Identify additional surveys needed during the planning process (e.g., species surveys).	Recommended (if available)	N/A (planning level survey will be complete)
Planning surveys completed	Or provide as Attachment 6 to Application. Provide methods and results for species surveys.	Optional	Required
Design-level avoidance	Identify any and all design level avoidance to be applied to the project (i.e., modification to area of effect to avoid or minimize effects on sensitive resources).	Recommended (if available)	Required (if any)
Preconstruction surveys and construction related measures	Identify all applicable avoidance and minimization measures to be implemented immediate prior to or during construction.	Optional	Required

The qualified biologist will be required to evaluate conditions surrounding the site and determine whether the project could potentially, indirectly affect covered species or sensitive natural communities off site. If a surrounding area subject to evaluation is not accessible (e.g., private property), the qualified biologist will evaluate the area with binoculars from accessible locations such as the project site or public roadsides, and utilize aerial imagery to supplement the assessment.

Species-Specific Planning Level Surveys

This section is based on Yolo HCP/NCCP Section 4.3 and Yolo HCP/NCCP Table 4-1.

Depending on site conditions as determined by the qualified biologist during the planning level surveys for covered species habitat, surveys for presence or absence of covered species may be necessary. The following are important elements of these surveys.

- Based on conditions on and around the project site.
- For most species, must be completed at specified times of year based on protocols identified in the Yolo HCP/NCCP (Yolo HCP/NCCP Table 4-1 Column 2; see summary in Table 4-1 in this guide).
- Prepared by a qualified biologist (see list of common terms at beginning of document)
- Valid for 3 years (or as defined in the Yolo HCP/NCCP or wildlife agency protocols).
- Need for surveys identified on Application.
- Survey results submitted with land development application; required prior to project approval.
- If prepared early in applicant planning process, can be used to influence project design.
- Provides additional species/habitat information for purpose of identifying AMMs and determining extent of permit coverage.

An applicant may choose to forego species surveys during the planning process and simply assume the species is present in the identified habitat. Under this option, the applicant must apply all the applicable AMMs for occupied habitat. In some cases (e.g., for western burrowing owl), this could put the applicant at risk of project delays or last minute project redesign if the species is unexpectedly discovered during pre-construction surveys or during project construction. These delays would be the result of the unexpected need to wait for burrowing owls to finish nesting and to relocate the owls. To avoid this risk, a qualified biologist may conduct species surveys that are less than protocol level to inform the planning process (e.g., fewer than the specified number of site visits), although the applicant will still be required to conduct pre-construction surveys regardless of the planning level survey results if the surveys are not conducted consistent with protocol.

The qualified biologist may be required to survey areas surrounding the site for covered species. If a surrounding area subject to species surveys is not accessible (e.g., private property), the qualified biologist must make their best effort to evaluate the area with binoculars (or when applicable for birds, listening for the species' song or call) from accessible locations such as the project site or public roadsides.

6.3 Pre-Construction Surveys and Construction-Related Avoidance and Minimization Measures

This section is based on Yolo HCP/NCCP Section 4.3 and Yolo HCP/NCCP Table 4-1.

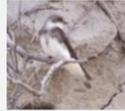
Depending on site conditions determined by the planning level surveys, the applicant may need to conduct pre-construction surveys and apply construction-related AMMs. The purpose of pre-construction surveys is to locate mobile species immediately prior to construction so that construction-related measures can be implemented in order to avoid injuring or killing individuals (e.g., **resource protection buffers** around active nest trees or relocating California tiger salamanders). The following are important elements of pre-construction surveys and construction-related AMMs.

- Based on conditions on and near the project site.
- Must be completed within window specified in approval based on specified requirements identified in the AMMs (Yolo HCP/NCCP Table 4-1, Column 4; see summary in permitting guide Table 6-2).
- Prepared by qualified biologist. (see list of comment terms at beginning of document)
- Valid for period of time identified in approval (e.g., X days prior to any site disturbance); may need to be repeated if site activity is suspended for specified periods of time (Yolo HCP/NCCP Table 6-1, Columns 4 and 5).
- Completed after project approval, but before (and sometimes during) site disturbance.
- Used to assess whether some species (particularly highly mobile ones) are present on the property and require construction-related AMMs, such as creating temporary resource protection buffers or moving individuals out of harm's way as determined by the qualified biologist.
- Typical CEQA mitigation measure requirement.
- Results of pre-construction surveys and construction-related AMMs are reported after their completion.

Table 6-2 provides a summary of planning and pre-construction survey requirements for covered species.

Table 6-2. Planning and Pre-Construction Survey Requirements for Covered Species

What is being surveyed		Conditions triggering survey	Action if present	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec			
	Palmate-bracted bird's beak habitat	Suitable habitat present within 250 feet of project footprint	AMM11						Survey period: May 31–Sept. 30									
	Suitable VELB habitat	Presence of elderberry shrubs within 100 feet of project footprint with stems greater than 1 inch in diameter at ground level	AMM12	Survey period: year-round														
	Western pond turtle nest probability	If modeled habitat will be impacted	AMMs 9, 10, and 14	Qualified biologist assesses likelihood of occurrence within project area of impact (no required survey period)														
	California tiger salamander aquatic habitat	Planning surveys required if presence of aquatic habitat within 500 feet of project footprint	AMM13	Survey period: Nov 1–May 15 (after rainfall)														
	Giant garter snake	Preconstruction surveys required if project involves in-water/in-channel activity or will occur within 200 feet of aquatic habitat	AMM14	Pre-construction surveys to be conducted within 24 hours prior to construction activities														
	Swainson's hawk nests	Preconstruction surveys required if potential nest trees present within 1,320 feet of project footprint	AMM16					Survey period: Mar. 15–Aug. 30, within 15 days of construction										
	White-tailed kite nests	Preconstruction surveys required if potential nest trees present within 1,320 feet of project footprint	AMM16					Survey period: Mar. 15–Aug. 30, within 15 days of construction										
	Western burrowing owl habitat	Planning survey is required if project footprint is within 500 feet western burrowing owl habitat	AMM18, Pre-construction surveys		Survey period (during the breeding season): Feb. 1–Aug. 31													Survey period (non-breeding season): Dec. 1 - Jan. 31
	Western burrowing owl nests	Preconstruction survey is required if presence of potential nest burrows identified during planning level survey	AMM18	Pre-construction surveys to be conducted within 3 days prior to ground disturbance														
	Western yellow-billed cuckoo nests	Planning survey required if project footprint is within 500 feet of habitat and no breeding records within 1/4 mile of the site within past 3 years	AMM17						Survey period (breeding season): Jun. 1–Aug. 30									
	Western yellow-billed cuckoo active territories	Preconstruction survey required if activity will occur within 500 feet of habitat during breeding season (June 1 to August 30)	AMM17						Pre-construction surveys to be conducted within the same season in which the activity will occur									

What is being surveyed		Conditions triggering survey	Action if present	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec		
	Least Bell's vireo habitat or nests	Planning survey required if project footprint is within 500 feet of habitat and no breeding records within 1/4 mile of the site within past 3 years	AMM19				Survey period (breeding season): Apr. 1–Jul. 15										
		Preconstruction survey required if activity will occur within 500 feet of habitat during breeding season	AMM19				Pre-construction survey to be conducted within the same season in which the activity will occur										
	Bank swallow nests	Planning survey required if presence of nesting habitat within 500 feet of project footprint	AMM20				Survey period: Mar. 1–Aug. 15										
	Tricolored blackbird nests	Planning survey required if presence of nesting habitat within 1,300 feet of project footprint	AMM21				Survey period: Mar. 1–Jul. 30										

 Planning level surveys
 Pre-construction surveys

Appendix A

Survey Protocols

Appendix A-1. Palmate-Bracted Bird's Beak (CDFG 2009)

Appendix A-2. California Tiger Salamander (USFWS and CDFG 2003)

Appendix A-3. Swainson's Hawk Nests (Swainson's Hawk Technical Advisory Committee 2000)

Appendix A-4. Western Burrowing Owl Habitat (CDFG 2012)

Appendix A-5. Least Bell's Vireo (USFWS 2001)

Appendix A-6. Tricolored Blackbird Nests (Kelsey 2008)

Appendix A-1

Palmate-Bracted Bird's Beak

California Department of Fish and Game, November 24, 2009

Appendix A-2

California Tiger Salamander

United States Fish and Wildlife Service and California Department of Fish and Game, October 2003

Appendix A-3

Swainson's Hawk

Swainson's Hawk Technical Advisory Committee, May 31, 2000

Appendix A-4

Western Burrowing Owl

California Department of Fish and Game, March 7, 2012

Appendix A-5

Least Bell's Vireo

U.S. Fish and Wildlife Service, January 19, 2001

Appendix A-6

Tricolored Blackbird Nests

Kelsey, R., September 11, 2008