



RANCHO PALOS VERDES

**NATURAL COMMUNITIES
CONSERVATION PLANNING
SUBAREA PLAN**

Prepared for

City of Rancho Palos Verdes

URS Project No. 27644296.08000

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SECTION ONE**Introduction****SECTION 1 INTRODUCTION**

The Natural Communities Conservation Planning Act of 1991 (NCCP, California Fish and Game Code Section 2800, et seq.) provides for the preparation and implementation of large-scale natural resource conservation plans. An NCCP plan must identify and provide for the regional or area-wide protection and perpetuation of natural wildlife diversity while allowing for compatible and appropriate development and growth. An NCCP plan is intended to provide comprehensive management and conservation of multiple species, including but not limited to species listed under state or Federal Endangered Species Acts (ESA).

The NCCP Act is intended to promote cooperation and coordination among public agencies, landowners, and other interested organizations or individuals. The City of Rancho Palos Verdes (City) has entered into an NCCP planning agreement with the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS) to develop an NCCP Subarea Plan that will encompass the entire City. The NCCP subregion includes the entire Palos Verdes Peninsula; however, only Rancho Palos Verdes has currently entered into an NCCP planning agreement. The remaining Palos Verdes Peninsula cities have been encouraged to formally participate in the Peninsula NCCP process.

As the lead agency of the Palos Verdes Peninsula NCCP, the City needed to develop a landscape scale database of biological resource and land-use information in a way that would allow for the City and Wildlife Agencies to make informed land-use and conservation decisions for future projects. The primary goal of the Phase I program was to provide a biological analysis of the remaining naturalized open space in and adjacent to the City. At the initiation of Phase I of the Peninsula NCCP program, questions regarding the regional importance of parcels to a potential biological reserve system were outstanding (Ogden 1999). Syntheses of vegetation mapping, sensitive-species distributions and their potential habitat, and the preliminary development of alternative reserve designs were the primary focus of the Phase I effort (Figures 1-1 and 1-2). Three alternative reserve designs were developed to span the range of potential designs that are biologically appropriate. Alternatives A and B were rejected for a variety of reasons and the City's Alternative C was initially a compromise between the other two alternatives.

The Phase II program refined the City's alternative reserve design and the development of the draft Subarea Plan for agency and public review and comment. Based on extensive discussions with the Wildlife Agencies and the NCCP Rancho Palos Verdes working group and evaluations of potential development on the largest properties supporting natural vegetation, the City has decided to emphasize acquisition of key private properties and conservation of existing habitats on City-owned lands as the primary form of conservation.

Habitat restoration of disturbed areas in conserved areas will be a secondary form of conservation, with a required minimum level of restoration and enhancement to be accomplished each year. Having a restoration program in place will allow additional restoration to be accomplished as additional funding sources are identified. The Palos Verdes Peninsula Land Conservancy (PVPLC) will be the Habitat Manager for the Rancho Palos Verdes Habitat Reserve. A significant portion of the undeveloped lands in Rancho Palos Verdes support nonnative plant communities that, pending available funds, will be restored to native plant communities to increase the local habitat carrying capacity of selected covered species. The restoration potential of these degraded lands was assessed during the Phase I program to allow for prioritization of restoration efforts within the context of the proposed reserve design.

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1.1 PURPOSE AND NEED

The City of Rancho Palos Verdes (City) NCCP Subarea Plan (Subarea Plan) has been prepared to maximize benefits to wildlife and vegetation communities while accommodating appropriate economic development within the city and region (Figure 1-1) pursuant to the requirements of the Natural Communities Conservation Planning Act of 1991 (NCCP, California Fish and Game Code Section 2800, *et seq.*). This Subarea Plan provides for the comprehensive management and conservation of multiple species, including but not limited to species protected under the State or Federal Endangered Species Act (ESA).

An important benefit of this Subarea Plan is that the habitat conservation and management actions will compensate for the impacts of current and future development needs within the city. As intended by the NCCP Act, implementation of this Subarea Plan will facilitate cooperation and coordination among public agencies, landowners, and other interested organizations.

This Subarea Plan identifies habitat to be conserved in the City's proposed Reserve, the mechanism for this conservation (e.g., acquisition and easement), and interim protection measures for habitats not expected to be ultimately conserved. This Subarea Plan establishes actions the City will take to obtain ESA Section 10(a) take authorizations for covered species, including current and future management, maintenance, and compatible uses (e.g., passive recreation) of conserved lands, as well as funding for habitat management. The process for mitigating development on habitat not conserved, and how permits and take authorizations for covered species will be obtained, is also identified. These considerations form the basis for developing an Implementing Agreement with the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS) (Wildlife Agencies). In this manner, the authority for infrastructure development and land-use decisions is to be retained by the City, and will be enhanced by its ability to self-issue endangered species take authorizations.

Through implementation of this Subarea Plan, the City has considered regional planning before conducting site-specific project proposals. In this manner, individual project impacts can be analyzed in a regional context. The City will coordinate with adjacent jurisdictions to maximize shared conservation benefits. Although the NCCP subregion includes the entire Palos Verdes Peninsula, the City of Rancho Palos Verdes is currently the only jurisdiction in the subregion to enter into an NCCP planning agreement with the Wildlife Agencies.

The City's primary conservation strategy is to acquire several key privately owned parcels, dedicate selected City-owned lands, and have the Palos Verdes Peninsula Land Conservancy manage this reserve network with the assistance of the City and the Wildlife Agencies. The proposed Reserve is designed to be consistent with NCCP conservation and management standards and guidelines and the issuance criteria for ESA Section 10(a) take authorizations for species covered by the city-wide permit. The Reserve conserves regionally important habitat areas and provides adequate habitat linkages between patches of conserved habitat. Based on a habitat restoration plan to be approved by the Wildlife Agencies, the City and the PVPLC will enhance/restore the most practicable amount of disturbed habitats within the Reserve. To enhance habitat patch size and habitat linkage function (i.e., areas with moderate to high potential for successful restoration), this plan will emphasize habitats directly adjacent to conserved habitat.

SECTION ONE**Introduction****1.2 REGULATORY COMPLIANCE OF THE SUBAREA PLAN****1.2.1 Federal**

The USFWS has the legal authority to issue permits and enter into Subarea Plan implementing agreements based on completion of the subregional NCCP and pursuant to the ESA, Fish and Wildlife Coordination Act (16 U.S. Code [USC], Sections 661 to 666c), and Fish and Wildlife Act of 1956 (16 USC Section 742(f) et seq.). Section 10(a)(1)(B) of the ESA, 16 USC Section 1539(a)(1)(B), expressly authorizes the USFWS to issue a Section 10(a) permit to allow incidental take of species listed as threatened or endangered under the ESA. The legislative history of 10(a)(1)(B) clearly indicates that Congress also intended that the USFWS would approve Habitat Conservation Plans (HCP) that protect unlisted species as if they were listed under the ESA, and that in doing so the USFWS would provide Section 10(a)(1)(B) assurances for protection of such unlisted species (H.R. Rep. No. 97-835, 97th Cong., 2d Sess. 30-31, 1982. Conference Report on 1982 Amendments to the ESA). The USFWS routinely approves HCPs that address both listed and unlisted species.

The Secretary of the Interior set forth the "Habitat Conservation Plan Assurances Policy" on August 11, 1994, which became a final rule on February 23, 1998 (Federal Register 63[35]:8859-8873). Also known as the "No Surprises" policy, the policy provides regulatory assurances to holders of HCP incidental take permits.

Approval and implementation of the Subarea Plan will facilitate compliance with Section 10(a)(1)(B) of the Federal ESA. Through this planning process, the City will obtain ESA Section 10(a) incidental take authorizations. A "take" includes the direct killing, harming, or harassing of a species, or destruction of habitat that may be important for the species' survival or recovery. The take permit authorizes take by the City as long as it does not violate the terms and conditions established by the City's Implementing Agreement with the Wildlife Agencies. This Subarea Plan is the basis for this agreement.

The Subarea Plan also provides the City the benefits of the Section 4(d) rule associated with the listing of the threatened coastal California gnatcatcher. This special rule under Section 4(d) of the ESA, streamlines the Wildlife Agencies permitting for development in CSS habitat areas that does not preclude regional conservation options. This rule allows for a limited amount of incidental loss of CSS habitat while this Subarea Plan is being developed and processed.

Permits issued pursuant to this Subarea Plan do not include Army Corps of Engineers (ACOE) 404 permit, 401 water quality certification, or CDFG 1602 permits for impacts to wetlands. This Subarea Plan, however, shall largely fulfill the requirements for endangered species consultation relative to wetland permitting. This Subarea Plan provides the basis for ESA Section 7 consultation and issuance of a Biological Opinion by the USFWS for ACOE 404 permits within this Subarea Plan area. Thus, approval of this Subarea Plan should streamline the endangered species consultation process for wetland permits.

1.2.2 State

The Natural Communities Conservation Planning Act (NCCP Act; Section 2800 et seq. of the California Fish and Game Code) establishes the NCCP program "to provide for regional protection and perpetuation of natural wildlife diversity while allowing compatible land use and appropriate development and

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growth.” The NCCP Act calls for the preparation of subregional and Subarea Plans that address habitat conservation and management on an ecosystem basis rather than one species or habitat at a time. The CDFG and California Resources Agency prepared the “Southern California Coastal Sage Scrub NCCP Process Guidelines” (November 1993). Based on the definition established by the guidelines and the precedent established through acceptance of subregional plans prepared by local general purpose agencies, this Subarea Plan meets the requirements and standards of the NCCP program. Approval and implementation of the Rancho Palos Verdes Subarea Plan will secure City compliance with and be consistent with, Section 2081 of the California Endangered Species Act (CESA) and Section 2835 of the NCCP Act in the California Fish and Game Code.

In addition to Fish and Game regulations, this plan is also intended to be consistent with the City’s Local Coastal Plan and California Coastal Act regulations (California Code of Regulations Title 14, Section 30000, *et seq.*) for lands within the Coastal Zone.

1.2.3 Local

Implementation of this Subarea Plan will rely on the City’s land-use authority provided through General Plan policies, Local Coastal Program, zoning ordinances, community plan amendments, and environmental land-use regulations.

1.3 SPECIES FOR WHICH TAKE AUTHORIZATIONS ARE REQUESTED

This Subarea Plan is intended to provide for the take of covered species and their habitats associated with developments. Take authorizations are requested by the City for the following federally protected species: endangered Palos Verdes blue butterfly (*Glaucopsyche lygdamus palosverdesensis*), endangered El Segundo blue butterfly (*Euphilotes battoides allyni*), threatened coastal California gnatcatcher (*Poliophtila californica californica*), and endangered Lyon’s pentachaeta (*Pentachaeta lyonii*). Lyon’s pentachaeta is the only species listed by the CDFG under the State ESA currently known to occur near this Subarea Plan Area. Take authorization is requested for eight additional covered species not currently listed under the State or Federal ESA that have specific known locations in the city and would have sufficient levels of conservation under this Subarea Plan. These species include the California Native Plant Society (CNPS) Lists 1B and List 4 plants and the cactus wren (*Campylorhynchus brunneicapillus*), a State Species of Concern (SSC) that is also a NCCP focal species. Species covered by this Subarea Plan are identified in Table 1-1.

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**Table 1-1
Proposed Covered Species List for
the RPV Subarea Plan**

Status	Common Name	Scientific Name
CNPS List 1B	Aphanisma	<i>Aphanisma blitoides</i>
CNPS List 1B	South Coast Saltscale	<i>Atriplex pacifica</i>
CNPS List 4	Peirson's Moming-glory	<i>Calystegia peirsonii</i>
CNPS List 1B	Southern Tarplant	<i>Centromadia parryi</i> ssp. <i>australis</i>
CNPS List 4	Catalina Crossosoma	<i>Crossosoma californicum</i>
CNPS List 1B	Bright Green Dudleya	<i>Dudleya virens</i>
CNPS List 1B	Santa Catalina Island Desert-thorn	<i>Lycium brevipes</i> var. <i>hassei</i>
FE, CE, CNPS List 1B	Lyon's Pentachaeta	<i>Pentachaeta lyonii</i>
CNPS List 4	Woolly Seablite	<i>Suaeda taxifolia</i>
FE	Palos Verdes Blue Butterfly	<i>Glaucopsyche lygdamus palosverdesensis</i>
FE	El Segundo Blue Butterfly	<i>Euphilotes battoides allyni</i>
FT	Coastal California Gnatcatcher	<i>Poliopitila californica californica</i>
SSC	Cactus Wren	<i>Campylorhynchus brunneicapillus</i>

FE – Federally endangered

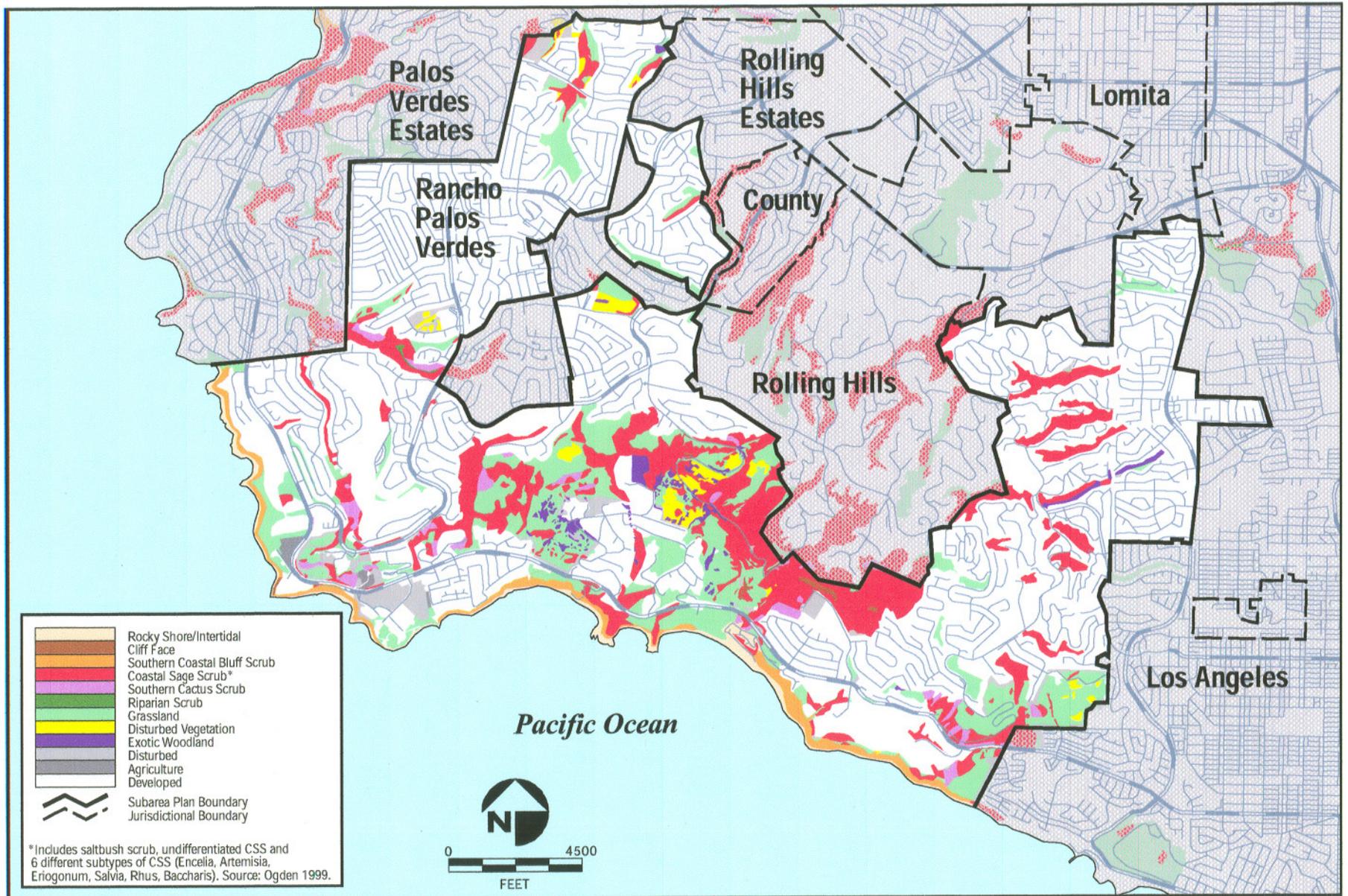
FT – Federally threatened

CE – State of California endangered

SSC – State Species of Concern

CNPS List 1B – Plants, rare, threatened, or endangered in California and elsewhere

CNPS List 4 – Plants of limited distribution -- a watch list

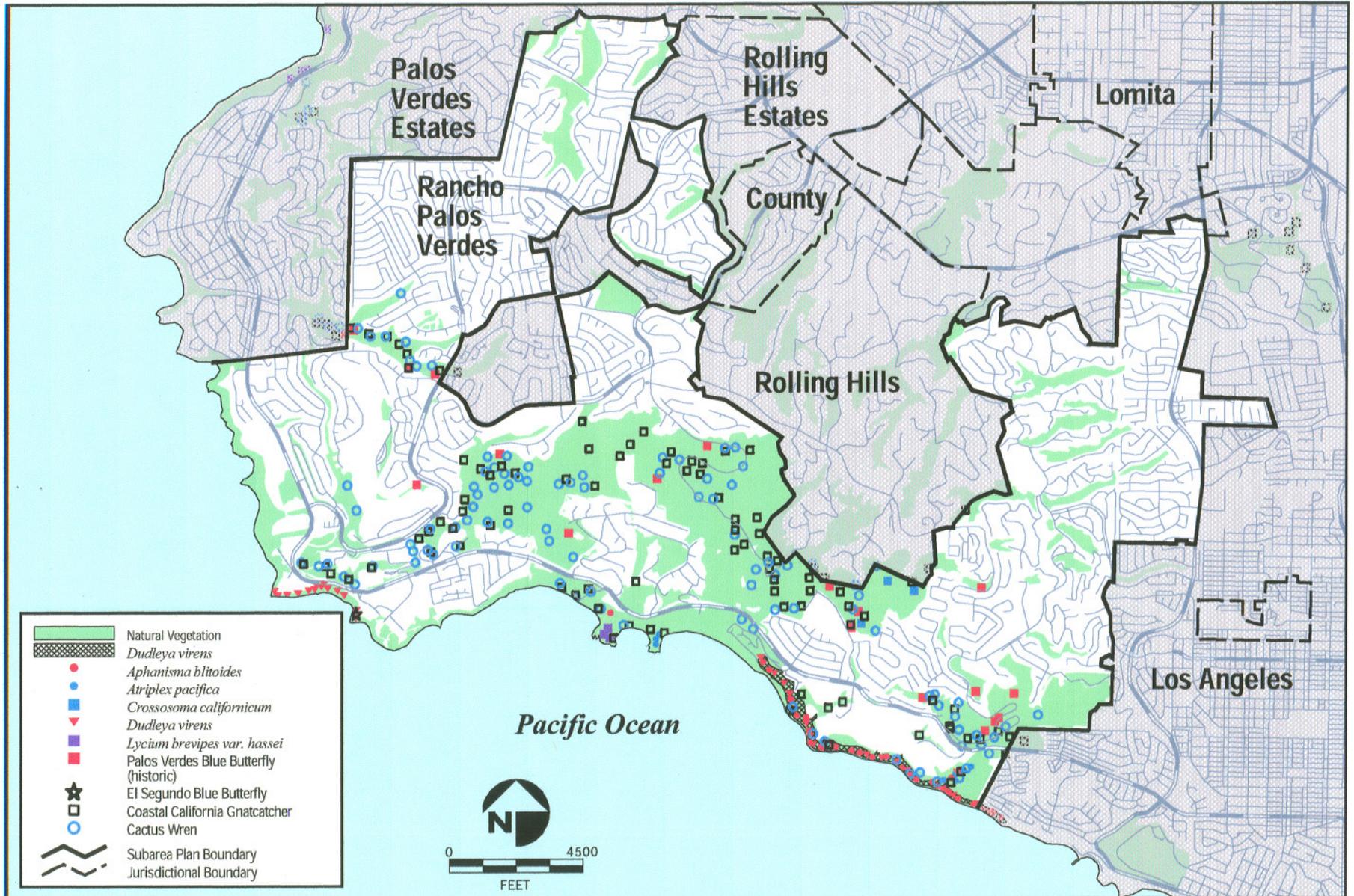


FIGURE

1-1

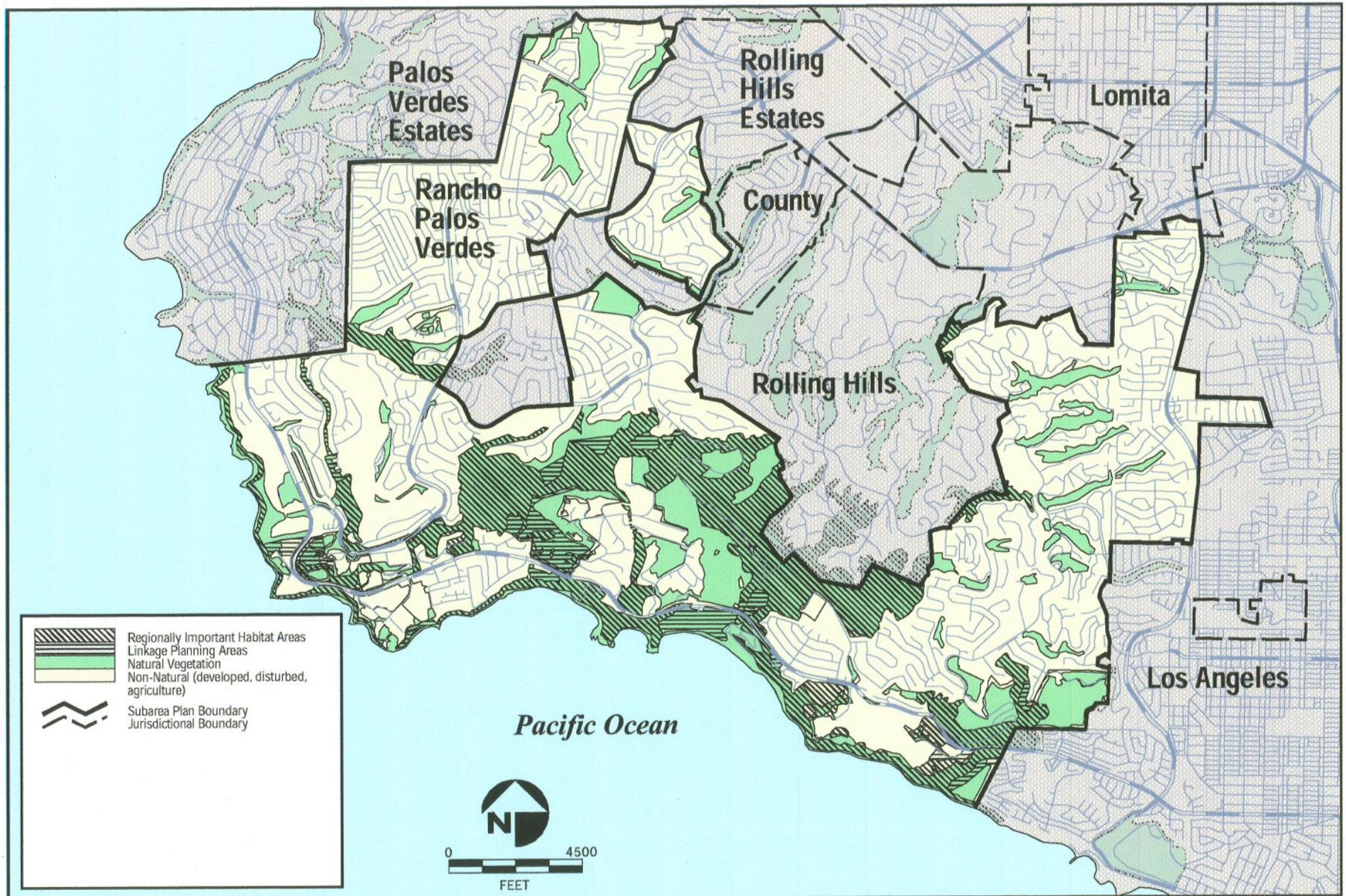


Natural Vegetation of Rancho Palos Verdes



FIGURE

1-2



FIGURE

2-4



Regionally Important Habitat Areas and Linkage Planning Areas