

City of Roseville
Vernal Pool Conservation Plan Preparation and Implementation Strategy

Prepared pursuant Section 7 of the MOU between
The City of Roseville and the USFWS dated August 18, 2000
Updated March 2007

Background

In accordance with the Memorandum of Understanding (MOU) dated August 18, 2000, the City of Roseville and the United States Fish and Wildlife Service (Service) have been working cooperatively to minimize incidental take of vernal pool species. As described in the MOU, this has included working toward development of an interim conservation strategy for developing areas within the City and potential annexation projects serviced by phase 1 of the Pleasant Grove Regional Wastewater Treatment Plant (PGWTP). It will also include development of a long-term habitat conservation program (HCP or equivalent) to minimize the affects on federally listed species of future development serviced by Phase 2 of the PGWTP.

As a part of the process to develop the interim strategy, the City of Roseville in cooperation with the USFWS developed mapping to identify: 1) existing vernal pool resources within the City; 2) areas within the City where existing vernal pools have been permitted for filling (i.e., Corps 404 permits and Service Section 7 Incidental Take Permits issued); 3) locations of undeveloped privately owned lands that have not received federal permits and potentially contain vernal pool resources; and, 4) locations of proposed City capital improvement projects and entitled development that would be served by phase 1 of the PGWTP.

Mapping results indicate that only a small portion of historic vernal pool resources remain within areas of the City designated for development. Of these, a significant portion is federally permitted to be filled leaving only a limited amount subject to regulation by the Corps and the Service. The mapping also demonstrates that a large amount of vernal pool preservation and creation has occurred within the City's open space, City preserve parcels, and regional mitigation banks to compensate for vernal pool impacts that have occurred within the City.

Based on the distribution and amount of remaining unpermitted vernal pool resources within the City, it was agreed that a programmatic consultation with the Service leading to preparation of an HCP is not warranted. Instead, there was agreement that the best strategy to address impacts resulting from remaining City buildout serviced by phase 1 of the PGWTP would be to develop goals and objectives that minimize vernal pool impacts and establish an individual permitting process that relies on a regional conservation approach. The following project review process has been developed to implement this strategy both within the existing City limit and within any future annexation projects proposed west of the City. It was further agreed that a long-term plan should be prepared that incorporates an overarching framework to carry out coordinated enhancements to existing City preserves (Overarching Management Plan).

The following sections review the framework for conducting project review and plan preparation under scenarios that include and do not include annexation projects.

Project Review

Project review will be conducted for proposed City development projects that would directly or indirectly affect vernal pool resources as outlined in this section. As part of project review, the Service may provide maps, as data and time permits that identify areas with high long-term conservation value that are potentially crucial elements of a regional preserve system to adequately conserve vernal pool habitat. These maps are intended to assist the City in making land use decisions that avoid land use conflicts which could arise if projects potentially jeopardize the long-term survival and recovery of listed vernal pool species. The City will identify projects potentially impacting habitat with high long-term conservation value as identified on these maps, and will meet and confer with the Service early in the project review process to identify ways to avoid or minimize such impacts.

Within Existing City Limits (No Annexation)

The following strategy applies to development projects proposed within the existing City limit. The strategy allows for an individual permitting process and early review of projects by the Service.

- a) Early Consultation. As part of the environmental review process, the City of Roseville shall include the Service in the distribution of Initial Study/Negative Declarations and Environmental Impact Reports prepared pursuant to CEQA when the proposed project has the potential to impact vernal pool resources. The Service will provide appropriate comment to the City as early as possible within the designated comment period.
- b) Design Measures to Minimize Impacts. Future development projects proposed adjacent to existing vernal pool preserves shall implement design measures to protect the integrity of the preserve consistent with the preserve Operation and Management (O&M) plan, any preexisting development agreement provisions, and applicable adopted City ordinances, resolutions, and standards. Such measures may include providing protection to the preserve through the maintenance of watershed integrity via topographical isolation or pretreatment of urban stormwater runoff (i.e., sand/oil separators or vegetative swales).
- c) Compensation Strategy. The Service will evaluate projects on a case-by-case basis, in the context of regional conservation needs for listed vernal pool species. The appropriate compensation for vernal pool impacts would be determined by the Service, and compensation ratios may be different than ratios used for the Vernal Pool Programmatic Biological Opinion.
- d) Preservation of Existing Vernal Pool Preserves. All vernal pools located in preserves established by prior agreement between the City and the Service, or the City and third parties (as depicted in MOU Exhibit 2), shall establish and implement individual O&M plans for the maintenance of the preserves. The City will ensure that all projects subject to its approval, including infrastructure projects, avoid to the maximum extent practicable, direct and indirect effects to the preserves unless the parties agree otherwise.

Potential Annexation Projects

The following interim strategy applies to future development that may be proposed as annexation projects west of the City. The strategy allows for early review of development proposals by the Service and integrates the local planning and state environmental review process (CEQA) with federal Endangered Species Act (ESA) provisions and Habitat Conservation Planning (HCP) principles.

Resource Mapping. Development plans shall consider the preservation needs of habitat important to the long-term conservation of sensitive species, potentially including habitat that is not currently occupied by the species, including both core habitat areas and habitat linkages. To determine appropriate preservation needs, resource inventory mapping and early consultation with the Service will be initiated early in the City review process. This effort shall build upon and refine within the annexation area regional mapping inventories compiled as part of the Placer Legacy project.

Resource Preservation. Based on the above mapping, a threatened and endangered species protection plan shall develop and submitted to the City and the Service for review. The plan shall be developed based on the best available scientific information, and data used to develop the plan should not be exclusively limited to the resource inventory maps. Habitat evaluations and analyses developed in the context of the Placer County Conservation Plan (PCCP) will need to be considered as well as any other available scientific information pertinent to long-term regional conservation needs of vernal pools in the planning area. The plan shall identify outstanding areas of natural vegetation including vernal pools for protection. Areas suitable for protection will include healthy vernal pool communities in relatively high concentration, containing listed vernal pool fairy shrimp, and high proportion of plants that are endemic or regionally restricted to that habitat. The plan shall also identify the location of any on or off-site habitat creation and/or mitigation banking proposed as part of the annexation project's mitigation plan and the plan must be compatible with habitat conservation planning efforts on adjacent lands. The City and landowners shall consider Service comment on the Protection Plan which shall subsequently form the basis for the annexation project's Clean Water Act Section 404 permit application.

Goals and Objectives. The following goals and objectives shall guide conservation planning efforts:

- a) The plan shall compliment, and be compatible with, other regional conservation planning efforts for Placer County that provide for the long-term survival and recovery of listed vernal pool species.
- b) The conservation plan shall adequately conserve vernal pools at a landscape level, including habitat linkages and other habitat types within associated watersheds.
- c) The conservation plan should follow the following basic tenets of conservation biology:
 - a. Species well distributed across their range are less susceptible to extinction than species confined to small portions of their range.

- b. Large blocks of habitat containing large populations of a target species are superior to small blocks of habitat containing small populations.
 - c. Blocks of habitat that are close together are better than blocks far apart.
 - d. Habitat that occurs in blocks that are less fragmented internally is preferable to habitat that is internally fragmented.
 - e. Interconnected blocks of habitat serve conservation purposes better than isolated blocks, and habitat corridors or linkages function better when the habitat within them resembles habitat that is preferred by target species.
- d) The conservation strategy shall result in no net loss of vernal pool habitat quality and acreage within the planning area and/or within a larger area as defined by regional conservation planning efforts such as the PCCP.

Overarching Management Plan Preparation

Upon receipt of required funding, the City will prepare a long-term “overarching management plan” that will tie management of the City’s existing preserve system together under a broader more unified framework that also takes into account regional vernal pool conservation efforts. The degree to which the overarching plan can be prepared and implemented will depend on funding opportunities presented during processing of proposed annexation projects and as a result of USFWS conditions imposed via the Section 7 consultation process. The current understanding for overarching plan preparation in the context of an annexation project, or no annexation project, is outlined below.

Potential Annexation Projects

Annexation projects present the practical opportunity to both establish an overarching framework encompassing all preserves and seek O&M enhancements to existing preserves. In the event that annexations occur, the City would endeavor to formulate an “overlay” approach — a way to establish an overarching framework and carry out coordinating enhancements to existing preserves while leaving all then-existing plans in place. If acceptable to the resource agencies, it may be agreeable that the overarching plan supersede the monitoring, reporting and adaptive management requirements of the individual plans, particularly if such an approach would result in more efficient and consistent monitoring and reporting functions as well as improved data collection. The long-term strategy within the City limits should focus on preserving, monitoring and adaptively managing in perpetuity the existing preserve system, while the strategy for potential annexation areas should focus on building an ecologically viable preserve system compatible with the larger-scale regional conservation strategy for Placer County. Because any annexation proposals are likely to be associated with concurrent proposals for development on private property, the practicability of such an overlay approach will be shaped in part by future Service, City, and private party views regarding the particular suite of conservation efforts desirable for each such proposal.

Within Existing City Limits (No Annexation)

Absent annexation projects, no meaningful or practicable opportunity will arise to fund coordinated enhancements to O&M standards and methods at existing City preserves. Therefore, absent an annexation there would be no practical opportunity to both

establish an overarching framework encompassing all preserves and seek O&M enhancements to existing preserves. Nevertheless, whether or not annexations occur, upon receipt of required funding the City will prepare a long-term Preserve Area Overarching Management Plan for existing preserves that currently lack such plans, reflecting technical recommendations that the Service has made for such plans.

Current Status of Planning Efforts

The City has secured from the West Roseville Specific Plan landowners funding to prepare a "Preserve Area Overarching Management Plan." It is agreed that preparation of the Overarching Management Plan fulfills the City's commitment to prepare a Long-term Plan as stipulated in the City of Roseville/USFWS MOU (August 18, 2000) and as described in follow on correspondence in the USFWS Letter dated June 28, 2001. Future annexation projects present the opportunity to secure enhanced O&M funding as discussed above under Potential Annexation Projects.