

3.1 PROJECT LOCATION AND SETTING

The 13.6-square-mile coastal community of Rancho Palos Verdes is on the southwest side of the Peninsula. Rancho Palos Verdes is bounded to the north by Rolling Hills Estates, Rolling Hills, and Palos Verdes Estates and to the east by San Pedro, with the high-density, urbanized core of South Bay communities farther to the north (see Figure 3-1).

Approximately 8,558.7 acres of land occur in Rancho Palos Verdes, including native habitats, nonnative habitats, agricultural lands, disturbed areas, and developed lands. Vegetation communities include CSS, southern cactus scrub, saltbush scrub, coastal bluff scrub, grassland, riparian scrub, disturbed vegetation, exotic woodland, cliff face, and agriculture. Approximately 20 sensitive species occur within the Subarea Plan area.

Land uses are dominated by single-family detached dwellings, scattered higher-density residential, and neighborhood-oriented commercial. Institutional land uses also exist. Industrial activities are excluded on the Peninsula. Portions of the Reserve area are located within the boundaries of the City's Redevelopment Agency.

3.2 BACKGROUND AND HISTORY

The NCCP Act of 1991 (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 CESA or ESA.

The NCCP Act is intended to promote cooperation and coordination among public agencies, landowners, and other interested organizations or individuals. The City has entered into an NCCP agreement with the CDFG and USFWS to develop an NCCP subarea plan that would encompass the entire city. The NCCP subregion includes the entire Peninsula; however, only Rancho Palos Verdes has entered into an NCCP agreement. The remaining Peninsula cities have been encouraged to participate formally in the Peninsula NCCP process.

As the lead agency of the Peninsula NCCP, the City needed to develop a landscape scale database of biological resource and land use information in a way that would allow the City and Wildlife Agencies to make informed land use and conservation decisions for future projects. The primary goal of this Phase I program was to provide a biological analysis of the remaining naturalized open space within 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 was the primary focus of the Phase I effort. Three alternative Reserve designs (Alternatives A, B, and C) were developed to cover the potential designs that are biologically appropriate. Alternative A would conserve the largest amount of existing naturalized vegetation (91.0 percent) in Rancho Palos Verdes. Alternative B would conserve the least amount of existing naturalized vegetation (78.3 percent). The amount of existing naturalized vegetation conserved under Alternative C would be 87.4 percent.

Insert Figure 3-1
Regional Vicinity Map

The Phase II program refined the City's alternative Reserve designs and 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 decided to emphasize acquisition of key private properties and conservation of existing habitats on City-owned lands as the primary form of conservation.

3.3 PROJECT OBJECTIVES

The Proposed Project includes adoption of the City Subarea Plan and implementation of the Alternative C Reserve design as presented in the Draft Subarea Plan. The Proposed Project maximizes benefits to wildlife and vegetation communities in the city and region pursuant to requirements of the NCCP Act of 1991 (California Fish and Game Code, Section 2800, et seq.). The resulting planning effort provides for comprehensive management and conservation of multiple species, including but not limited to species protected under ESA or CESA.

The Subarea Plan identifies the following:

- Habitat to be conserved in the City's proposed Reserve and the mechanism for this conservation (e.g., outright acquisition or easement grants).
- Interim protection measures for habitats not expected to be ultimately conserved through exactions during the development process.

The Subarea Plan establishes actions that the City would take to obtain ESA Section 10(a) take authorizations for species covered by the Subarea Plan. Also established in the Subarea Plan are current and future management, maintenance, and compatible uses (e.g., passive recreation) for conserved lands and funding for habitat management.

The Subarea Plan identifies the process for mitigating development on habitat not conserved and for obtaining permits and take authorizations for covered species. All these elements form the basis for developing an IA with CDFG and USFWS, jointly known as the Wildlife Agencies. In this manner, the authority for infrastructure development and land use decisions on sensitive lands in the Subarea Plan would be retained by the City. The City thereby obtains the ability to self-issue endangered species take authorizations as long as they are consistent with the Subarea Plan and the attendant IA.

The City's primary conservation strategy is to acquire several key, privately owned parcels, contribute selected City-owned lands, and have the PVPLC manage this Reserve network with assistance from the City and Wildlife Agencies. A long-term habitat restoration program is also a critical component of the Subarea Plan. The proposed Reserve is designed to be consistent with NCCP standards and guidelines and the issuance criteria for ESA Section 10(a) take authorizations for species covered by the Subarea Plan. The resulting Reserve conserves the most practicable amount of regionally important habitat areas and provides adequate habitat linkages between patches of conserved habitat.

Based on a revegetation plan to be approved by the Wildlife Agencies, the City and PVPLC would enhance or restore the most practicable amount of disturbed habitats within the Reserve, emphasizing areas directly adjacent to conserved habitat to enhance habitat patch size and habitat linkage function (i.e., areas with moderate to high potential for successful restoration).

3.4 PROJECT COMPONENTS

3.4.1 Covered Species

The 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 (*Polioptila californica californica*).
- Endangered Lyon’s pentachaeta (*Pentachaeta lyonii*).

Lyon’s pentachaeta is the only species listed by the CDFG under CESA currently known to occur near the Subarea Plan area. Take authorization is requested for eight additional covered species not currently listed under ESA or CESA that have specific known locations in the city and would have sufficient levels of conservation under the Subarea Plan. These species include California Native Plant Society (CNPS) Lists 1B and 4 plants and the cactus wren (*Campylorhynchus brunneicapillus*), a State Species of Concern (SSC) that is also an NCCP focal species. Species covered by the Subarea Plan are identified in Table 3-1.

**Table 3-1
Proposed Covered Species List for
the Rancho Palos Verdes 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 Morning-glory	<i>Calystegia peirsonii</i>
CNPS List 1B	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>Polioptila californica californica</i>
SSC	Cactus Wren	<i>Campylorhynchus brunneicapillus</i>
CNPS List 1B	Southern Tarplant	<i>Centromadia parryi</i>

FE – Federally endangered

FT – Federally threatened

SSC – State Species of Concern

CE – State of California endangered

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

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

3.4.2 Reserve Design

The Subarea Plan promotes biodiversity, allows for continued economic development, and avoids property taking. Consequently, designing the Reserve system involves balancing two major goals:

- Biological conservation.
- Property development, property rights, and economic development.

The approach taken to design a functional Reserve system was to identify properties where conservation would best achieve biological goals with the least detrimental effects on other land use, property rights, or economic goals. This approach involved examining opportunities and constraints and incorporating biologically valuable lands into the Reserve system.

The proposed Reserve design includes 1,504 acres, of which 1,435 acres are dominated by naturalized vegetation. An additional 663 acres of land are categorized as Neutral Lands that contribute to Reserve function as natural open space and cannot be developed because of extreme slopes, open-space hazard zoning, or official designation as deed restricted HOA open space. Because Neutral Lands are currently not accessible for active habitat management, they are not included in the Reserve. If agreements can be reached with the property owners to allow management, these lands would be added to the Reserve. Including the Neutral Lands, approximately 96.3 percent (1,200 acres) of existing sage scrub habitats would be conserved and precluded from future development under the proposed reserve design.

The Reserve would be composed of public and private biological open-space lands. Following are approximate acreages of these lands (property locations are shown on Figure 3-2).

3.4.2.1 Existing Public Lands (836.5 acres)

1. City-owned lands (423.5 acres) already dedicated as biological open space to be included in the Reserve:
 - 102-acre Switchbacks Parcel
 - 53-acre Shoreline Park Parcel
 - 163-acre Forrestal Parcel
 - 69 acres within the 70.5-acre open space area in the Oceanfront Estates Project now owned by the City
2. City-owned lands (322.2 acres) to be dedicated to the Reserve:
 - 98-acre Barkentine Canyon (Parcel 4)
 - 68 acres of the 79.3-acre Upper Point Vicente Parcel (City Hall Parcel)
 - 10 acres of the 26.4-acre Lower Point Vicente Property
 - 6 acres of the 10.5-acre Fishing Access Property
 - 100 acres of the 124.3-acre Abalone Cove Parcel
 - 17.4-acre Del Cerro Buffer
 - 16.8 acres of the 19.6-acre Crestridge Parcel
 - 9 acres of the 17.5-acre Grand View Park

Figure 3-2
Planning Area Map

3. Other public/conserved lands (90.8 acres):

- 66.9 acres within the Ocean Trails Project not yet transferred to the City
- 20-acre Lunada Canyon Preserve owned by the PVPLC
- 3.9 acre Coast Guard property

3.4.2.2 Private Lands 216.6 acres)

1. Private-development projects would contribute 80 acres of biological open space to the Reserve:

- 40 acres within the Long Point Parcel (bluff face)
- 40 acres within the Lower Filiorum Parcel (includes 1.5 acres to be donated as mitigation for previous brush-clearing activities and 38.5 acres of mitigation for CSS loss resulting from any future development of the 95-acre Lower Filiorum parcel)

The inclusion of Lower Filiorum acreage in the Reserve would be a condition of approval for any development project subsequently approved for the Lower Filiorum property. If no approvals are obtained, there would be no obligation on the part of present or future property owner to donate these lands, with the exception of the 1.5 acres as mitigation for previous brush-clearing activities. Designating these lands as included in the Reserve does not constitute approval of development on the Lower Filiorum property.

2. Seven local HOAs are being requested to contribute 136.6 acres of open space to the Reserve:

- 11.5 acres belonging to the Estates Panorama HOA
- 18 acres belonging to the Portuguese Bend Club
- 20 acres belonging to the Sea Breeze HOA
- 42.3 acres belonging to the Peninsula Pointe HOA
- 16.6 acres belonging to the Sunset Ridge HOA
- 13.2 acres belonging to the Seacliff Hills HOA
- 15 acres belonging to the Rancho Palos Verdes Estates HOA

The City and PVPLC are actively working with these HOAs to sign agreements to include a portion of their open-space lots within the Reserve to be actively managed by the PVPLC. Because they currently are not accessible for active habitat management, they are not included in the Reserve. If agreements can be reached with the property owners to allow management, these lands would be added to the Reserve. Until such agreements are obtained, however, these lands are categorized as Neutral Lands that cannot be developed, and habitat loss is not permitted except for compatible uses identified in the Subarea Plan. These lands can be incorporated into the Reserve system through the “Additions to the Reserve” process.

3.4.2.3 Priority Acquisition Areas to be Purchased (684.5 acres)

The City, PVPLC, County, and Wildlife Agencies would provide funds for the purchase and dedication of 684.5 acres of privately owned lands considered regionally important for the Reserve:

- 422.3-acre Portuguese Bend Parcel (397.3 acres would be included in the Reserve, and 25 acres in the lower active landslide area would be an “active recreation area” outside of the Reserve that

would serve as a public-access point to trails within the Reserve and could include an equestrian facility).

- 43.8-acre Agua Amarga Canyon Parcel.
- 218.4-acre Upper and Middle Filiorum Parcels.

3.4.2.4 *Neutral Lands*

About 663 acres of Neutral Lands would exist outside the Reserve boundary, but they are unlikely to be developed in the future. PVPLC and the City would work to obtain conservation easements over some of these lands and add as many to the Reserve as practicable. These Neutral Lands can be placed into the following two categories:

1. *Extreme Slopes on Private Property.* Extreme slopes are slopes with greater than 35 percent grade that occur in undeveloped canyons and slopes scattered throughout the city, although they are mostly concentrated on the city's east side. These slopes are protected from development by City Ordinance.
2. *Lands Zoned Open-Space Hazard.* Unstable geologic conditions or other physical constraints occurring on public and private properties zoned Open-Space Hazard may result in a prohibition against development. Any proposed development must be accompanied by a detailed geotechnical investigation establishing the absence of geologic hazards and an approved City application to remove the land from the Open-Space Hazard designation.

3.4.3 Mitigation Requirements

The City has identified 21 City projects and 9 private projects that would be covered by the Subarea Plan, resulting in unavoidable loss of approximately 55.4 acres of CSS and 187.3 acres of non-native grassland within or outside the proposed Reserve. Mitigation for these habitat impacts would be at a 3:1 ratio (conserved acreage to affected acreage) for CSS and a 0.5:1 ratio for non-native grasslands. Mitigation for impacts of City projects (40.2 acres of CSS and 106.3 acres of non-native grassland) would be provided by the dedication of 322.2 acres of City-owned land and 5.6 acres of revegetation within the Reserve (2.1 acres of revegetation has already been completed). In addition, the City and PVPLC have made a commitment to initiate restoration activities on at least 5 acres annually for the duration of the take permit. Mitigation for impacts of private projects would be provided by dedication of private land or donation of monies to the habitat restoration fund by the private entities.

A total of 13.7 acres of sage scrub habitats and 72 acres of non-native grassland not associated with planned projects described in the Subarea Plan are estimated to occur outside the proposed Reserve boundaries and Neutral Lands. Any potential unanticipated future impacts to habitats outside the Reserve would be mitigated through dedication of additional acreage to the Reserve or restoration of priority areas within the Reserve at a 3:1 mitigation ratio for CSS and a 0.5:1 ratio for non-native grassland.

A small amount of riparian scrub (0.1 acres) is excluded from the Reserve. Additional unmapped riparian habitats, other waters, or native grassland may also occur outside the Reserve. Wetland habitats and streambeds within the Subarea Plan area would be subject to CWA Sections 401 and 404 and Fish and Game Code 1600 permit requirements if they are included within areas proposed for development.

Impacted wetlands would be mitigated at a 3:1 ratio. Native grasslands greater than 0.3 acre documented during subsequent project-specific environmental review would be mitigated at a 3:1 ratio.

3.4.3.1 City Projects

City Capital Improvement Plan projects would involve an unavoidable loss of CSS habitat of 40.2 acres. These impacts would be mitigated at a 3:1 ratio with a combination of onsite restoration and offsite habitat acquisition and restoration within the Reserve. Impacts to 106.3 acres of non-native grassland would be mitigated at 0.5:1 with offsite land acquisition.

3.4.3.2 Private Projects

The City expects that 9 recent and future planned, private projects would involve 15.2 acres of unavoidable loss of CSS habitat. Mitigation for these losses at a 3:1 ratio would result in a dedication to the Reserve of 3.9 acres by the City and 41.7 acres provided by the project applicants as additions to the Reserve or funds for habitat restoration of disturbed areas within the Reserve. For any unanticipated future projects, the City expects that unavoidable CSS impacts would be mitigated at a 3:1 ratio through establishment of conservation easements or restoration of disturbed areas within the Reserve boundaries. Impacts to 81 acres of non-native grassland would be mitigated through onsite dedications and offsite land acquisition at a 0.5:1 ratio.

3.4.4 Project-Specific Review and Approval

3.4.4.1 Permitting

After the City Council and Wildlife Agencies adopt and approve the Subarea Plan and IA, the Wildlife Agencies would issue to the City a 50-year authorization to take species covered by the Subarea Plan. Additionally, this Subarea Plan contains new standards for protection of sensitive species; this potentially would eliminate most Wildlife Agency involvement in project-specific review and approval.

Impacts to wetlands must continue to be regulated through the CWA (Section 404 et seq.), California Fish and Game Code (Section 1600 et seq.), and local regulations, although coverage for endangered species through the Subarea Plan should facilitate any consultation required between the USFWS and ACOE.

Third-party beneficiaries (owners/developers of land covered by the Subarea Plan) would be allowed to take covered species and habitats incidental to project construction, operation, and maintenance based on approvals extended to the project through the local project permitting process. Malicious or capricious harm to sensitive species and habitats is still forbidden.

After adoption and approval of the Subarea Plan and IA, any proposed development of land in the city would require consistency with the appropriate provisions of the updated Rancho Palos Verdes Municipal Code, General Plan, and Local Coastal Plan. Consistency with the Subarea Plan would be a mandatory finding of the CEQA review process.

3.4.4.2 No Surprises

The primary purpose of the Subarea Plan is to provide for conservation of covered species and address potential impacts of urban growth, natural habitat loss, and species endangerment by mitigating the impacts of take of the covered species resulting from covered activities. If the Subarea Plan meets the criteria for issuance of an Incidental Take Permit (ITP) under Section 10 of the ESA, the City will receive assurances under the “No Surprises” rule of the U.S. Department of the Interior at 50 CFR Sections 17.22(b)(5) and 17.32(b)(5) for covered species adequately conserved under the Subarea Plan, upon approval of the Subarea Plan and issuance of an ITP to the City and for as long as the Subarea Plan is being properly implemented. Pursuant to the “No Surprises” rule, if the USFWS makes a finding of “Unforeseen Circumstances,” the USFWS will not require commitment of additional land, water, or financial compensation or additional restrictions on the use of land, water, or other natural resources beyond the level agreed to in the Subarea Plan and the IA with respect to covered activities without consent of the City.

“Unforeseen Circumstances” (defined in 50 CFR Section 17.3) means changes in circumstances affecting a species or geographic area covered by a conservation plan that could not reasonably have been anticipated by plan developers and the USFWS during the conservation plan’s negotiation and development and that result in a substantial and adverse change in the status of the covered species. Pursuant to the “No Surprises” rule at 50 CFR Section 17.22(b)(5)(iii)(C), the USFWS must demonstrate that unforeseen circumstances exist using the best scientific and commercial data available. The findings must be clearly documented and based on reliable technical information regarding the status and habitat requirements of the affected species. In its evaluation, the USFWS will consider but not be limited to the following factors:

- The size of the current range of affected covered species.
- The percentage of the range of affected covered species that has been affected adversely by covered activities under the Subarea Plan.
- The percentage of the range of affected covered species that has been conserved by the Subarea Plan.
- The ecological significance of the portion of the range of affected covered species affected by the Subarea Plan.
- The level of knowledge about affected covered species and the degree of specificity of the conservation program under the Subarea Plan.
- Whether failure to adopt additional conservation measures would appreciably reduce the likelihood of survival and recovery of affected covered species in the wild.

“Changed Circumstances” is defined under the federal “No Surprises” rule as “changes in circumstances affecting a species or geographic area covered by a conservation plan that can reasonably be anticipated by plan developers and the USFWS and that can be planned for.” Changed Circumstances to be addressed by this Subarea Plan include the following:

1. Fire occurring in the same location as a previous fire no sooner than three years following nor longer than 10 years following an initial fire and damaging up to 30 acres of Reserve CSS habitat.
2. Flood events occurring within the Reserve at greater than 50-year levels and up to and including 100-year levels, as classified by the Federal Emergency Management Agency and determined by the RPV Department of Public Works.
3. A major landslide event damaging up to 30 acres of Reserve CSS habitat.
4. Climatic drought up to three years in length, as declared by the State Department of Water Resources and/or local water agency.
5. An increase of invasive species within the Reserve to the extent that, as determined by the City Habitat Manager in consultation with the wildlife agencies, such increase is of sufficient magnitude to significantly, adversely affect any covered species.
6. Listing of a non-covered species.

3.4.4.3 Documentation/Reporting

The issuance of take authorizations would be documented by the City by maintaining a list of all approvals pursuant to the Subarea Plan. This documentation would be appended to the plan and updated annually. An annual meeting would be held between the City and Wildlife Agencies to review and coordinate Subarea Plan implementation.

3.4.5 Reserve Management

All lands set aside in the Reserve as mitigation for development occurring outside the Reserve and lands acquired for the Reserve with public funds would be protected with conservation easements. Any lands dedicated in fee to the City would also be protected by a conservation easement. All conservation easements to be established under the Subarea Plan are to be held by the PVPLC or another entity acceptable to the Wildlife Agencies, and the Wildlife Agencies would be third-party beneficiaries to these conservation easements.

The City would enter into a contract with PVPLC to manage all conserved land in the Reserve and additional lands as acquired. The existing agreement between the City and PVPLC for management of the Forrestral Nature Preserve can be a model for the expanded management program.

3.4.5.1 Public Use Master Plan

Before the Reserve is open to the public for compatible passive recreation, a Public Use Master Plan (PUMP) would be developed jointly by the City and PVPLC within two years after the signing of the Implementing Agreement to address issues such as public access, trailhead locations, parking, trail use and maintenance, fencing, signage, lighting (if any), fire and brush management, minimizing impacts to adjacent neighborhoods and private property, public involvement in advisory capacities, and other issues that may arise. This plan would be created based on public input and would have to be approved by the City Council and the Wildlife Agencies.

The Subarea Plan provides management guidelines and measures to reduce habitat impacts of land uses within and adjacent to the Reserve. The PUMP for the Reserve would be reviewed by the Wildlife Agencies for consistency with these guidelines. Compatible land uses within the Reserve would, to the extent practicable, be sited to minimize impacts to sensitive resources and limited to the following:

- Creation and maintenance of a recreational trail system consistent with the City's Conceptual Trails Plan (dated 1993 and as amended thereafter). A Reserve Trail Plan (RTP) would be developed through the PUMP process within two years after the signing of the IA, which considers impacts to habitat and covered species.
- Existing trails within the Reserve not included in the RTP would be closed, and appropriate measures would be taken to prevent public access and restore CSS habitat.
- Creation and maintenance of passive overlook areas with benches, picnic tables, tie rails, portable toilets, and trash cans, to be located near preserve boundaries where no existing habitat would be disturbed. The location of these overlooks would consider impacts to habitat and covered species, and their locations would be reviewed and approved as part of the PUMP by the Wildlife Agencies before any work to implement them is initiated. Overlooks and staging areas for trailheads would be located adjacent to existing roads and away from sensitive resource areas.
- Existing active uses, such as the archery range or paragliding activities, can be allowed in areas where impacts to habitat can be minimized.
- Where required, landslide-abatement activities may occur within the Reserve and Neutral Lands. Such activities would be scheduled outside the gnatcatcher breeding season if practicable. Temporary disturbance areas would be revegetated with CSS species after completion of abatement activities.
- Selected drainage improvements, linear utility easements, and existing access roads within the Reserve would be maintained and upgraded as required. An access protocol would be created to facilitate access by utility agencies to areas within the Reserve while minimizing, to the maximum extent possible, environmental damage.
- Emergency access roads.
- Geologic testing, if deemed necessary by the City's geotechnical consultants, with impacts to be minimized and unavoidable impacts fully restored.
- Utilities and related infrastructure serving existing and future developments, such as sewers, water, cable, gas, electric, and storm drains.
- Water-quality basins, retention basins, and debris basins, if such features are required to meet water-quality standards, and if the design incorporates native vegetation and minimizes hardscape.
- Groundwater-monitoring wells, and GPS stations for landslide monitoring, with associated equipment such as pumps, electrical, drainage pipes, and access pathways, if such equipment is deemed necessary by the City's geotechnical consultants.

- All brush management and fuel modification necessary for new development should occur outside the Reserve. Existing brush management and fuel modifications for existing development adjoining the Reserve boundaries may continue in the Reserve provided it is not expanded. Any new development adjacent to the Reserve that requires brush management within the Reserve would mitigate impacts to CSS at a 3:1 mitigation ratio.
- Existing agricultural uses within the Reserve can be allowed to continue as long as all agricultural practices and improvements remain consistent with the Subarea Plan.

3.4.5.2 Reserve Habitat Management Plan

PVPLC would develop a Reserve Habitat Management Plan (RHMP) for the preserve. The RHMP may consist of numerous subsidiary plans and reports and would be reviewed and approved by the City and Wildlife Agencies. The RHMP would have the following components and reporting requirements:

3.4.5.2.1 Initial Plans (may be combined or issued separately)

- *Initial Management and Monitoring Report.* Plant, gnatcatcher and blue butterfly surveys and data analysis.
- *Predator Control Plan.* Based on the surveys, this plan would make provision for control of cowbirds, feral cats, and other predators; it would be revised every three years or if additional controls are needed.
- *Habitat Restoration Plan.* To encourage long-range planning, this plan would have a planning horizon of five years and would be revised every three years.
- *Targeted Exotic Plant Removal Plan.* Based on a survey of all lands in the preserve, this plan would designate 5 acres or 20 small sites where invasive plants would be removed during the year ahead; it would be done every year.

3.4.5.2.2 Annual Plans

- *Targeted Exotic Plant Removal Plan.*

3.4.5.2.3 Annual Reports (may be combined or issued separately)

- *Monitoring Report on Habitat Restoration Areas.* Using standard monitoring protocol as detailed in the Habitat Restoration Plan.
- *Report on Targeted Exotic Plant Removal Efforts.*
- *Report on Covered Species Monitoring.* Years without Comprehensive Report.
- *Habitat Tracking.* Produced jointly by the City and PVPLC.

3.4.5.2.4 Reports Every Three Years

- *Comprehensive Management and Monitoring Report.* Surveys and data analysis regarding covered plants, gnatcatchers, cactus wren, and butterflies.
- *Updated Predator Control Plan.*
- *Updated Habitat Restoration Plan.*

3.4.5.3 *Specifics of Some Reserve Habitat Management Plan Components*

3.4.5.3.1 Habitat Restoration Plan

The PVPLC would develop a five-year Habitat Restoration Plan that would include, at a minimum, preparation of one 5-acre area each year through non-native vegetation removal, and revegetation of 5 acres each year. Each year's restoration would occur on the previous year's 5 acres of site preparation. This plan would be reviewed and approved by the City and Wildlife Agencies and would be revised every three years (after a year of comprehensive monitoring). The plan would address restoration design, installation procedures, maintenance and monitoring program, and success criteria.

As funding permits, additional restoration would be performed within the Reserve. If recommended by the Restoration Biologist, planning and monitoring of additional acres may be incorporated into the five-year plan. For revegetation funded by any past or future projects, a site-specific restoration plan may be developed with monitoring requirements appropriate to the situation, or the work may be included in the five-year plan.

3.4.5.3.2 Targeted Exotic Plant Removal Plan

Each year, the PVPLC would perform a survey of all properties included in the Reserve to identify locations where exotic species are prevalent. A plan would be developed selecting 5 acres or 20 small sites for plant removal each year. The targeted Exotic Plant Removal Program is in addition to the Habitat Restoration Program described above. The plan would:

- prioritize areas for exotic species control based on aggressiveness of invasive species and degree of threat to the native vegetation, and eradicate species based on biological desirability and feasibility of successful implementation,
- use an integrated pest-management approach (i.e., use the least biologically intrusive control methods) at the most appropriate period of the growth cycle to achieve the desired goals,
- consider both mechanical and chemical methods of control. Only herbicides compatible with biological goals should be used. Only licensed pest-control advisers are permitted to make specific pest-control recommendations, and
- properly dispose of all exotic plant materials removed from Reserve lands (e.g., in offsite facilities).

At the end of the year, a letter report would be prepared showing the locations of targeted exotic removal, with "before" and "after" photographs of the work done.

In the years without a Comprehensive Survey, the locations of the covered plant species would be visited and photographed by the surveyor during the course of the exotic removal effort. A brief summary of the condition of the four varieties of plants, with identified locations, would be included in the annual report, along with photographs. Several typical locations for bright green dudleya would also be included in the report. Any significant changes to the populations of these plants would be called to the attention of the Wildlife Agencies immediately.

3.4.5.3.3 Reporting

Each year, all biological monitoring data would be analyzed quantitatively and presented in a report. Comprehensive reports would be prepared every three years, along with recommendations (including remedial measures as necessary) for the next year's management program.

3.4.5.4 Other Issues

3.4.5.4.1 Adaptive Management

Report documents would provide specific management recommendations to reverse declining trends in habitat conditions or species' populations. Adaptive management may include re-prioritizing monitoring efforts, as indicated by monitoring results and the resultant degree of management required for a given resource. For example, if a specific population proves stable over a period of time (e.g., 10 to 20 years), the frequency of monitoring may be reduced, particularly if a species' habitat and physical site characteristics remain unchanged and another species or populations requires more intensive monitoring because of declining trends. The remediation and adaptive management program would achieve the objectives of providing correcting actions where (1) resources are threatened by land uses in and adjacent to the Reserve, (2) current management activities are inadequate or ineffective, or (3) enforcement difficulties are identified.

3.4.5.4.2 Species Reintroduction

The decision to reintroduce a species depends on a number of species-specific and site-specific factors, and any reintroduction effort would require detailed planning and monitoring, as well as available funding for planning and implementation. Current information on target species in Rancho Palos Verdes may be insufficient to determine whether reintroduction efforts are warranted. Guidelines on determining the appropriateness of reintroduction, as well as reintroduction methodologies, are provided in the Plan in case covered species monitoring indicates that such efforts are warranted. Any reintroduction program would be coordinated with the Wildlife Agencies.

3.4.5.4.3 Research Recommendations

Research recommendations are provided in the Subarea Plan and are grouped into several generalized categories, including basic inventories, habitat and life history studies, population biology and genetic studies, habitat restoration and/or population re-establishment studies, and management studies.

3.5 AGREEMENTS, PERMITS, AND APPROVALS

3.5.1 Federal Agencies

3.5.1.1 U.S. Fish and Wildlife Service

The USFWS has 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 Section 10(a)(1)(B) indicates clearly 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 Subarea Plan also provides the City the benefits of the Section 4(d) rule associated with 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 the Subarea Plan is being developed and processed.

Upon Subarea Plan approval, an IA would be prepared. An IA is a binding contract between the City, PVPLC, and Wildlife Agencies. It identifies responsibilities to implement the Subarea Plan, binds the parties to their respective obligations, and specifies remedies should any party fail to perform its obligations.

3.5.2 State Agencies

3.5.2.1 California Coastal Commission

A portion of the Proposed Project is within the Coastal Zone and jurisdiction of the City's LCP. The City would amend its Coastal Permit process as necessary to conform to provisions of the Subarea Plan. The CCC may be required to approve an LCP amendment.

3.5.2.2 California Department of Fish and Game

The Subarea Plan would comply and be consistent with Section 2081 of CESA and Section 2835 of the NCCP Act in the California Fish and Game Code. The CDFG would be responsible for approving the Subarea Plan and IA.

3.5.3 Local Agencies**3.5.3.1 *City of Rancho Palos Verdes***

Upon Subarea Plan approval, the City would use its land use authority to implement provisions of the Subarea Plan. Regulatory action would include interim and permanent ordinance consistent with this Subarea Plan. The City would be required to amend the Natural Overlay Control District, Grading Ordinance, Site Plan Review process, Coastal Permit process, and relevant sections of the Rancho Palos Verdes General Plan before Subarea Plan implementation.