

EXECUTIVE ABSTRACT

The Metro Air Park Property Owners Association (MAP POA) has applied for a 50-year permit, pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended (Act), from the U.S. Fish and Wildlife Service (USFWS) for the incidental take of the federally threatened giant garter snake and valley elderberry longhorn beetle and 12 currently unlisted additional species which have been identified as potentially subject to take in the Metro Air Park area (see Table 1). The MAP POA applied on behalf of 138 individual landowners. MAP POA has also applied for take authorization from the California Department of Fish and Game (CDFG) pursuant to Section 2081 of the Fish and State Game Code.

In support of the application, the MAP POA proposes to implement a Habitat Conservation Plan (HCP) to meet the requirement of law for a section 10(a)(1)(B) permit. Some of the species shown in Table 1 are listed under the state or federal ESAs while others are currently unlisted. All fourteen "covered species" are subject to take under the HCP to the extent take of such species is prohibited under federal and state law. The listed species will be included in the incidental take permits immediately upon permit issuance. The permits will become effective for the unlisted species when those species are actually listed under either the ESA or CESA. The proposed incidental taking would occur within the 1,892-acre Metro Air Park Special Planning Area (MAP SPA), and on 123 acres of lands outside the MAP SPA within Sacramento County, California (refer to Figure 1, Regional Location and Figure 4, Off-Site Improvements for area of incidental take authorization). Take could occur as a result of development of the Metro Air Park industrial park project approved by the County of Sacramento, from rice farming, and from management of reserve lands.

The HCP and attached Implementation Agreement (IA) delineate the responsibilities of the MAP POA, the USFWS, the CDFG, and the Natomas Basin Conservancy (NBC) which is the Plan Operator, and are intended to enable the construction of the Metro Air Park Industrial Park (MAP project) in the Natomas Basin to proceed in such a way as to result in conservation of the target area's biological resources. The MAP project intends to minimize and mitigate impacts of the project through participation in the conservation program originally set up for the entire Natomas Basin which is described in the Natomas Basin Habitat Conservation Plan (NBHCP), published by the City of Sacramento, November 1997, as modified by the MAP HCP. Although the MAP HCP supports and follows the regional conservation strategy set forth in the NBHCP and relies on the NBC, the NBHCP plan operator, to implement the MAP HCP conservation program, the MAP HCP is independently viable and does not depend on implementation of the NBHCP to achieve its conservation goals. Even so, if the regional conservation strategy is modified in a future revised NBHCP, the MAP HCP and IA include a provision for the automatic incorporation of such modifications into the MAP HCP.

The MAP POA would pay a mitigation fee based upon the number of acres disturbed by development. The fee is currently \$5,993 per gross developed acre. On behalf of MAP POA, the NBC is required to acquire habitat mitigation land at a 0.5:1 ratio (one half acre for every one acre developed). At full build-out, with all off-site infrastructure completed, MAP POA is expected to develop 2015 acres of land. The habitat mitigation land obligation at full build out is half of that or 1007.5 acres. To mitigate for the loss of Swainson's hawk nest trees on-site, MAP

POA will secure or provide funds to the NBC to secure an additional 200 contiguous acres, in perpetuity, and transfer the lands, along with related Administration, Endowment and Habitat Management Mitigation Fees. The NBC will hold and manage the reserve lands for the benefit of Swainson's hawk nesting. Thus the total habitat mitigation land obligation for the MAP project is 1207.5 acres.

The MAP HCP addresses the five policy initiatives that are included in the Final Addendum to the Handbook for Habitat Conservation Planning and Incidental Take Permitting Process. The five policy initiatives are: (1) biological goals and objectives, (2) adaptive management, (3) monitoring, (4) permit duration, and (5) public participation.

The biological goals and objectives of the MAP HCP are consistent with those identified in the 1997 NBHCP. Those objectives, as stated in the NBHCP, are contained in Appendix A of this HCP. Note that those objectives may be modified, if and when a revised NBHCP is approved by USFWS. Through participation in the mitigation program for the NBHCP, the MAP HCP includes adaptive management provisions (refer to Section III. E of the MAP HCP and Section IV. E. of the NBHCP) and biological monitoring of the covered species (refer to Section IV. F. of the NBHCP). In addition, the MAP HCP requires monitoring of development activities and an accounting of mitigation land established using mitigation fees (refer to Section III. D. of the MAP HCP).

The 50-year requested permit duration is appropriate for the MAP project as it reflects the expected long-term build out of the MAP project. The fifth initiative under USFWS's five-point policy pertains to public participation in the HCP process which takes place during pre-permit processing. In response to the policy, the MAP HCP provided a 60-day public comment period rather than a 30-day period. Furthermore, the NBHCP, upon which the MAP HCP is based, was subject to extensive public review through the City's CEQA process (Initial Study and Negative Declaration, 6/97), and the Federal Review process (NEPA Environmental Assessment, December 1997).

Note that all figures are located at the end of the document.

**TABLE 1
LISTED, CANDIDATE, AND OTHER SPECIES COVERED BY THE METRO AIR
PARK PERMITS ***

HABITAT & SPECIES	FEDERAL STATUS	STATE STATUS	HABITAT NOTES
<i>WETLAND ASSOCIATED SPECIES</i>			
Aleutian Canada goose <i>Branta canadensis leucopareia</i>	Delisted 2001		Grazes in marshes and stubble fields, roosts on the water
Swainson's hawk <i>Buteo swainsoni</i>		T	Breeds in riparian forest; known nesting sites in trees along Sacramento River in Natomas Basin
giant garter snake <i>Thamnophis gigas</i>	T	T	Forages in low gradient open waterways and flooded rice fields, hibernates in canal berms and other uplands; several known occurrences in Natomas Basin
white-faced ibis <i>Plegadis chihi</i>	SC	SSC	Forages in flooded rice fields
bank swallow <i>Riparia riparia</i>		T	Nests in riverbanks, forages for insects over open water, croplands, and grasslands
peregrine falcon <i>Falco peregrinus anatum</i>	Delisted 1999	E, FP	Preys on birds, including waterfowl in and around wetlands
greater sandhill crane <i>Grus canadensis tubida</i>		T, FP	Forages in moist croplands with stubble and emergent wetlands
tricolored blackbird <i>Agelaius tricolor</i>	SC	SSC	Nests in marshes with bulrush, blackberry or cattails; three known occurrences in Natomas Basin
northwestern pond turtle <i>Clemmys marmorata marmorata</i>	SC	SSC	Lives in permanent bodies of water; requires floating vegetation, logs, rocks or banks for basking

HABITAT & SPECIES	FEDERAL STATUS	STATE STATUS	HABITAT NOTES
Valley elderberry longhorn beetle <i>Desmocerus californicus dimorphus</i>	T		Lives and reproduces on elderberry shrubs found along rivers and canals
Delta tulle pea <i>Lathyrus jepsonii ssp.jepsonii</i>	SC		Perennial twining vine occurs in both riparian and marsh habitats
Sanford's arrowhead <i>Sagittaria sanfordii</i>	SC		Tuberose perennial likely in drainage or irrigation ditches
UPLAND ASSOCIATED SPECIES			
Swainson's hawk <i>Buteo swainsoni</i>		T	Forages for small mammals in grasslands and croplands
Tricolor blackbird <i>Agelaius tricolor</i>	SC	SSC	Forages on the ground in grasslands and croplands; three known occurrences in Basin
Loggerhead shrike <i>Lanius ludovicianus</i>	SC	SSC	Prefers open habitats with scattered shrubs, trees, fences, and posts. Will use cropland.
Burrowing owl <i>Athene cunicularia</i>		SSC	Prefers open, dry grassland and desert habitats

*Note that some species occur in more than one habitat category and thus are listed twice. A total of 14 species are included in Table 1 and are covered by the permits.

Key to Abbreviations

Federal

E = Listed as endangered

T = Listed as threatened

C = Candidate for federal listing, data sufficient

SC = Species of Concern -- informal category, formerly called candidate 2 species (data for listing insufficient)

State

E = Listed as Endangered

T = Listed as Threatened

FP = Fully Protected

R = Listed as Rare

SSC = Species of Special Concern