NOTICE OF PREPARATION
OF AN ENVIRONMENTAL IMPACT REPORT

Date: September 13, 2018

To: Agencies and Interested Parties

Lead Agency: Sacramento Municipal Utility District
6201 S Street, MS H201
Sacramento, CA 95817
Contact: Emily Bacchini at (916) 732-6334

Subject: Notice of Preparation of a Draft Environmental Impact Report for the SMUD Operations, Maintenance, and New Construction Habitat Conservation Plan

Review Period: September 13, 2018 to October 15, 2018

Sacramento Municipal Utility District (SMUD) is proposing an Operations, Maintenance, and New Construction Habitat Conservation Plan (HCP, or Plan) that will provide the basis for permits by California Department of Fish and Wildlife (CDFW) (2081) and U.S. Fish and Wildlife Service (USFWS) (10(a)(1)(B)) for 30 years of coverage for 15 plant and animal species. SMUD plans to prepare an environmental impact report (EIR) for the project to satisfy the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Section 21000 et seq.), and will serve as the lead agency for CEQA compliance.

Purpose of Notice: In accordance with the State CEQA Guidelines (14 California Code of Regulations [CCR] Section 15082), SMUD has prepared this notice of preparation (NOP) to inform agencies and interested parties that an EIR will be prepared for the above-referenced project. The purpose of an NOP is to provide sufficient information about the project and its potential environmental impacts to allow agencies and interested parties the opportunity to provide a meaningful response related to the scope and content of the EIR, including mitigation measures that should be considered and alternatives that should be addressed (State CEQA Guidelines 14 CCR Section 15082[b]).

Introduction: The purpose of an EIR is to inform decision-makers and the general public of the environmental effects of a proposed project. The EIR process is intended to provide environmental information sufficient to evaluate a proposed project and its potential to cause significant effects on the environment; examine methods of reducing adverse environmental impacts; and consider alternatives to
the proposed project. The SMUD HCP EIR will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The EIR will generally include the following:

- Description of the project;
- Description of the existing environmental setting for each topic, potential environmental impacts of the project, and mitigation measures;
- Cumulative impacts; and
- Alternatives to the project.

**Project Location:** The SMUD HCP Permit Area corresponds to SMUD’s Service Territory, which is primarily Sacramento County, with small portions of Placer, Amador, El Dorado, San Joaquin and Yolo counties in California. The Permit Area also includes a swath of land centered on SMUD’s gas pipeline in Yolo County and a swath centered on SMUD’s transmission line in Placer County. The total size of the Permit Area is approximately 578,000 acres (Figure 1). The Permit Area is the area in which SMUD is requesting authorization from USFWS and CDFW for incidental take of covered species under the Federal and California Endangered Species Acts resulting from covered activities, which include all activities and projects that may result in the take\(^1\) of species covered by the Plan. The Permit Area encompasses a diversity of existing land cover types, including urban landcovers, grasses and forbs, cropland, woodlands, and different aquatic features.

Covered activities and species are discussed in further detail below. Figure 1 shows the proposed project’s regional location and the boundaries of the permit area.

**Project Site Characteristics:** The Permit Area is in the lower Sacramento Valley of California in the Great Valley geomorphic province and totals approximately 578,000 acres (Figure 1). Elevation ranges from just below sea level to over 800 feet above sea level. There are two physiographic regions in the Permit Area: the Sierra Nevada foothills and the lower Sacramento Valley. The Sierra Nevada foothills are undulating to hilly, from 140 to 830 feet in elevation. This region is located along the northeast edge of the Permit Area. The remainder consists of the lower Sacramento Valley and is nearly level to gently rolling, with some areas in the eastern part rolling to hilly.

The major rivers in the Permit Area include the Sacramento, American, Mokelumne, and Cosumnes rivers, which are generally perennial. The Sacramento Valley in the northern part is drained by the Sacramento River, while the southern part, the San Joaquin Valley, is drained by the San Joaquin River. There are approximately 1,150 miles of intermittent streams and approximately 122.4 miles of perennial streams in the Permit Area. The climate in the Permit Area consists of hot, dry summers and cool, wet winters.

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1. California Fish and Game Code (86) defines “take” as to “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.”
Seventeen HCP land cover types were identified by SMUD in the Permit Area. Six of those are considered woodland dominated and include Eucalyptus Woodland (54 acres), Valley Foothill Riparian (10,357 acres), Blue Oak Foothill Pine (104 acres), Blue Oak Woodland (17,715 acres), Valley Oak Woodland (1,089 acres), and Mine Tailing Riparian Woodland (3,186 acres).

Three are considered agricultural dominated and include Orchard/Vineyard (31,418 acres), Cropland (69,173 acres), and Rice (5,313 acres). Two land cover types, Pasture (21,240 acres) and Grasses and Forbs (168,230 acres) are considered herbaceous dominated. Two land cover types, Urban (197,265 acres) and Barren/Disturbed (17,893 acres) are generally non-vegetated and are characterized by anthropogenic features. The remaining four land cover types are considered aquatic dominated and include Riverine (10,793.52 acres) Open Water/Fringe (6,502 acres), Other Depressional Wetlands (9,437 acres), and Vernal Pool, Seasonal Wetland, and Swale (7,784 acres).

**Project Description:** The California Endangered Species Act (CESA) prohibits the “take” of wildlife species listed as endangered or threatened by the California Fish and Game Commission (California Fish and Game Code, Section 2080). Under Fish and Game Code Section 2080, and Sections 1900-1913 (the Native Plant Protection Act [NPPA]), the take of listed species is prohibited except as otherwise provided under CESA and NPPA. The CESA defines take as “hunt, pursue, catch, capture or kill, or attempt to engage in such conduct” (California Fish and Game Code, Section 86).

Under Section 2081(b), the CDFW may authorize, by permit, the taking of state-listed endangered, threatened, and candidate species (but not for fully protected species, except for scientific research) if all of the following conditions are met:

- The take is incidental to an otherwise lawful activity.
- The impacts of the authorized take are minimized and fully mitigated.
- The measures required to meet this obligation must be roughly proportional in extent to the impact of the authorized take of the species. Where various measures are available to meet this obligation, the measures required shall maintain the applicant’s objectives to the greatest extent possible. All required measures shall be capable of successful implementation.
- The applicant must ensure adequate funding to implement the minimization and mitigation measures, and for monitoring compliance with, and effectiveness of, those measures.
- The permit will not jeopardize the continued existence of a state-listed species.

The Plan is designed to streamline and coordinate existing processes for review and permitting of SMUD’s activities (“covered activities”) under the CESA that potentially
affect protected plant and animal species (“covered species”) and to provide greater certainty on mitigation requirements.

The Plan is also intended to support incidental take authorization under section 10(a)(1)(B) of the federal Endangered Species Act (FESA) for impacts to federal listed species, as well as species expected to become listed in the near future. The permit area is the area in which SMUD will be requesting incidental take authorization from the USFWS for take of species covered by the Plan resulting from covered activities. Under the FESA, “…the term ‘take’ means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct” (Section 3(18) Federal Endangered Species Act).

To meet this goal, the HCP sets out a conservation strategy that includes measures to ensure that impacts to covered species and habitats related to covered activities are avoided, minimized, and mitigated to the maximum extent practicable. These covered activities encompass the range of existing and future activities that SMUD will implement within the permit area and are described below (see Covered Activities).

Covered Species

Covered species are those species addressed in the Plan for which conservation actions will be implemented and for which SMUD seeks incidental take authorization during the 30-year permit term.

The permit issued by CDFW must name specific species that are currently listed as threatened or endangered and for which take from the impacts of covered activities is authorized. Although the primary intent of this Plan is to provide mitigation for impacts on covered species, it will also contribute to the conservation of native biological diversity, habitat for native species, natural communities, and local ecosystems. This broad scope will conserve a wide range of natural resources including native species that are common and those that are rare.

As listed in Table 1 below, the Plan proposes coverage for 15 listed and non-listed species, which include four (4) plant species and eleven (11) animal species. Species listed as State threatened or endangered and for which take from the impacts of covered activities is anticipated, are expected to be named on the CESA Section 2081 Incidental Take Permit. All 15 species are expected to be named on the FESA Incidental Take Permit. In exchange, the Plan will provide long-term conservation and management of these species. The Plan includes conservation measures to protect all 15 covered species, whether or not they are currently listed. Under both Federal and State incidental take permits, any non-listed species addressed by the Plan’s conservation strategy will not require additional conservation within the permit area should that species become listed during the permit term.
Table 1. Covered Species

<table>
<thead>
<tr>
<th>Common and Scientific Name</th>
<th>Federal/State/CNPS Listing Status²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boggs Lake hedge-hyssop Gratiola heterosepala</td>
<td>--/SE/1B.2</td>
</tr>
<tr>
<td>Legenere Legenere limosa</td>
<td>--/--/1B.1</td>
</tr>
<tr>
<td>Slender Orcutt grass Orcuttia tenuis</td>
<td>FT/SE/1B.1</td>
</tr>
<tr>
<td>Sacramento Orcutt grass Orcuttia viscida</td>
<td>FE/SE/1B.1</td>
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<tr>
<td>Vernal pool fairy shrimp Branchinecta lynchi</td>
<td>FT/--/--</td>
</tr>
<tr>
<td>Valley elderberry longhorn beetle Desmocerus californicus dimorphus</td>
<td>FT/--/--</td>
</tr>
<tr>
<td>Vernal pool tadpole shrimp Lepidurus packardi</td>
<td>FE/--/--</td>
</tr>
<tr>
<td>California tiger salamander Ambystoma californiense</td>
<td>FT/ST/--</td>
</tr>
<tr>
<td>Western spadefoot Spea hammondii</td>
<td>--/SSC/--</td>
</tr>
<tr>
<td>Western pond turtle Actinemys (=Emys) marmorata</td>
<td>--/SSC/--</td>
</tr>
<tr>
<td>Giant garter snake Thomophis gigas</td>
<td>FT/ST/--</td>
</tr>
<tr>
<td>Tricolored blackbird Agelaius tricolor</td>
<td>--/SC/--</td>
</tr>
<tr>
<td>Burrowing owl Athene cunicularia</td>
<td>--/SSC/--</td>
</tr>
<tr>
<td>Swainson’s hawk Buteo swainsoni</td>
<td>--/ST/--</td>
</tr>
<tr>
<td>Least Bell’s vireo Vireo bellii pusillus</td>
<td>FE/SE/--</td>
</tr>
</tbody>
</table>

² Federally-designated Endangered (FE), Federally-designated Threatened (FT), State-designated Endangered (SE), State-designated Threatened (ST), State Species of Special Concern (SSC), State Candidate (SC), Plants rare, threatened, or endangered in California and elsewhere; seriously threatened in California (1B.1), Plants rare, threatened, or endangered in California and elsewhere; fairly threatened in California (1B.2)
Covered Activities

A primary goal of this Plan is to protect species and their habitats in order to obtain authorization for incidental take of covered species under the CESA and NPPA for certain types of activities in the Plan area. Covered activities are those that SMUD would implement in the permit area. Covered activities consist of operation and maintenance (O&M) and construction activities including projects or ongoing activities that will receive incidental take authorization by the CESA permit. Covered activities in the Plan fall into six general categories:

1. Electrical facilities
2. Natural gas transmission facilities
3. Vegetation management
4. Telecommunications
5. Conservation strategy
6. Miscellaneous activities

These activities broadly define the types of activities covered by the Plan. In some cases, specific projects are identified as examples to illustrate the general category. However, if a given project meets the guidelines for covered activities as described in the Plan, then that project is a covered activity. Conservation strategy implementation involves the activities within the lands managed, enhanced, restored, and monitored to conserve the natural resources targeted by this Plan. All conservation actions will take place within the Permit area.

Activities or projects that do not fall clearly within the criteria provided in the Plan will be evaluated on a case-by-case basis by SMUD. If a specific type of project or activity is not included within the descriptions in the Plan, then it will not receive coverage under the Plan.

Probable Environmental Effects: SMUD has determined that an EIR should be prepared for the proposed project because it may have a significant effect on the environment. SMUD has concluded that the EIR should address potential project-related impacts to the resources identified below. Each of the following resource area chapters will include a discussion of the existing setting, thresholds of significance, evaluation of potential impacts, and if necessary, feasible mitigation measures to reduce or eliminate potentially significant impacts to the applicable resource. In addition, as described above, the EIR will present assessment of the impacts of alternatives, and provide other required analyses, including cumulative impacts.

- Aesthetics
- Agricultural Resources
- Air Quality and Greenhouse Gas Emissions
- Biological Resources
- Cultural Resources (including Tribal Cultural Resources)
- Geology and Soils / Mineral Resources / Paleontological Resources
Project Entitlements and Approvals: Requested approvals for the SMUD HCP are anticipated to include the following:

**Federal**
- U.S. Fish and Wildlife Service (USFWS)
  - Section 10(a)(1)(B) Incidental Take Permit

**State**
- California Department of Fish and Wildlife (CDFW)
  - Section 2081 Incidental Take Permit

**Local**
- SMUD will be the permit holder for the Permits. As the permittee, SMUD is responsible for preparing the HCP, implementing the HCP, and complying with all HCP requirements and any terms and conditions of the Permits
- SMUD will also take these actions:
  - Approve implementation of the Habitat Conservation Plan
  - Certify the Environmental Impact Report
  - Adopt a Mitigation Monitoring and Reporting Program

Document Availability: The NOP is available for public review on SMUD’s website: https://www.smud.org/en/about-smud/company-information/document-library/CEQA-reports.htm. Printed copies of the NOP are also available for public review at the following locations:

Sacramento Municipal Utility District
Customer Service Center
6301 S Street
Sacramento, CA 95817

Sacramento Municipal Utility District
East Campus Operations Center
4401 Bradshaw Road
Sacramento, CA 95827
**Scoping Meetings:** SMUD will hold two scoping meetings to inform agencies and other interested parties about the project, and to provide an opportunity to provide comments on the scope and content of the EIR. The meeting times and location are as follows:

**Agency Scoping Meeting**
September 27, 2018
Time: 4:00 - 5:00
Location: Rubicon Room, Customer Service Center
Address: 6301 S Street, Sacramento, 95817

**Public Scoping Meeting**
September 27, 2018
Time: 6:00 - 7:00
Location: Rubicon Room, Customer Service Center
Address: 6301 S Street, Sacramento, 95817

**Comment Period:** Agencies and interested parties may provide SMUD with written comments on topics to be addressed in the EIR for the project. Comments can be provided anytime during the NOP review period, but must be received by 5:00 p.m. on October 15, 2018. Please send all comments, with appropriate contact information, to the following address:

Emily Bacchini  
Sacramento Municipal Utility District  
Environmental Services  
6201 S Street, MS H201  
Sacramento, CA 95817  
emily.bacchini@smud.org

All comments on environmental issues received during the public comment period will be considered and addressed in the Draft EIR, which is anticipated to be available for public review in early 2020.
Notes: The portion of the Permit Area in Yolo County represents SMUD’s natural gas pipeline buffered by 1,000 feet, but does not show the actual pipeline alignment. The actual location of the gas pipeline could not be depicted for security reasons.

Source: SMUD (2017)