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Tom Buford, Senior Planner
City of Sacramento Environmental Planning Services
2101 Arena Boulevard, Second Floor
Sacramento, California 95834

Subject: Comments on the City of Sacramento's July 2006, Draft Environmental Impact Report for the Proposed Greenbriar Development Project, Sacramento County, California

Dear Mr. Buford:

The U.S. Fish and Wildlife Service (Service) and California Department of Fish and Game (DFG) (hereafter collectively referred to as the Wildlife Agencies) have reviewed the City of Sacramento's (City) July 2006, Greenbriar Development Project Draft Environmental Impact Report (DEIR). The DEIR has been prepared as part of the City's consideration of the Greenbriar proposal (proposed project), which would include the construction of 3,473 housing units (consisting of low, medium and high density housing), approximately 28 acres of retail and commercial development, a 10-acre elementary school, an approximately 39-acre common water feature, and eight neighborhood parks totaling approximately 49 acres. The proposed project area totals approximately 577 acres and is north of the existing City limits. The project area is located within the Natomas Basin Habitat Conservation Plan (NBHCP; City of Sacramento *et al.* 2003) Area; however, it is outside the City's Incidental Take Permit (ITP) area in northern unincorporated Sacramento County, approximately one mile east of the Sacramento International Airport. The project site is bounded by Interstate 5 to the south, Highway 99/70 to the east, the Metro Air Park (MAP) development to the west, and Elkhorn Boulevard to the north.

The project would result in impacts to up to 577 acres of giant garter snake (GGS) habitat, and direct and indirect impacts could include the loss of individuals, displacement of snakes, increased contamination of habitat, predation by domestic and feral animals, effects related to human encroachment, and road mortality. The DEIR discusses a proposed conservation strategy that includes preserving approximately 30.6 acres along the Lone Tree Canal (which would be a 2,650-foot-wide corridor that includes the canal and 200 feet of adjacent uplands), to be protected and managed in perpetuity as GGS habitat. Included in the proposed conservation strategy in the DEIR is a proposal to preserve, restore, and manage approximately 204.2 acres of GGS habitat at two off-site locations, including approximately 190 acres of managed marsh

habitat at the Spangler Property and approximately 14.2 acres of managed marsh habitat at the Natomas 130 Property. In addition to approximately 59.5 acres of upland associated with the managed marsh, an additional 47.3 acres of agricultural and riparian would be dedicated for Swainson's hawk (SWH) habitat.

The Effects Analysis and proposed conservation strategy in the DEIR were created with little input from the Wildlife Agencies and have not been evaluated by the Wildlife Agencies to determine their consistency with Federal and State Endangered Species Act requirements or their effects on the efficacy of the NBHCP. The Wildlife Agencies twice previously submitted to the City letters stating our concerns with the proposed project. The Wildlife Agencies met with the City on June 6, 2006, to further explain our concerns. A summary of these letters and meetings follows.

Background Summary

The Wildlife Agencies submitted a July 29, 2005, joint comment letter to the City in response to the Notice of Preparation (NOP) of a Draft Environmental Impact Report for the Greenbriar Project. The letter noted that if approved, the proposed project would result in a loss of up to 577 acres of habitat beyond that anticipated, analyzed and covered for take under the City's permit and would constitute a significant departure from the NBHCP's Operating Conservation Program. Additionally, in accordance with the NBHCP's Implementation Agreement, prior to approval of any rezoning or prezoning for the proposed project, the City is required to conduct a reevaluation of the NBHCP and ITPs, prepare a new effects analysis, revise or amend the NBHCP and ITPs, and develop an Environmental Impact Statement, or develop a separate conservation strategy and obtain separate ITPs to address such additional development. We noted that as part of the effects analysis, the full impact of such development on the efficacy of the NBHCP's carefully designed conservation strategy to minimize and mitigate the impacts of take of the Covered Species associated with a maximum of 17,500 acres of development within the Natomas Basin must be thoroughly analyzed and a conservation strategy that adequately addresses the increased impacts to the Covered Species resulting from additional loss of the limited habitat remaining in the basin is also required prior to authorization of any additional take. This effects analysis would need to evaluate if baseline conditions and assumptions used in the original analysis are still accurate.

On September 7, 2005 Judge Levi issued a decision in the Federal NBHCP litigation, which cautioned in footnote 13 of that decision that "the Service and those seeking an ITP in the future will face an uphill battle if they attempt to argue that additional development in the Basin beyond the 17,500 acres will not result in jeopardy" to GGS and SWH. Judge Levy's opinion considered the effects of the current trend of fallowing rice agriculture lands in the basin to facilitate potential further urban development.

On March 21, 2006, the Wildlife Agencies issued a second joint comment letter to the City in response to the City's December 2005, Analysis of Effects on the Natomas Basin Habitat Conservation Plan Report, which was prepared as part of the City's consideration of the proposed

Greenbrier development project. In this letter, the Wildlife Agencies discussed our concerns about the proposed project's effects on the GGS, SWH, and other Covered Species with regards to 1) connectivity among reserve lands and among the three major geographic areas in the Natomas Basin, and 2) the eroding baseline of agricultural lands, and rice farming, in particular, resulting both from current economic conditions and the cumulative effects of other reasonably foreseeable development in the basin. We specifically identified how the City's December 2005 document failed to adequately address the impacts of the proposed project on the NBHCP's Operating Conservation Program and also failed to analyze the proposed project in light of changes in land use since the approval of the NBHCP and reasonably foreseeable land use changes.

Finally, on June 6, 2006, the Wildlife Agencies met with representatives of the City to discuss the Greenbrier project. In this meeting, the Wildlife Agencies expressed concern and disappointment at the City's decision to release the DEIR without adequate input and review by the Wildlife Agencies. A July 7, 2006, telephone conference call between the representatives of the Wildlife Agencies and the City reviewed many of the topics from the June 6, 2006 meeting.

Conclusion

Based on our review of the DEIR, we reiterate our concerns, expressed previously in our letters and meetings with the City, that DEIR does not adequately address the impacts of the proposed project on the NBHCP's Operating Conservation Program. Please see our March 21, 2006, letter, enclosed.

Further, the Wildlife Agencies have not evaluated the Effects Analysis in the DEIR to determine its consistency with Federal and State Endangered Species Act requirements or its effects on the efficacy of the NBHCP. Such review will occur during the development of either a new HCP for Greenbrier, an amendment to the existing NBHCP, or a new HCP for the Natomas Basin. The City will be required to obtain a new ITP from the Wildlife Agencies, authorizing incidental take of State- and Federally-listed threatened and endangered species beyond what was permitted in the existing NBHCP. Until our review is completed, we are unable to determine the adequacy of the mitigation and conservation proposal reflected in the Effects Analysis. However, the Wildlife Agencies recognize that the proposal likely represents the minimum of mitigation and conservation measures that may be required for the development of the proposed project.

Pursuant to Public Resources Code Sections 21092 and 21092.2, the DFG requests written notification of proposed actions and pending decisions regarding this project. Written notifications should be directed to the DFG Sacramento Valley/Central Sierra Region, 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670. The Service also requests written notification regarding any actions on the proposed project. Notification can be submitted to the Service at the letterhead address.

Thank you for the opportunity to review this project. As the Wildlife Agencies have repeatedly stated in correspondence and in person, we are concerned about the effects of the proposed project on the efficacy of the NBHCP and the City's existing ITPs. The DIER does not

adequately address the effects of the proposed project on the GGS, in particular, and more generally, on the NBHCP's Operating Conservation Program. Future development in the basin will require a new conservation strategy that is developed with input and review from the Wildlife Agencies, to address these impacts. We remain committed to working with the City to preserve the benefits of the NBHCP and to ensure that any future development in the basin adequately protects the GGS, SWH and other Covered Species.

Please contact Holly Herod, the Sacramento Valley Branch Chief, or Kelly Fitzgerald of the Service at (916) 414-6645, of the Service and Jenny Marr, Staff Environmental Scientist, at (530) 895-4267, or Kent Smith, Acting Assistant Regional Manager, at (916) 358-2382, of the DFG if you have any questions or concerns regarding this letter.

Sincerely,

Susan K. Moore
Field Supervisor
U.S. Fish and Wildlife Service

Sandra Morey
Region Manager
California Department of Fish and Game

Enclosure

cc:
Larry Combs, Administrator, County of Sutter
(Attn: Board of Supervisors), County of Sacramento
John Roberts, The Natomas Basin Conservancy
Kent Smith, Department of Fish and Game Region 2
Jenny Marr, Department of Fish and Game Region 2

Literature Cited

City of Sacramento, Sutter County, Natomas Basin Conservancy, Reclamation District No. 1000, and Natomas Mutual Water Company (NBHCP). 2003. Final Natomas Basin Habitat Conservation Plan. Sacramento, California: Prepared for the U. S. Fish and Wildlife Service and CDFG. April.

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MAR 2 1 2006

Tom Buford, Associate Planner
City of Sacramento Planning Division
1231 I Street, Room 300
Sacramento, California 95814

Subject: Comments on the City of Sacramento's December 2005, Analysis of Effects on the Natomas Basin Habitat Conservation Plan Report

Dear Mr. Buford:

The U.S. Fish and Wildlife Service (Service) and California Department of Fish and Game (DFG) (hereafter collectively referred to as the Wildlife Agencies) have reviewed the City of Sacramento's (City) December 2005, Analysis of Effects on the Natomas Basin Habitat Conservation Plan Report (Report). The Report has been prepared as part of the City's consideration of the Greenbriar proposal (proposed project), which would include the construction of 3,723 housing units (consisting of low, medium and high density housing), approximately 30 acres of retail and commercial development, an 11.3 acre elementary school, an approximately 41 acre common water feature, and eight neighborhood parks totaling approximately 59 acres. The proposed project area totals approximately 577 acres north of the existing City limits. The project area is located within the Natomas Basin Habitat Conservation Plan (NBHCP) Area, and outside the City's Incidental Take Permit (ITP) area in northern unincorporated Sacramento County, approximately one mile east of the Sacramento International Airport. The project site is bounded by Interstate 5 to the south, Highway 99/70 to the east, the Metro Air Park (MAP) development to the west, and Elkhorn Boulevard to the north.

As our discussion below further explains, the Report does not adequately address the impacts of the proposed project on the NBHCP's operating conservation program. In particular, the Report does not include a comprehensive and meaningful analysis of the proposed project's effects on the giant garter snake (GGS), Swainson's hawk (SWH) and other Covered Species with regards to 1) connectivity among reserve lands and among the three major geographic areas in the Natomas Basin, and 2) the eroding baseline of agricultural lands, and rice farming, in particular, resulting both from current economic conditions and the cumulative effects of other reasonably foreseeable development in the basin.

Background

The Wildlife Agencies submitted a July 29, 2005, joint comment letter to the City in response to the Notice of Preparation (NOP) of a Draft Environmental Impact Report for the Greenbriar Project. The letter noted that if approved, the proposed project would result in a loss of up to 577 acres of habitat beyond that anticipated, analyzed and covered for take under the City's permit and would constitute a significant departure from the NBHCP's Operating Conservation Program. Additionally, in accordance with the NBHCP's Implementation Agreement, prior to approval of any rezoning or prezoning for the proposed project, the City is required to conduct a reevaluation of the NBHCP and ITPs, a new effects analysis, a potential amendment and/or revisions to the NBHCP and ITPs, or a separate conservation strategy and issuance of ITPs to the City to address such additional development. As part of the effects analysis, the full impact of such development on the efficacy of the NBHCP's carefully designed conservation strategy to minimize and mitigate the impacts of take of the Covered Species associated with a maximum of 17,500 acres of development within the Natomas Basin must be thoroughly analyzed. A conservation strategy that adequately addresses the increased impacts to the Covered Species resulting from additional loss of the limited habitat remaining in the basin is also required prior to authorization of any additional take. This effects analysis would need to evaluate whether baseline conditions and assumptions used in the original analysis are still accurate.

Further, on September 7, 2005 Judge Levi issued a decision in the federal NBHCP litigation, which cautioned in footnote 13 of that decision that "the Service and those seeking an ITP in the future will face an uphill battle if they attempt to argue that additional development in the Basin beyond the 17,500 acres will not result in jeopardy" to GGS and SWH. Judge Levy's opinion considered the effects of the current trend of fallowing rice agriculture lands in the basin to facilitate potential further urban development.

Potential Impacts of the Proposed Project on the Natomas Basin Habitat Conservation Plan

As previously noted, the effectiveness of the NBHCP's Operating Conservation Program is explicitly premised upon the City's commitment to limit total development to 8,050 acres within the City's Permit Area, and Sutter County's commitment to limit total development to 7,467 acres within Sutter County's Permit Area. These commitments are outlined in Sections I.B.2.a and I.B.2.b of the NBHCP and Section 3.1.1 of the NBHCP's Implementation Agreement. Section 3.1.1(a) provides that if either the City or Sutter County approves urban development beyond that considered in the NBHCP within the Natomas Basin or outside of their respective Permit Areas, the approval would constitute a significant departure from the NBHCP's Operating Conservation Program. The City and Sutter County agreed that in the event this future urban development should occur, then prior to approval of any related rezoning or prezoning, such future urban development shall trigger a reevaluation of the NBHCP and ITPs, a new effects analysis, potential amendments and/or revisions to the NBHCP and ITPs, a separate conservation strategy and issuance of ITPs to the City and/or Sutter County for that additional development, and/or possible suspension or revocation of the City's or Sutter County's ITPs in the event either jurisdiction violates such limitations. In addition to suspension or revocation of the City's and/or Sutter's permits, violation of the provisions limiting development, which is

the City's and/or Sutter's permits, violation of the provisions limiting development, which is incorporated by reference as a Term and Condition under Condition E of the jurisdictions' ITPs, would subject the offending jurisdiction to potential civil and criminal penalties under Section 11 of the Act. Additional penalties would apply under State law.

Potential Impacts of the Proposed Project on Connectivity in the Natomas Basin

The Natomas Basin is currently divided into three major areas relative to the movement of obligate wetland and aquatic species: a northwestern zone situated north of Interstate 5 and west of Highways 70 and 99; a southwestern zone situated south of Interstate 5 and west of Highways 70 and 99; and an eastern zone located east of Highways 70 and 99 (Brode and Hanson 1992). These roadways are effective barriers to the movements of aquatic species such as GGS; the movement of snakes between geographic areas has been reduced to a small number of culverts connecting those areas. These culverts, though not ideal, likely provide the only hydrologic connectivity between the Basin's three geographic areas. The western edge of the northwestern and southwestern zones is bordered by the Sacramento River, likely itself a barrier to GGS and other wetland dependent terrestrial species. The eastern zone is bordered on the east by the Natomas East Main Drainage Canal (Steelhead Creek) and farther east, by increasingly less-suitable (upland and higher gradient stream) habitat for GGS. Each of these areas contains important habitat for the giant garter snake, including Prichard Lake and the North Drainage Canal in the northwestern zone, Fisherman's Lake in the southwestern zone, and "Snake Alley" (North Main Canal and associated rice fields) in the eastern zone. The proposed Greenbriar site is located within the northwestern zone, at the intersection of all three zones.

The importance of maintaining connectivity corridors for the NBHCP's Covered Species is a key underlying theme of the April 2003, Final Natomas Basin Habitat Conservation Plan (City et al. 2003). The NBHCP's 0.5:1 mitigation ratio is, in part, justified by the plan's commitment to maintain connectivity between the Natomas Basin Conservancy's (TNBC) reserves and surrounding agricultural lands (NBHCP, p. IV-8), as well as connectivity between the three main geographic areas of the Natomas Basin. The plan repeatedly emphasizes the need to ensure connectivity between TNBC reserves in order to minimize habitat fragmentation and species isolation (NBHCP, p. I-16). For example, a primary goal of the NBHCP is to "ensure connectivity between individual reserves, and connectivity between reserves and surrounding agricultural lands", and the NBHCP's "conservation strategy emphasizes maintaining connectivity between TNBC reserves to allow giant garter snake movement within the Natomas Basin" (NBHCP, p. IV-8). Maintenance of connectivity corridors is extremely important for GGS to allow individuals of this species to access areas of suitable habitat and to sustain genetic interchange throughout the basin (NBHCP, p. II-15). Prior to acquisition of wetland reserves, TNBC must demonstrate that reserve lands to be acquired are hydrologically connected to suitable habitat and other reserve lands (NBHCP, p. IV-22). TNBC must reassess connectivity corridors within and between reserves annually (NBHCP, p. VI-16). Maintaining connectivity corridors is essential. If suitable habitat cannot be accessed by GGS or other covered species because of limited connectivity, then the overall baseline for the species in the Natomas Basin will decline.

The primary opportunity for connectivity for the GGS in the Natomas Basin is the basin's system of irrigation and drainage canals and ditches (NBHCP, p. IV-8). The Lone Tree Canal, which is located along the western edge of the proposed project site, is a particularly significant connectivity corridor for GGS, and individuals of this species have been observed using the canal on numerous occasions. As indicated in Figure 17 of the NBHCP (City et al. 2003), the Lone Tree Canal represents one (and we believe the most significant) of only a few possible corridors to allow the movement of GGS between TNBC's managed marsh and rice reserves to the north and south of Interstate 5 (I-5). Of the other two possible movement corridors, the North Drain is surrounded on both sides by urban development (i.e., Sacramento International Airport and the approved MAP project) and the West Drainage Canal is disconnected from other hydrologic features north of I-5 (Natomas Basin Conservancy 2005). Based upon the above information, the effects analysis falls short of evaluating the potential impacts of the proposed project on the ability of GGS to move within and between TNBC's reserve lands and surrounding agricultural lands.

Annual biological monitoring of GGS in 2004 and 2005 (Jones and Stokes 2004, 2005), south of I-5 resulted in troublingly low numbers of this species, suggesting that further isolation through compromised connecting habitat may lead to a loss of this segment of the basin's population. This portion of the giant garter snake's population in the basin, faced with further isolation, is increasingly more important because of the potential for genetic isolation. If snakes are not able to move between this area and other areas of the basin, they may become genetically isolated, or, in the worst case, extirpated, in the southwestern geographic area.

The absence of an adequate buffer could severely limit the utility of the Lone Tree Canal as a major connectivity corridor in the basin. The 2004 NBHCP Giant Garter Snake Monitoring Report (Jones and Stokes 2005) identified the Lone Tree Canal as likely the most important connectivity corridor for GGS. The effects analysis should include an analysis of an alternative in which an increased upland buffer is provided between the proposed project and the Lone Tree Canal. The City's December 2005 Report contains conflicting language regarding the proposed width of the buffer, stating variously that development will occur within 250 feet of the canal (p. 4-6) and that the conservation easement will provide a 200 foot wide setback from the high water line of Lone Tree Canal and the development (p. 4-7). The NBHCP includes a land area buffer of at least 250 feet width between residential development and Fisherman's Lake (NBHCP, p. V-2). The Wildlife Agencies believe that 250 feet, extending from the edge of the canal outward, is the minimum acceptable size for a buffer between Lone Tree Canal and the proposed project site. Further analysis of the effects of the proposed project, the baseline of GGS, and other information may indicate the need for a buffer larger than 250 feet.

The Wildlife Agencies strongly recommend an analysis of designing the proposed project so that the storm water run-off detention basin is situated adjacent to the Lone Tree Canal at the edge of the proposed buffer. This site design would provide an additional buffer to protect GGS from the proposed project's human related disturbance effects.

Additionally, the Report proposes to record a 30.6 acre conservation easement along Lone Tree Canal (p. 4-7) as one of the measures that will "likely offset the project's effects on GGS movement". We request clarification regarding the language describing this mitigation. The

Report states that "[f]unding will be provided by the project applicant to cover the cost of inspections and maintenance in perpetuity", and that the conservation lands will be transferred to TNBC reserve system for the management in perpetuity (p. 6-14). The acceptance of additional conservation lands by TNBC is at the discretion of their Board of Directors which must first determine that TNBC can effectively assume management of additional lands beyond the total calculated in their financial model and endowment securities. At minimum, the acceptance of lands and presumably a canal conservation easement would require a dedication of an endowment land management fee to be determined by the TNBC.

The Wildlife Agencies are concerned about the speculative language describing the potential conservation easement on the Lone Tree Canal. We understand that the management of the operation and maintenance of this canal is under the directive of the Natomas Mutual Water Company (NMWC) whose principle charge consists of maintenance of the structural efficiency of the water delivery canals throughout the basin. A conservation easement designed to provide for the conservation of GGS, as well as the Western pond turtle, another Covered Species, would likely conflict with current management mandates of the NMWC. Given that the proposed project would impinge on this canal and that findings in the 2004 NBHCP Monitoring Report (Jones and Stokes 2005) confirm the importance of this canal for GGS, additional measures may be necessary to protect this corridor for GGS. Although protecting Lone Tree Canal with a conservation easement may have merits conceptually, unless NMWC agrees to subordinate its management easement, the proposed vegetated Lone Tree Canal snake benches and supplemented water (from wells) may not produce high quality habitat in perpetuity, and, thus, this measure will not likely achieve the desired conservation benefits asserted.

Lastly, the proposed project notes that in the near future, Elkhorn Blvd, along the site's northern border, will be expanded from two lanes to a six lanes to accommodate traffic generated by MAP and other developments (p. 6-14). This expansion will result in a modification to the culvert drainage system under the roadbed which may result in a modification of flows into the Lone Tree Canal along the proposed project. Discussion as to whether this potential effect was analyzed in the Metro Air Park Habitat Conservation Plan (MAPHCP) as part of that project's infrastructure impacts is needed; however, the connectivity of canals in the basin is already restricted by high velocity flows in the culverts under the I-5 crossing of the Lone Tree Canal such that giant garter snakes may have difficulty moving north from the southernmost population unit. The additional effects of the Elkhorn road expansion on water flows and velocity and habitat connectivity may further negatively effect snake mobility and movement resulting in a significant adverse change in connectivity in the basin. Extension and widening of Elkhorn Boulevard may impede the movement of GGS from south to north (and vice versa) across Elkhorn Boulevard, because GGS will need to pass under Elkhorn Boulevard via a culvert. GGS may exhibit reluctance to use culverts in close proximity to urban development if inadequate minimization measures (*e.g.*, buffers, emergent vegetation near the culverts, larger culverts) are provided. Impinging connectivity at Elkhorn Boulevard could further reduce movement of snakes between the northwestern and southwestern geographic areas. Impacts to connectivity would result in increased impacts to the taking of GGS, thereby, necessitating a very different conservation strategy and additional conservation measures and mitigation.

Failure to Analyze Proposed Project in Light of Changes in Land Use since Approval of NBHCP and Reasonably Foreseeable Future Land Use Changes

The effects analysis should consider potential changes in land use (*e.g.*, agricultural production) due to factors such as potential changes in operations of Sacramento International Airport Lands and costs of agricultural water. Changes in land use affects the species' baseline habitat, which in turn affects the impacts of the taking of the species and necessitates a very different conservation strategy. The greater the impact of the taking, the greater the likelihood that different and increased mitigation may be warranted. For example, a complete analysis of the change in baseline habitat may lead to a determination that the applicant needs to mitigate at a 2:1 or 3:1 or ever higher ratio to meet the conservation needs of the species affected. It may also result in requiring that preserves be established in very specific locations with the basin.

The analysis fails to consider the potential indirect and cumulative impacts on the NBHCP's Covered Species. In August 2005, Jenny Marr of DFG provided Ellen Berryman with a list of possible future projects in the basin to be considered for inclusion in the effects analysis and the proposed project EIR. The following is a list of possible future projects that may represent reasonably foreseeable cumulative development in the basin. The City should provide an update of the status of each of the below projects and any other projects in the Basin that are under active consideration, and assess whether or not the impacts of the projects may be considered cumulative to the proposed project. If they are deemed cumulative, the effects of the proposed project may be considerably greater in light of these potential land use changes, and result in increased conservation needs for the Covered Species in the basin.

Possible future projects in the Natomas Basin:

- Natomas Fish Screen Replacement Project
- Natomas Levee Setback Project
- Sacramento Area Flood Control Levee Upgrade Project
- Sacramento River Water Reliability Study Project
- Sacramento Metropolitan Airport Expansion Project
- Sacramento Metropolitan Airport Master Management Plan
- Joint Vision Project
- Downtown to Natomas Rail Light rail Transportation Project
- Sacramento Municipal Utility Substation Expansion Projects (numerous)

Finally, the Report does not adequately address the potential effects on GGS resulting from farming adjacent to urban or residential development. Rice farming typically involves the aerial application of seed and herbicides. This aerial application of materials may conflict with adjacent residential development. For example, farmers or their contractors could have difficulty obtaining insurance to cover their operations in close proximity to residential development. The proposed project has historically been and is currently bordered to the north by rice fields. Therefore, the City should analyze the potential effects of the proposed project on adjacent agricultural uses.

Conclusion

On December 10, 2002, the County and City each approved a Memorandum of Understanding (MOU) that outlined a vision for land use and revenue sharing principles for lands in the Natomas Basin. This "Joint Vision" MOU designated the City as the agent for development and the County as the agent of permanent open space protection in the Natomas Basin. Based upon our understanding of the "Joint Vision" MOU, the City and County intend to work collaboratively to affect further land use changes in the Natomas Basin. The Wildlife Agencies encourage the City and County to pursue an amendment to the NBHCP that focuses on the Joint Vision, rather than pursuing an amendment for Greenbriar, and then an amendment for the Joint Vision.

Pursuant to Public Resources Code Sections 21092 and 21092.2, the DFG requests written notification of proposed actions and pending decisions regarding this project. Written notifications should be directed to the DFG Sacramento Valley/Central Sierra Region, 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670. The Service also requests being informed regarding any actions on the proposed project. Written notification can be submitted to the Service at the letterhead address.

Thank you for the opportunity to review this project. As the Wildlife Agencies have previously stated in correspondence and in person, we are concerned about the effects of the proposed project on the efficacy of the NBHCP and the City's existing ITPs. The Report does not adequately address the effects of the proposed project on the GGS, in particular, and more generally, on the NBHCP's operating conservation program. Future development in the basin will likely require a new conservation strategy to address these impacts, and will necessitate the preparation of an Environmental Impact Statement/Environmental Impact Report pursuant to the National Environmental Policy Act and California Environmental Quality Act, respectively. We remain committed to working with the City to preserve the benefits of the NBHCP and to ensure that any future development in the basin adequately protects the GGS, SH and other covered species.

Please contact Ken Sanchez, Assistant Field Supervisor, at (916) 414-6622 or Holly Herod, the Service's Sacramento Valley Branch Chief, at (916) 414-6645 and Jenny Marr, DFG Staff Environmental Scientist, at (530) 895-4267, or Kent Smith, DFG Acting Assistant Regional Manager, at (916) 358-2382 of the DFG if you have any questions or concerns regarding this letter.

Sincerely,

Susan K. Moore
Acting Field Supervisor
U.S. Fish and Wildlife Service

Sincerely,

Sandra Morey
Region Manager
California Department of Fish and Game

Literature Cited

Brode, J. and G. Hansen. 1992. Status and future management of the giant garter snake (*Thamnophis gigas*) within the southern American Basin, Sacramento and Sutter Counties, California. Rancho Cordova, California: California Department of Fish and Game, Inland Fisheries Division. 26 pp.

City of Sacramento, Sutter County, Natomas Basin Conservancy, Reclamation District No. 1000, and Natomas Mutual Water Company (NBHCP). 2003. Final Natomas Basin Habitat Conservation Plan. Sacramento, California: Prepared for the U. S. Fish and Wildlife Service and CDFG. April.

Jones and Stokes, Inc. 2004. Natomas Basin Habitat Conservation Plan Area, 2003 Annual Survey Results.

_____. 2005. Natomas Basin Habitat Conservation Plan Area, 2004 Annual Survey Results.

Natomas Basin Conservancy. 2005. Implementation Annual Report on pursuant to the Implementation Agreement for the 2003 Natomas Basin Habitat Conservation Plan. Appendix F: Biological effectiveness Monitoring Program. Sacramento, California: Prepared for the U. S. Fish and Wildlife Service and CDFG. May.