

NATIVE ENDANGERED & THREATENED SP. HABITAT CONSERVATION PLAN
ENDANGERED & THREATENED WILDLIFE**Permit Number: TE15742D-0**

Effective: 04/14/2020 Expires: 04/14/2060

Issuing Office:

Department of the Interior
U.S. FISH & WILDLIFE SERVICE
Endangered Species Permit Office
2800 Cottage Way, Suite W-2606
Sacramento, CA 95825-1846
permitsR8ES@fws.gov

FIELD OFFICE SUPERVISOR

Permittee:

CITY OF RANCHO PALOS VERDES(ADDITIONAL PERMITTEE LISTED BELOW)
30940 HAWTHORNE BLVD
RANCHO PALOS VERDES, CA 90275
U.S.A.

Name and Title of Principal Officer:

ARA M MIHRANIAN - DIRECTOR OF COMMUNITY DEVELOPMENT DEPARTMENT

Authority: Statutes and Regulations: 16 USC 1539(a), 16 USC 1533(d); 50 CFR 17.22, 50 CFR 17.32, 50 CFR 13.

Location where authorized activity may be conducted:

The Rancho Palos Verdes Final Natural Community Conservation Plan and Habitat Conservation Plan Area totals 8,616.6 acres. The Plan Area is equivalent to the City of Rancho Palos Verdes, located on the southwest side of the Palos Verdes Peninsula in Los Angeles County.

Reporting requirements:

The Annual Report (including the Fiscal Report) as described in Section 9.3 of the Rancho Palos Verdes Final Natural Community Conservation Plan and Habitat Conservation Plan (RPV NCCP/HCP) shall be submitted to the U.S. Fish and Wildlife Service from the Permittees by February 28th of each year, following the first full year the Permit is in effect. Additionally, a Comprehensive Report (every 3 years) will be submitted to the U.S. Fish and Wildlife Service by March 31st. A copy of the Annual Report and the Comprehensive Report shall be submitted to the Field Supervisor of the Carlsbad Fish and Wildlife Office, 2177 Salk Avenue, Suite 250, Carlsbad, California 92008.

Authorizations and Conditions:

A. General conditions set out in Subpart B of 50 CFR 13, and specific conditions contained in Federal regulations cited above, are hereby made a part of this permit. All activities authorized herein must be carried out in accordance with and for the purposes described in the application submitted. Continued validity, or renewal of this permit is subject to complete and timely compliance with all applicable conditions, including the filing of all required information and reports.

B. The validity of this permit is also conditioned upon strict observance of all applicable foreign, state, local tribal, or other federal law.

C. Valid for use by Permittee named above and an Additional Permittee named below.

D. All sections of title 50 CFR, parts 13, §§ 17.22 and 17.32 are conditions of this Permit.

E. The Permittees are authorized to take the Covered animal Species identified in this Permit to the extent that take of these species would otherwise be prohibited under section 9 of the Endangered Species Act of 1973, as amended (FESA), and its implementing regulations, or pursuant to a rule promulgated under section 4(d) of the FESA. Take authorization is effective at Permit issuance for those animal species that are currently listed as threatened or endangered under the FESA. For the covered animal species that are not listed as threatened or endangered under FESA, this section 10(a)(1)(B) Permit will become effective concurrent with the listing of the species as threatened or endangered under FESA. Take must be incidental to otherwise lawful Covered Projects and Activities within the Plan Area as described and defined in the RPV NCCP/HCP and associated Implementing Agreement (IA), and as further conditioned herein. The amount

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of habitat loss associated with each Covered Project and Activity is described in Tables 1A, 1B and 2 below.

F. The Permittees are authorized to take the federally endangered Palos Verdes blue butterfly (*Glaucopsyche lygdamus palosverdesensis*), federally endangered El Segundo blue butterfly (*Euphilotes battoides allyni*), the federally threatened coastal California gnatcatcher (*Polioptila californica californica*), and the NCCP Focal Species cactus wren (*Campylorhynchus brunneicapillus*) to the extent that take of these species would otherwise be prohibited under section 9 of the FESA, and its implementing regulations. Take must be incidental to otherwise lawful Covered Projects and Activities within the Plan Area as described and defined in the RPV NCCP/HCP. The amount and nature of the take is:

The Permittees propose the loss and modification of up to 159.8 acres of coastal sage scrub (CSS) habitat (including southern cactus scrub, saltbush scrub, and coastal bluff scrub). Of which, 60.3 acres are located within the Preserve, and up to 566.5 acres of grassland, including 148.3 in the Preserve in accordance with requirements, conditions, measures, and processes described in the RPV NCCP/HCP and associated IA, that will result in the incidental take of animal Covered Species (i.e., Palos Verdes blue butterfly, El Segundo blue butterfly, coastal California gnatcatcher, and cactus wren). Within the 60.3-acre limit of impacts to CSS within the Preserve, no more than 2 acres of southern cactus scrub, saltbush scrub, or coastal bluff scrub may be impacted. The incidental take of animal Covered Species will be authorized through this section 10(a)(1)(B) Permit.

INCIDENTAL TAKE FROM COVERED PROJECTS AND ACTIVITIES

This Permit authorizes harm due to habitat loss of El Segundo blue butterfly, Palos Verdes blue butterfly, coastal California gnatcatcher, and cactus wrens and death or injury of El Segundo blue butterfly and Palos Verdes blue butterfly due to incidental crushing of individuals, including eggs, larvae, and pupae, during habitat removal. The amount or extent of anticipated impacts to habitat for each animal Covered Species is identified below.

- **El Segundo blue butterfly:** Up to 6.8 acres of coastal bluff scrub, including 2.0 acres within the Preserve and 4.8 acres outside the Preserve;
- **Palos Verdes blue butterfly:** Up to 159.8 acres of CSS, including 60.3 acres within the Preserve and 99.5 acres outside the Preserve, and up to 566.5 acres of grassland, including 148.3 acres in the Preserve and 406.7 acres outside the Preserve;
- **Coastal California gnatcatcher:** Up to 159.8 acres of CSS, including 60.3 acres within the Preserve and 99.5 acres outside the Preserve;
- **Cactus wren:** Up to 159.8 acres of CSS, including 60.3 acres within the Preserve and 99.5 acres outside the Preserve.

Amount or Extent of Take from Impacts to Occurrences and Individuals

Take from Covered Projects and Activities, including habitat management, restoration, and recreation, species surveys, and research, as described in the RPV NCCP/HCP and the associated biological opinion (FWS-LA-09B0147-20F0351), is permitted. In addition to the limits on impacts based on vegetation community described above, the amount or extent of permitted take will be exceeded if:

- More than 5 percent of any El Segundo blue butterfly occurrence polygon known to exist at Permit issuance is impacted.
- More than 10 percent of any newly discovered El Segundo blue butterfly occurrence polygon is impacted.
- Palos Verdes blue butterfly hostplants within a 50-foot buffer around any Palos Verdes blue butterfly observation are removed prior to establishment of three populations in the Preserve.
- Palos Verdes blue butterfly habitat is impacted (e.g., trampled, broken, cut, etc.) within a 5-foot border around individual hostplants within that buffer.
- More than one Palos Verdes blue butterfly population is impacted in a given year.

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- More than 10 percent of any Palos Verdes blue butterfly population is impacted.

Further, the amount or extent of permitted impacts from species surveys and research in the Preserve will be exceeded if more than the following number of individuals are observed killed as a result of these activities:

- **Coastal California gnatcatcher and cactus wren:** 1 mortality for each species during capture by mist-netting; from sample collection (i.e., collection of blood or other biological samples); or from banding.
- **El Segundo blue butterfly and Palos Verdes blue butterfly:** 3 mortalities from sample collection (i.e., collection for genetic sampling).

G. Because incidental take of plants is not prohibited under FESA, incidental take cannot be authorized under this Permit. Plant species included in the Permit are named in recognition of the conservation benefits provided for such plants in the RPV NCCP/HCP and receive those assurances identified in the RPV NCCP/HCP. Impacts to Covered plant Species vary by individual species as described below. The Covered plant Species include:

- *Aphanisma (Aphanisma blitoides)* - no more than 2 known populations will be impacted and enhancement, restoration, and creation will ensure no net loss of aphanisma within any population.
- South Coast Saltscale (*Atriplex pacifica*) - no more than 1 known population will be impacted and enhancement, restoration, and creation will ensure no net loss of south coast saltscale within any population.
- Catalina Crossosoma (*Crossosoma californicum*) - no more than 1 known population will be impacted and enhancement, restoration, and creation will ensure no net loss of Catalina crossosoma within any population.
- Island Green Dudleya (*Dudleya virens ssp. insularis*) - no more than 0.25 acre of known island green dudleya habitat will be impacted, and no more than one population will be impacted within each individual reserve area.
- Santa Catalina Island Desert-thorn (*Lycium brevipes var. hassei*) - no more than 1 known population will be impacted and enhancement, restoration, and creation will ensure no net loss of Santa Catalina Island desert-thorn within any population.
- Woolly Seablite (*Suaeda taxifolia*) - no more than 0.25 acre of known occupied woolly seablite habitat will be impacted, and no more than one population will be impacted within each individual reserve area.

H. The following conditions apply to birds:

- This section 10(a)(1)(B) Permit under the FESA also constitutes a Special Purpose Permit under 50 CFR § 21.27 for the take, as defined by 50 CFR §10.12, of those Covered Species that are listed as threatened or endangered under the FESA of 1973, as amended, and protected by the Migratory Bird Treaty Act.

I. Because the management and monitoring activities will extend in perpetuity (beyond the term of the 40-year Permit), the City of Rancho Palos Verdes and their Preserve Habitat Manager, PVPLC, are responsible for ensuring that the Preserve is conserved and managed in perpetuity. At the end of the 40-year Permit term, the endowment for management of the Preserve shall continue to be maintained in a non-wasting account by PVPLC as described in Section 8.0 of the RPV NCCP/HCP.

J. The Permittees shall contact the Field Supervisor, U.S. Fish and Wildlife Service, Carlsbad Fish and Wildlife Office, 2177 Salk Avenue, Suite 250, Carlsbad, California, 92008, Telephone: (760) 431-9440, immediately regarding any violations or potential violations of the FESA or any deviations from the RPV NCCP/HCP.

K. Within 1 working day of finding dead, injured, or sick endangered or threatened wildlife species, the Permittee or its designated agents must notify the U.S. Fish and Wildlife Service's Carlsbad Fish and Wildlife Office by telephone. Written notification to the Field Supervisor, Carlsbad Fish and Wildlife Office and the Division of Law Enforcement San Diego Field Office, 610 West Ash Street, Suite



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1103, San Diego, California 92101, must be made within 5 calendar days and must include the date, time, and location of the specimen, and any other pertinent information.

L. A copy of this Permit must be in the possession of the Permittees, their agents, or any third parties under their direct control, while conducting taking activities. Please refer to the Permit Number in all correspondence and reports concerning Permit activities. Any questions you may have about this Permit should be directed to the Field Supervisor, Carlsbad Fish and Wildlife Office, 2177 Salk Avenue, Suite 250, Carlsbad, California, 92008, Telephone: (760) 431-9440.

M. Authorization for any associated incidental take by the Permittees, or any third parties under their direct control shall be provided through this Permit. Where Covered Projects and Activities require formal section 7 consultation under the FESA, exemption for any associated incidental take by the applicable Federal agency(ies) shall be provided through future streamlined formal consultation, provided the Covered Projects and Activities are implemented consistent with the RPV NCCP/HCP.

N. For any survey, monitoring, management, or research activity on Covered Species that includes capture and handling of animals or collection of seed from plants or may otherwise result in death or injury of Covered Species, a project proposal, including measures to avoid and minimize potential effects to Covered Species, will be submitted to the U.S. Fish and Wildlife Service for review and approval prior to initiating the activity to ensure that the project will not negatively affect populations of the Covered Species and will result in a net benefit to the Covered Species.

Table 1A. Total CSS Loss of Habitat by Covered City Projects and Activities

Covered City Projects and Activities	Total Habitat Loss ¹	Loss In Preserve ¹	Loss Out Of Preserve ¹
1. Altamira Canyon Drainage Project	2.5	0	2.5
2. Dewatering Wells	2.5	2.5	0
3. Landslide Abatement Measures	5.0	3.3	1.7
4. Misc. Drainage Repair in Landslide Areas	10.0	6.6	3.4
5. PVDE Drainage Improvement Project	5.0	0	5.0
6. Miscellaneous Drainage Improvements	20.0	6.6	13.4
7. Abalone Cove Beach Project	1.0	1.0	0
8. RPV Trails Plan Implementation ²	4.0	2.0	2.0
9. Lower San Ramon Canyon Repair	0.3	0.3	0
10. Lower Point Vicente	1.5	0.0	1.5
11. Palos Verdes Drive South Road Repair	5.0	5.0	0
12. Upper Point Vicente	2.0	1.0	1.0
13. Preserve Fuel Modification	12.0	12.0	0
14. Utility Maintenance and Repair	10.0	5.0	5.0
15. Unimproved City Park Projects	10.0	0	10.0
16. Malaga Canyon Drainage Improvements	5.0	5.0	0
17. Other Miscellaneous City projects	20.0	10.0	10.0
Total Acreage of Habitat Loss³	115.8	60.3	55.5

¹ In acres.

² Part of the PUMP, a Covered City Project (see Section 9.2 of the RPV NCCP/HCP)

³ Total habitat loss (CSS and Grassland) is 419.2 acres, of which 208.6 acres (50 percent) would occur in the Preserve. Included in the CSS loss are losses associated with southern cactus scrub, saltbush scrub, and coastal bluff scrub which are expected to be minimal. No more than 5.0 acres of southern cactus scrub, 2.0 acres of coastal bluff scrub, and 2.0 acres of saltbush scrub could be lost within the Preserve associated with Covered City Projects and Activities.



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Table 1B. Total Grassland Loss of Habitat by Covered City Projects and Activities

Covered City Projects and Activities	Total Habitat Loss ¹	Loss In Preserve ¹	Loss Out Of Preserve ¹
1. Altamira Canyon Drainage Project	3.0	0	3.0
2. Dewatering Wells	2.5	2.5	0
3. Landslide Abatement Measures	15.0	9.9	5.1
4. Misc. Drainage Repair in Landslide Areas	15.0	9.9	5.1
5. PVDE Drainage Improvement Project	15.0	0	15.0
6. Miscellaneous Drainage Improvements	60.0	20.0	40.0
7. Abalone Cove Beach Project	2.0	2.0	0
8. RPV Trails Plan Implementation ²	10.0	5.0	5.0
9. Lower San Ramon Canyon Repair	0.0	0.0	0
10. Lower Point Vicente	11.2	0.0	11.2
11. Palos Verdes Drive South Road Repair	15.0	15.0	0
12. Upper Point Vicente	22.0	11.0	11.0
13. Preserve Fuel Modification	18.0	18.0	0
14. Utility Maintenance and Repair	20.0	10.0	10.0
15. Unimproved City Park Projects	20.0	0	20.0
16. Malaga Canyon Drainage Improvements	15.0	15.0	0
17. Other Miscellaneous City projects	60.0	30.0	30.0
Total Acreage of Habitat Loss³	303.7	148.3	155.4

¹ In acres.

² Part of the PUMP, a Covered City Project (see Section 9.2 of the RPV NCCP/HCP)

³ Total habitat loss (CSS and Grassland) is 419.2 acres, of which 208.6 acres (50 percent) would occur in the Preserve. Included in the CSS loss are losses associated with southern cactus scrub, saltbush scrub, and coastal bluff scrub which are expected to be minimal. No more than 5.0 acres of southern cactus scrub, 2.0 acres of coastal bluff scrub, and 2.0 acres of saltbush scrub could be lost within the Preserve associated with Covered City Projects and Activities.

Table 2. Total Loss of Habitat by Covered Private Projects and Activities in Acres

Covered Private Projects and Activities ²	CSS ¹	Grassland ¹
1. Lower Filiorum Development	11.9	70.0
2. Portuguese Bend Club Remedial Grading	3.0	10.0
3. Fuel Modification for Private Projects	10.0	20.0
4. Miscellaneous Private Projects throughout the City	71.8	143.1
5. Plumtree Development	2.8	19.7
Total Acreage of Habitat Loss	99.5	262.8

¹ In acres.

² Total losses to CSS (99.5 acres) and grassland (262.8 acres) outside of the Preserve include impacts from for City and Private Projects and Activities

Additional Permittee:

Palos Verdes Peninsula Land Conservancy
 Adrienne Mohan
 Executive Director
 916 Silver Spur Road #207
 Rolling Hills Estates, CA 90274