

Reservoir Committee Meeting

Agenda Item 3.1: Construction Incidental Take
Permit Application

November 19, 2021



Agenda

- Background
- Species Models – Approach Considering No Land Access
- Species Covered
- Proposed Mitigation Approach
- Next Steps

Incidental Take Permits

- California Endangered Species Act (CESA) prohibits the import, export, take, possession, purchase or sale of species listed by the State
- CDFW may authorize “take” of a state listed species
- In issuing an Incidental Take Permit (ITP)
 - CDFW must find, among other things, that
 - Applicant is implementing avoidance and minimization measures
 - Applicant fully mitigates their take
 - Applicant ensures adequate funding to implement measures required in the take permit
 - CDFW must also comply with CEQA
 - For Sites Project, we expected CDFW to use our environmental documents to do this
 - CDFW cannot issue a take permit for the Project until the Authority completes CEQA
- Project pursuing a Construction ITP and Operations ITP
 - Construction ITP application target submittal in December 2021
 - Operations ITP application target submittal in Feb/March 2022

ITP Terrestrial Analysis

- Species list
 - Reviewed prior surveys (2000 timeframe), species occurrence data, scientific literature
- Potential habitat areas (termed “modeled” habitat)
 - Reviewed land mapping, scientific literature
- Impacts to listed species
 - Assumed all potential habitat was occupied
 - Conservative approach and likely overestimate
- Post permit issuance, will need to
 - Conduct surveys of all “modeled” habitat and verify land cover and presence/absence of species
 - Amend ITP to decrease/increase take based on field surveys

Species Covered

- Requesting take for:
 - Swainson’s hawk
 - Tricolored blackbird
 - Giant gartersnake
- Not requesting take for palmate-bracted bird’s beak
 - Must avoid or reconsult if found

Palmate
Calscape –
2008 Chris
Winchell



Take Minimization Measures

- Measures to reduce amount of take include:
 - Construction windows and buffer areas
 - Construction best management practices
 - Restoration on temporarily affected habitat
 - Preconstruction surveys
 - Habitat mapping and flagging
 - Avoidance of habitat
 - Biological monitoring



Proposed Mitigation Approach

- Compensatory mitigation for take is required
- Diverse approach
 - Sites-lead off-site habitat acquisition or restoration
 - Conservation easements
 - Conservation banks / mitigation banks
 - On-site opportunistic habitat preservation / restoration
- Each has different risks
- Prepare detailed mitigation strategy in 2022/2023

Next Steps

- December meeting
 - Financial assurances discussion
 - Mitigation cost estimate
 - Approval for Executive Director to submit the Construction ITP Application

Questions?