

Screening Form
Low-Effect Incidental Take Permit
Determination and National Environmental
Policy Act (NEPA) Environmental Action
Statement

I. HCP Information

- A. HCP Name:** Low-Effect Habitat Conservation Plan for the Renovation of the County of Santa Cruz Juvenile Hall, Felton, Santa Cruz County, California.
- B. Affected Species:** Federally endangered Mount Hermon June beetle (*Polyphylla barbata*).
- C. HCP Size (in stream miles and/or acres):** Project would disturb a total of 0.270 acre (11,753 square feet (sf)) within a 28-acre parcel (APN: 061-371-16).
- D. Brief Project Description (including minimization and mitigation plans):**

The County of Santa Cruz Probation Department (County) (applicant) is seeking a 12-year incidental take permit, under Section 10(a)(1)(B) of the Federal Endangered Species Act, as amended (Act), for take of the federally endangered Mount Hermon June beetle (*Polyphylla barbata*). Impacts to the species would result from infrastructure upgrades and invasive vegetation removal. The infrastructure upgrades, which would occur entirely within the perimeter of the existing facility, would renovate the existing kitchen, dining and food storage areas, program rooms, library, laundry facilities, central control room, intake area, staff support areas, and upgrade the building's electrical, mechanical, plumbing, heating and cooling, structural, stormwater, accessibility, fire protection, life safety, and security systems.

The project site is located on the County of Santa Cruz's 28-acre parcel (APN: 061-371-16) located at 3650 Graham Hill Road between the City of Scotts Valley and Felton, in an unincorporated area within the County of Santa Cruz in central coastal California. Project activities would occur within a 0.427-acre area. Within this area, project activities are anticipated to impact approximately 0.270 acre (11,753 square foot (sf)) of suitable habitat for the Mount Hermon June beetle. Additionally, invasive vegetation removal within the proposed 2.5-acre invasive vegetation removal area may result in temporary impacts to the species.

Within the 0.270-acre (11,753 sf) area where project impacts would occur, 0.169 acre (7,342 sf) of habitat would be permanently impacted and 0.101 acre (4,411 sf) would be temporarily impacted. Temporary impacts to the Mount Hermon June beetle could also result from invasive vegetation removal in the 2.5-acre conservation area described

below.

Goals and Objectives

Goal 1: Avoid and minimize take of the Mount Hermon June beetle within the project site.

Objective 1.1: Minimize the project disturbance footprint by limiting soil disturbance and plant removal.

Objective 1.2: During any portion of construction occurring during the flight season of the Mount Hermon June beetle, cover exposed soil to prevent dispersing males from burrowing into these areas and being impacted by construction.

Objective 1.3: Capture and relocate Mount Hermon June beetles observed during construction to intact habitat within the project parcel, but away from the construction activities.

Objective 1.4: Avoid landscaping with turf grass, or plants that are invasive or toxic to insects, and avoid using amendments and other landscaping elements that inhibit soil use and emergence by Mount Hermon June beetle.

Objective 1.5: Minimize night lighting during the flight season of the Mount Hermon June beetle.

Goal 2: Enhance habitat for the Mount Hermon June beetle on site, or protect habitat at an off-site location of high long-term conservation value to the species.

Objective 2.1: Option 1: Control invasive Portuguese broom (*Cytisus striatus*) and French broom (*Genista monspessulana*) for a 10-year period, within a 2.5-acre area immediately adjacent to the project site to promote the cover and richness of native plants, which provide food for the Mount Hermon June beetle; or, Option 2: Fund the protection, management, and monitoring of habitat for the Mount Hermon June beetle through the purchase of conservation credits at a Service-approved conservation bank.

The HCP's conservation strategy includes the following measures designed to avoid and minimize the proposed project's impacts on the Mount Hermon June beetle.

1. Fence the perimeter of the project footprint to prevent inadvertent impacts to adjacent habitat.
2. The project will be conducted outside of the adult activity period for the Mount Hermon June beetle (May-August) if at all possible. If soil-disturbing activities occur during the Mount Hermon June beetle flight season, impermeable material will be used to cover exposed soil, in order to prevent dispersing male beetles from burrowing into the construction site.
3. A qualified biologist will be on site during all ground-disturbing activities, to capture any Mount Hermon June beetle observed in the construction area and

relocate them outside to intact sandhills habitat that supports appropriate soils and vegetation.

4. Outdoor night lights installed a part of this project will feature LED bulbs that emit wavelengths of light that are less likely to attract nocturnal insects.
5. Landscaping elements that degrade habitat for the three covered species, including weed matting, landscape rock, and turf grass, will be avoided.

The County will fund one of the alternative mitigation methods, as well as all other elements of the proposed conservation strategy. A qualified biologist will conduct monitoring to ensure effective implementation of the conservation strategy, and to evaluate success toward the biological goals and objectives. Monitoring results will be documented in annual reports provided to the U.S. Fish and Wildlife Service by January 31 each year that follows a year when the permit is active.

II. Does the HCP fit the following Department of Interior and Fish and Wildlife Service categorical-exclusion criteria?

A. Are the effects of the HCP minor or negligible on federally listed, proposed, or candidate species and their habitats covered under the HCP?

Yes, the effects of the project on the Mount Hermon June beetle are both minor and negligible. This conclusion is based on the following:

1. The small size of disturbance caused by the project: The project would disturb only 0.270 acre of Mount Hermon June beetle habitat, which has been degraded by prior land use activities. Indirect effects will be limited by minimization measures incorporated in the plan's conservation strategy.
2. The degraded condition of habitat within project area: The habitat to be impacted by the project has previously been degraded by historical use of the property as a juvenile detection facility and offices for the County of Santa Cruz Probation Department. Specifically, most areas proposed for renovation have previously been graded and landscaped as part of prior construction; these activities compacted the soil, reduced the cover and richness of native plant species, and promoted non-native plants, all of which have degraded the habitat for the endangered species.

B. Are the effects of the HCP minor or negligible on all other components of the human environment, including environmental values and environmental resources (e.g. air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, environmental justice, etc.), after implementation of the minimization and mitigation measures?

Yes, due to the small size of the proposed project and project implementation resulting in no changes to the current land use, we expect effects on other environmental values and resources will be minor or negligible. Effects of noise on the environment are expected to be negligible. The proposed project would not cause socio-economic

impacts. Impacts to visual and cultural resources are not anticipated. The proposed project would not cause socio-economic impacts.

C. Would the incremental impacts of this HCP, considered together with the impacts of other past, present, and reasonably foreseeable future actions (regardless of what agency or person undertakes such other actions) not result, over time, in a cumulative effects to the human environment (the natural and physical environment) which would be considered significant?

Yes, we do not expect significant cumulative effects on the Mount Hermon June beetle or other species or communities of the Zayante Sandhills in the foreseeable future. The County of Santa Cruz Sensitive Habitat Ordinance limits development on parcels located within the Sandhills. The proposed project would occur in an existing, developed area and would not induce further development. Therefore, the project would not result in significant cumulative effects to environmental values or resources.

III. Do any of the exceptions to categorical exclusions (extraordinary circumstances) listed in 43 CFR 46.215 apply to this HCP?

Would implementation of the HCP:

A. Have significant impacts on public health or safety?

No. The HCP was developed to cover legal activities on a legal parcel that is currently used for similar activities. The renovations will be conducted following the California Building Code, and would not involve the use of hazardous materials, substances, or waste.

B. Have significant impacts on such natural resources and unique geographic characteristics as: historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990) or floodplains (Executive Order 11988); national monuments; migratory birds, eagles, or other ecologically significant or critical resources?

No. The project area does not support unique geographic characteristics such as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory bird resources; or other ecologically significant or critical areas.

C. Have highly controversial environmental effects (defined at 43 CFR 46.30), or involve unresolved conflicts concerning alternative uses of available resources [see NEPA section 102(2)(E)]?

No. The project is consistent with County of Santa Cruz zoning laws, ordinances, regulations and policies, and is consistent with current existing land uses. No significant environmental effects or controversy are anticipated.

D. Have highly uncertain and potentially significant environmental effects, or involve unique or unknown environmental risks?

No. The proposed project includes only the renovation of an existing facility; it lacks uncertain effects or unknown risks.

E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?

No. As discussed, the proposed project is limited in size and scope and located in a developed area. This HCP does not establish a precedent for future actions or represent a decision in principle about future actions that will potentially cause significant environmental effects.

F. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?

No. This project is directly related to a previously implemented infrastructure project at the juvenile hall facility that included minor impacts to the Mount Hermon June beetle. Cumulatively, both projects would not result in any significant environmental effects.

G. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places?

No. A search of the National Register of Historic Places (<http://nrhp.focus.nps.gov/>) revealed no sites listed or eligible for listing within the project area or elsewhere in central Santa Cruz County.

H. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?

No. This project would result in soil disturbance to only a 0.270-acre area known to be occupied by the Mount Hermon June beetle. Disturbance of this small area of habitat is anticipated to have a negligible effect on the long-term persistence of the covered species in the area and recovery of the species overall. Negligible effects to Zayante band-winged critical habitat are anticipated.

I. Violate a Federal law, or a State, local, or tribal law, or a requirement imposed for the protection of the environment.

No. The HCP and incidental take permit issuance will fulfill Federal environmental compliance. This project is subject to California Environmental Quality Act review pursuant to the County of Santa Cruz implementing guidelines and other Federal, State, and local environmental laws and requirements. Tribal lands would not be affected.

J. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

No. The proposed project would have no effect on low income or minority populations.

K. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

No. Ceremonial or sacred sites do not occur on the proposed project site and would not be affected by implementation of the HCP.

L. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

No. Disturbed areas within the project site would be passively restored with native sandhills plants and monitored as a component of the HCP.

IV. ENVIRONMENTAL ACTION STATEMENT

Within the spirit and intent of the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record.

Based on the information and analysis above, I determine that the proposed Incidental Take Permit for the County of Santa Cruz Juvenile Hall Renovation Project qualifies for a categorical exclusion, as defined in 40 CFR 1508.4 and in the U.S. Fish and Wildlife Service *Habitat Conservation Planning Handbook*. Furthermore, no extraordinary circumstances identified in 43 CFR 46.215 exist for the County of Santa Cruz Juvenile Hall Renovation Project. Therefore, the Service's permit action for County of Santa Cruz Juvenile Hall Renovation Project is categorically excluded from further NEPA review and documentation, as provided by 40 CFR 1507.3; 43 CFR 46.205; 43 CFR 46.215; 516 DM 3; 516 DM 8.5; and 550 FW 3.3C. A more extensive NEPA process is unwarranted, and no further NEPA documentation will be made.

Other supporting documents:

Low-Effect Habitat Conservation Plan for the Renovation of the County of Santa Cruz Juvenile Hall, Felton, Santa Cruz County, California.

Signature Approval:

Stephen P. Henry
Field Supervisor
Ventura Fish and Wildlife Office

Date