

United Water Conservation District Multiple Species Habitat Conservation Plan

NEPA/CEQA Scoping Meeting
Thursday December 12, 2013
1:00-3:00 p.m. and 6:00-8:00 p.m.

United Water Conservation District – Lead CEQA Agency
California Department of Fish and Wildlife – CEQA Responsible Agency
U.S. Fish and Wildlife Service – Lead NEPA Agency
National Marine Fisheries Service – Lead NEPA Agency
U.S. Army Corps of Engineers – NEPA Cooperating Agency



US Army Corps of Engineers

Purpose of Tonight's Meeting

- In an open house format, present information on the project and environmental review process
- Obtain comments on:
 1. potential environmental topics that should be studied;
 2. biological information concerning the covered species;
 3. effects of the proposed actions on the environment, including federally and state protected species;
 4. alternatives to the proposed actions that should be considered;
 5. mitigation measures that should be considered;
 6. other planned activities in the project area that may affect the environment, including covered species; and
 7. the presence of archeological and historic sites in the project area.

What is a Habitat Conservation Plan (HCP)?

- A required part of an application for an Incidental Take Permit (ITP) under the Federal Endangered Species Act (FESA).
- A planning document to ensure that the anticipated take of a listed species will be minimized and mitigated to the maximum extent practicable.
- A Multiple Species HCP covers numerous species.
- An HCP can support California Endangered Species Act (CESA) Incidental Take Authorization (ITA).

Required Components of an HCP

- Impacts likely to result from the proposed take of species for which ITPs are requested.
- Measures the applicant will undertake to monitor, minimize, and mitigate the impacts.
- Funding to be made available to undertake such measures.
- Alternative actions the applicant considered and the reasons such alternatives are not being utilized.
- Additional measures USFWS or NMFS may require as necessary or appropriate for purposes of the plan.

Parties Involved

- US Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) are the lead agencies for implementation of the FESA, issuing ITPs, and NEPA.
- California Department of Fish and Wildlife (CDFW) is the lead agency for implementation of CESA and issuing ITAs.
- United is applying for ITPs, ITAs, and a permit under the Clean Water Act (CWA) and is the lead agency under CEQA.
- The U.S. Army Corp of Engineers (USACE) regulates discharge of dredge or fill material into waters of the United States through issuance of permits under the CWA.

Why United is Pursuing the MSHCP

- United's operations and maintenance activities at the Freeman Diversion and spreading grounds could affect species that are, or could become, listed as threatened or endangered
- United is seeking ITPs for these activities
- The MSHCP is a required component of an application for an ITP
- The MSHCP and ITPs provide a mechanism to continue activities at the Freeman Diversion and spreading grounds while ensuring these activities are in compliance with FESA and CESA
- An ITP allows "take" of listed species that is incidental to otherwise lawful activities

Covered Species

- “Covered species” means species for which an ITP is requested
- 11 species have been identified for coverage in the MSHCP
- Six species are currently listed as threatened or endangered under FESA, CESA, or both
- Five additional species are included in the MSHCP
 - Allows for coverage if they are listed in the future
 - Inclusion also promotes the species conservation

Species Covered in United's HCP	Federal Status	State Status	Critical Habitat
Southern California steelhead (<i>Oncorhynchus mykiss</i>)	E	SSC	Yes
Tidewater goby (<i>Eucyclogobius newberryi</i>)	E	SSC	Yes
Least Bell's vireo (<i>Vireo bellii pusillus</i>)	E	E	Yes, but not in HCP Area
Southwestern willow flycatcher (<i>Empidonax traillii extimus</i>)	E	E	Proposed
California least tern (<i>Sternula antillarum browni</i>)	E	E, FP	No
Pacific lamprey (<i>Entosphenus tridentatus</i>)	None	None	No
Western pond turtle (<i>Emys marmorata pallid</i>)	None	SSC	No
Two-striped garter snake (<i>Thamnophis hammondi</i>)	None	SSC	No
Yellow warbler (<i>Dendroica petechia</i>)	None	SSC	No
Western yellow-billed cuckoo (<i>Coccyzus americanus occidentalis</i>)	PT	E	No
Yellow-breasted chat (<i>Icteria virens</i>)	None	SSC	No

E = endangered, T = threatened, PT = Proposed Threatened, SSC = California Species of Special Concern, FP = Fully Protected

Covered Activities

- Covered activities in the MSHCP are those for which ITPs are sought
- Not all covered activities are a part of the proposed project being analyzed under CEQA
 - Not all activities result in a change in the physical environment compared to existing conditions
- The proposed covered activities fall into four categories:
 1. Current operations and maintenance
 2. Potential future increase in the maximum diversion rate at the Freeman Diversion facility
 3. Conservation Measures that may result in take
 4. Monitoring and adaptive management that may result in take

Scoping Process

- Notice of Preparation (NOP) distributed on November 8, 2013 (CEQA)
- Notice of Intent (NOI) published in Federal Register on November 12, 2013 (NEPA)
- Scoping period extends to January 13, 2014
- Two scoping meetings on December 12, 2013

Scoping Input

- Seeking comments on:
 - potential environmental topics that should be studied;
 - biological information concerning the covered species;
 - effects of the proposed actions on the environment, including federally and state protected species;
 - alternatives to the proposed actions that should be considered;
 - mitigation measures that should be considered;
 - other planned activities in the project area that may affect the covered species; and
 - the presence of archeological and historic sites in the project area.

Issues to be Addressed in the EIS and EIR

- Aesthetics
- Agricultural Resources
- Air Quality & Greenhouse Gases
- Fisheries and Aquatic Resources
- Wildlife Resources
- Botanical Resources
- Wetlands
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Recreation
- Transportation and Traffic
- Air Quality and Climate Change
- Utilities and Service Systems
- Socioeconomic Impacts and Environmental Justice
- Growth-Inducing Effects
- Cumulative and Indirect Effects

Comment Submittal Options

- Submit written comment card today
- Submit electronic comment card today
- Oral comments transcribed by court reporter
- Mail a written comment card
- Submit written comments via U.S. mail or e-mail

Contacts for Comments & Questions

Contacts for the EIS:

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United Water Conservation District Multiple Species Habitat Conservation Plan Environmental Impact Statement & Environmental Impact Report

Thank you for your participation

Contacts for Comments & Questions

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