Planning Agreement

by and among

The County of San Benito,
the California Department of Fish and Wildlife, and
the United States Fish and Wildlife Service

regarding the

San Benito County
Natural Community Conservation Plan and
Habitat Conservation Plan

February 6, 2023

TABLE OF CONTENTS

San Benito County Natural Community Conservation Plan and Habitat Conservation Plan Planning Agreement

This agreement regarding the planning and preparation of the San Benito County Natural Community Conservation Plan and Habitat Conservation Plan ("Planning Agreement") is entered into as of the Effective Date by and among the County of San Benito, acting by and through the County of San Benito Resource Management Agency, the California Department of Fish and Wildlife ("CDFW"), and the United States Fish and Wildlife Service ("USFWS"). These entities are referred to collectively as "Parties" and each individually as a "Party." The CDFW and USFWS are referred to collectively as "Wildlife Agencies."

1. Definitions

Terms used in this Planning Agreement that are defined in the Natural Community Conservation Planning Act have the meanings set forth in Fish and Game Code Section 2805. The following terms as used in this Planning Agreement will have the meanings set forth below.

1.1. "CEQA" means the California Environmental Quality Act, Public Resources Code, Section 21000, *et seq.*

1.2. "CESA" means the California Endangered Species Act, California Fish and Game Code, Section 2050, *et seq.*

1.3. "County" means the government of the County of San Benito.

1.4. "Covered Activities" means the activities that will be addressed in the Plan and for which the Local Agency will seek an NCCP permit pursuant to Fish and Game Code, Section 2835, and an incidental take permit pursuant to Section 10 of FESA.

1.5. "Covered Species" means those species, both listed and non-listed, conserved and managed under an approved plan that may be authorized for take under state and/or federal law.

1.6. "FESA" means the federal Endangered Species Act, 16 United States Code Section 1530, *et seq.*

1.7. "Habitat Conservation Plan" or "HCP" means a conservation plan prepared pursuant to Section 10(a)(1)(B) of FESA.

1.8. "Implementing Agreement" or "IA" means the agreement required pursuant to Fish and Game Code Section 2820, subdivision (b) and

authorized under 14 U.S.C. Section 1539 (a)(2)(B) which defines the terms for implementing the Plan.

1.9. "Listed Species" means those species designated as candidate, threatened, or endangered pursuant to CESA and/or listed as threatened or endangered under FESA.

1.10. "Local Agency" means the County of San Benito.

1.11. "Natural Community Conservation Plan" or "NCCP" means a conservation plan created pursuant to Fish and Game Code, Section 2801, *et seq.*

1.12. "Natural Community Conservation Planning Act" or "NCCPA" means Fish and Game Code, Section 2801, *et seq.*

1.13. "NEPA" means the National Environmental Policy Act, United States Code Section 4321, *et seq.*

1.14. "Plan" means the document prepared pursuant to this Planning Agreement that shall identify and provide for those measures necessary to conserve and manage natural biological diversity within the Planning Area while allowing compatible and appropriate economic development, growth, and other human uses.

1.15. "Planning Area" means the geographic area proposed to be addressed in the Plan as described in Exhibit A.

2. Background

2.1. Natural Community Conservation Planning Act

The NCCPA was enacted to encourage broad-based planning to provide for effective protection and conservation of the state's wildlife resources while continuing to allow appropriate development and growth. The purpose of natural community conservation planning is to provide for the conservation of biological diversity by protecting biological communities at the ecosystem and landscape scale. Conservation of biological diversity includes protecting sensitive and more common species, natural communities, and the ecological processes necessary to sustain the ecosystem over time. An NCCP identifies and provides for the measures necessary to conserve and manage natural biological diversity within the planning area, while allowing compatible and appropriate economic development, growth, and other human uses.

2.2. Purposes of NCCP Planning Agreements

The purposes of NCCP Planning Agreements are to:

- Define the Parties' goals and commitments with regard to development of a plan;
- Define the geographic scope of the conservation planning area;
- Identify a preliminary list of natural communities and species known or reasonably expected to be found in those communities, that are intended to be the initial focus of the plan;
- Identify preliminary conservation objectives for the planning area;
- Establish a process for the inclusion of independent scientific input into the planning process;
- Ensure coordination among the Wildlife Agencies, particularly with respect to FESA, 16 U.S.C. Section 1531 et seq.;
- Establish a process to review interim development within the planning area that will help achieve the preliminary conservation objectives and preserve options for establishing a viable reserve system or equivalent long-term conservation measures; and
- Ensure public participation and outreach throughout the planning process.

2.3. Compliance with CESA and FESA

The Planning Area contains valuable biological resources, including native species of wildlife and their habitat. Among the species within the Planning Area are certain species that are protected, or may be protected in the future, under CESA and/or FESA. The Parties intend for the Plan to satisfy the requirements for an HCP under Section 10(a)(1)(B) of FESA, and an NCCP under the NCCPA, to serve as the basis for take authorizations under both statutes.

The NCCPA provides that after the approval of an NCCP, CDFW may permit the taking of any covered species, listed or non-listed, whose conservation and management is provided for in the NCCP. Take of state-listed species may be authorized pursuant to CESA during development of the Plan. After approval of the Plan, state authorized take may be provided pursuant to the NCCPA.

FESA provides that after the approval of an HCP, USFWS may permit the taking of wildlife species covered in the HCP if the HCP and permit application meet the requirements of section 10(a)(2)(A) and (B) of FESA. Take authorization for federally listed wildlife species covered in the HCP shall in general be effective upon approval of the HCP and issuance of an incidental take permit. Take authorization for non-listed wildlife species covered in the HCP becomes effective if and when the species is listed pursuant to FESA. Take authorization during plan preparation for wildlife species listed pursuant to FESA may be provided pursuant to individual permits issued pursuant to section 10(a)(1)(B), or consultations under section 7 of FESA.

2.4. Section 7 of FESA

To the extent allowed by law, the Parties intend that the mitigation and minimization measures included in the Plan, once approved by the USFWS and included as a condition of federal incidental take permits issued to the Local Agency, will be incorporated into future Section 7 consultations between the USFWS and the United States Army Corps of Engineers, the United States Bureau of Reclamation, or other applicable federal agencies regarding Covered Activities that may adversely affect Covered Species or their habitat.

2.5. Concurrent Planning for Wetlands and Waters of the United States

The Local Agency intends to address impacts to wetlands and waters of the United States and changes to the bed, bank or channel of rivers, streams and lakes resulting from Covered Activities in the Planning Area. Based on the Plan, the Local Agency may seek future programmatic permits or authorizations under the Clean Water Act and Section 1600 *et seq.* of the Fish and Game Code as necessary for Covered Activities. The Parties agree to work together to explore the feasibility of undertaking concurrent but separate planning regarding these permits. However, such programmatic permits or authorizations are not necessary for approval of the Plan or for issuances of take permits.

2.6. Assurances

2.6.1. FESA

The Parties anticipate that the USFWS will provide assurances pursuant to applicable federal law and regulations then in effect upon issuance of federal incidental take permits to the Local Agency.

2.6.2. NCCPA

The Parties anticipate that if the Plan meets the criteria for an NCCP permit under the NCCPA, CDFW will provide assurances consistent with its statutory authority upon approval of the Plan and issuance of NCCP permits to the Local Agency. Under Section 2820(f) of the Fish and Game Code, CDFW may provide assurances for plan participants commensurate with the level of long-term conservation and associated implementation measures provided in the Plan and shall include provisions related to the level of assurances and related time limits in the implementing agreement.

3. Planning Goals

The planning goals include the following:

- Provide for the conservation and management of Covered Species;
- Preserve aquatic and terrestrial resources through conservation partnerships with the Local Agency;

- Allow for appropriate and compatible growth and development that is consistent with applicable laws and conservation objectives;
- Provide a basis for permits necessary to lawfully take Covered Species;
- Provide a comprehensive means to coordinate and standardize mitigation and compensation requirements of FESA, CEQA, NEPA, and NCCPA within the Planning Area;
- Provide a less costly, more efficient project review process that results in greater conservation values than project-by-project, species-by-species review; and
- Provide clear expectations and regulatory predictability for persons carrying out Covered Activities within the Planning Area.

4. Planning Area and Plan Participants

The Plan Local Agency is the County of San Benito, with authority over management of the Plan Area including, but not limited to, ensuring reasonable and safe development, planning the future needs of the County, managing infrastructure and County facilities, and protecting natural resources. Among other things, the Local Agency is responsible for evaluating proposed developments in San Benito County and recommending decisionmakers approve or deny such developments. San Benito County contains sensitive habitat as well as species listed as threatened or endangered under CESA and FESA. The Local Agency is interested in pursuing an HCP/NCCP to serve as the basis for take authorizations for Covered Species in the Planning Area while also conserving, through an interconnected habitat reserve, these species.

4.1. Geographic Scope of the Planning Area

The geographic area to be addressed in the Plan covers approximately 890,000 acres, encompassing all of San Benito County, as depicted in Exhibit A.

The Planning Area encompasses all of San Benito County, California. The Planning Area is in the Inner Coast Range Mountains of central coastal California, south of San Jose and west of the Central Valley. The Planning Area is surrounded by Monterey County to the west, Santa Clara and Santa Cruz counties to the north, and Merced and Fresno counties to the east and south. The Planning Area is largely rural with approximately 98 percent unincorporated lands, the majority of which are in cropland, rangeland, forest, or protected open space.

The Planning Area is topographically diverse, encompassing mountains, gently sloping foothills, rich agricultural valleys, and urban areas. Elevations range from 80 feet near Aromas in the northern part of the Planning Area to

5,241 feet at the top of San Benito Mountain to the south. The majority of the Planning Area lies within the Pajaro River Watershed, which covers approximately 1,300 square miles and is bounded by the Santa Cruz Mountains to the north and Gabilan Range to the south. The Pajaro River's main tributaries are Corralitos, Uvas, Llagas, San Benito, Pacheco, and Santa Ana creeks and the river drains into Monterey Bay.

4.2. Local Agency

The County of San Benito is the local sponsor of the plan. As part of this planning process, the Local Agency has committed to undertake a collaborative, systematic approach to protecting the Planning Area's ecologically significant resources, including, but not limited to, species of special concern, candidate, threatened, and endangered species and their habitats, open space, and working landscapes, and to ensure that the Covered Activities comply with applicable federal and state laws.

4.3. California Department of Fish and Wildlife

CDFW is the agency of the State of California authorized to act as trustee for the state's wildlife. CDFW is authorized to approve NCCPs pursuant to the NCCPA, administer and enforce CESA and other provisions of the Fish and Game Code, and enter into agreements with federal and local governments and other entities for the conservation of species and habitats pursuant to CESA and the NCCPA.

4.4. United States Fish and Wildlife Service

The USFWS is an agency of the United States Department of the Interior authorized by Congress to administer and enforce FESA with respect to terrestrial wildlife, certain fish species, insects, and plants, and to enter into agreements with states, local governments, and other entities to conserve threatened, endangered, and other species of concern. The NCCPA and this Planning Agreement require coordination with USFWS with respect to FESA.

5. Preliminary Conservation Objectives

The preliminary conservation objectives intended to be achieved through the Plan are to:

- Provide for the protection of species, natural communities, and ecosystems on a landscape level;
- Preserve the diversity of plant and animal communities throughout the Planning Area;
- Protect and conserve candidate, threatened, endangered or other special status plant and animal species, and minimize and mitigate the take or loss of proposed Covered Species;
- Identify and designate biologically sensitive habitat areas;
- Preserve habitat and contribute to the conservation and management of Covered Species;
- Reduce the need to list additional species;

- Set forth species-specific goals and objectives; and
- Set forth specific habitat-based goals and objectives expressed in terms of amount, quality, and connectivity of habitat.

5.1 Conservation Elements

5.1.1 Ecosystems, Natural Communities, and Species List

The Plan will employ a strategy that focuses on the conservation of ecosystems, natural communities, and ecological processes in the Planning Area. In addition, the Plan will employ species-specific minimization, mitigation, conservation, and management measures where appropriate.

A narrative description of natural communities and a preliminary list of the endangered, threatened, candidate, or other sensitive species known, or reasonably expected to be found, in the Planning Area, that are intended to be the initial focus of the planning process is attached as Exhibit B. This list identifies the species that the Parties will initially evaluate for inclusion in the Plan as Covered Species. Exhibit B is not necessarily the Plan's final Covered Species list. The Parties acknowledge that inclusion of a particular species as a Covered Species in the Plan will require an individual determination by each Wildlife Agency that the Plan adequately provides for conservation of the species in accordance with state and/or federal permit issuance requirements.

5.1.2 Conservation Areas and Viable Habitat Linkages

The Plan will establish conservation areas throughout the Planning Area and provide linkages, where appropriate, between the conservation areas within the Planning Area. It will also identify where linkages between the conservation areas and important habitat areas outside the Planning Area should occur. Such conservation areas will include a range of environmental gradients and ecological functions and will address edge effects and other reserve design principles.

5.1.3 Project Design

The Plan will ensure that projects will be appropriately designed to avoid and/or minimize and mitigate on-site and off-site impacts to resources.

6. Preparing the Plan

The Parties intend that this Planning Agreement will fulfill the NCCPA requirements pertaining to planning agreements and will establish a mutually agreeable process for preparing the Plan that fulfills the requirements of the NCCPA and FESA. The process used to develop the Plan will incorporate independent scientific input and analysis and include extensive public participation with ample opportunity for comment from the general public as well as advice solicited by the Local Agency from key groups of stakeholders as described below.

6.1. Best Available Scientific Information

The Plan will be based on the best available scientific information, including, but not limited to:

- Principles of conservation biology, community ecology, landscape ecology, individual species' ecology, and other scientific knowledge and thought;
- Information about all natural communities and proposed Covered Species on lands throughout the Planning Area; and
- Advice from well-qualified, independent scientists.

6.2. Data Collection

The Parties agree that information on a wide range of subjects is important for preparation of the Plan. The Parties therefore agree that data collection for preparation of the Plan should be prioritized to develop more complete information on these subjects. Priority for data collection will be given to the data essential to address conservation requirements of natural communities and Covered Species. In addition, data needed to establish baseline conditions, evaluate impacts of Covered Activities on Covered Species, and develop conservation strategies and measures for Covered Species are a priority for study design and collecting. Data needed to accomplish these tasks may include, but are not limited to, species life histories, species occurrence, population abundance and distribution, population trends, population genetics, habitat and natural communities locations and conditions, hydrologic regime, hydrodynamics, temperature, flow patterns, barriers to wildlife movement, habitat connectivity, and ecological threats and stressors. The science advisory process and analysis of existing information may reveal data gaps currently not known, and which data is necessary for the full and accurate development of the Plan. Data needed for preparation of the Plan may not be known at this time nor identified herein. Therefore, the Parties anticipate that data collection priorities may be adjusted from time to time during the planning process. All data collected for the preparation and implementation of the Plan will be made available to the Wildlife Agencies in hard and digital formats, as requested.

6.3. Independent Scientific Input

The Local Agency and CDFW will include independent scientific input and analysis to assist in the preparation of the Plan. For that purpose, independent scientists representing a broad range of disciplines, including conservation biology and locally relevant ecological knowledge, will, at a minimum:

- Recommend scientifically sound conservation strategies for species and natural communities proposed to be covered by the Plan;
- Recommend a set of reserve design principles that address the needs of species, landscapes, ecosystems, and ecological processes in the Planning Area;

- Recommend management principles and conservation goals that can be used in developing a framework for the monitoring and adaptive management component of the Plan; and
- Identify data gaps and uncertainties so that risk factors can be evaluated.

The independent scientists will participate in a workshop at the beginning of the planning process, be asked to provide additional feedback on key issues during preparation of the Plan, and may prepare reports regarding specific scientific issues throughout the planning process, as deemed necessary by the Local Agency and CDFW.

Design and implementation of the science advisory process must be done in a coordinated fashion and with the mutual agreement of the Local Agency and CDFW. The Local Agency and CDFW will establish funding and payment procedures. The independent science advisory process will include the development of a detailed scope of work, use of a professional facilitator, input from technical experts and members of the public, and production of a report by the scientists. In addition, the Local Agency and CDFW will make the report available for use by all participants and the public during the planning process.

6.4. Public Participation

The Local Agency will prepare the Plan in an open and transparent process with an emphasis on obtaining input from a balanced variety of public and private interests including state, local, and tribal governments, landowners, conservation organizations, agricultural representatives, agricultural organizations, and the public. The planning process will provide for thorough public review and comment and include working groups that will review the Plan at every stage of development. To assist in the development of the Plan, the Local Agency and Wildlife Agencies will form the following: 1) a joint Planning Team 2) Public Advisory Committee, and 3) a Science Advisory Committee.

6.4.1. Planning Team

The Local Agency and Wildlife Agencies will form a Planning Team that will meet monthly, with additional occurrences as necessary, to guide development of the Plan. Other agencies may be included in the Planning Team meetings as necessary or beneficial during Plan development. Staff from the Wildlife Agencies will serve as members of the Planning Team to provide technical expertise and share information for the development and implementation of the Plan. Responsibilities of the Planning Team include reviewing key Plan elements; providing oversight of Plan development; establishing timelines, work products, and outreach processes.

6.4.2. Outreach and Public Advisory Committee

The Local Agency, in concert with the Planning Team, will provide access to information for persons interested in the Plan. The Local Agency will identify and contact representatives of stakeholder groups, and other stakeholder groups identified during the planning process, to solicit participation in the planning process. The Local Agency will also request participation in the planning process by representative stakeholders in public meetings and on the Local Agency's website. The stakeholders will include those persons who have registered to receive information about the Plan, as well as local agencies, agricultural groups and business associations, environmental groups, private development groups and project proponents, recreational groups, Native American Tribes, and equity groups that may have an interest or involvement in the Planning Area. Stakeholder groups and representatives of stakeholder groups will be documented in a list, with contact information. The stakeholders will be notified of all public meetings and availability of all public review drafts (discussed in section 6.4.3) and Plan documents, and opportunities for public participation in the planning process.

The Local Agency will form a Public Advisory Committee of stakeholders representing the diverse interests noted above, as well as interested members of the public-at-large. This group will meet approximately quarterly (or more frequently as needed) and will serve as a forum to discuss and inform development of the Plan. The Public Advisory Committee will review, consider, and comment upon the components of the Plan as they are developed, and also inform Plan development more broadly.

The Parties expect and intend that public outreach regarding preparation of the Plan will be conducted largely through the Public Advisory Committee meetings. In addition, the Local Agency will continue to hold public meetings to present key decisions regarding the preparation of the Plan to allow the public the opportunity to comment on and inquire about the decisions. Other outreach efforts will include the following:

- At least four public briefings in various locations throughout the Planning Area to provide information to potential stakeholders and the public, and provide opportunities for public input at each stage;
- Information on the Local Agency's webpage about the Plan, including all public review drafts of Plan documents. The Local Agency's webpage will also allow the public to register to receive information on the Plan and to provide feedback throughout Plan development (https://www.cosb.us/departments/resource-management-agency/planning-and-land-use-division/san-benito-county-conservation-plan-sbccp); and
- Use of public scoping meetings, public draft review periods, and other public meetings as required by law.

The Local Agency will also notify the public of all public meetings and opportunities for public participation in the science advisory process through the County website and through notice published in a newspaper of general circulation in the Plan Area. Public notices for the science advisory process or any public hearings required by CEQA or NEPA will be prepared in English and Spanish and in any other language identified during the public outreach efforts to limited-English-speaking populations.

6.4.3. Availability of Public Review Drafts

The Local Agency will designate and make available for public review in a reasonable and timely manner "public review drafts" of pertinent planning documents including, but not limited to, plans, memoranda of understanding, maps, conservation guidelines, and species coverage lists. Such documents will be made available by the Local Agency at least ten working days prior to any public hearing addressing these documents. In addition, the Local Agency will make available all reports and formal memoranda prepared by the Planning Team. This obligation will not apply to all documents drafted during preparation of the Plan. However, the Local Agency will periodically designate various pertinent documents drafted during preparation of the Plan as "public review drafts" and will make these documents available to the public. The Parties agree the internet [https://www.cosb.us/departments/resource-management-agency/planning-and-land-use-division/san-benito-county-conservation-plan-sbccp] will be one of the principal means of making documents available for public review, as well as more traditional means such as distribution and display of hard copies of such documents.

6.4.4. Public Hearings

Public hearings regarding development of the Plan will be planned and conducted in a manner that satisfies the requirements of CEQA, NEPA, and any other applicable state or federal laws.

6.4.5. Public Review and Comment Period Prior to Adoption

The Local Agency will make the proposed draft Plan and Implementing Agreement available for public review and comment 60 days before adoption. The Local Agency expects to fulfill this obligation by distributing the draft Plan and Implementing Agreement with the draft environmental impact report prepared for the Plan pursuant to CEQA and/or the draft environmental impact statement prepared for the Plan pursuant to NEPA.

6.5. Covered Activities

Covered Activities under the Plan are those activities that may result in authorized take or loss of Covered Species that will be identified and addressed in the Plan. Covered Activities may include land uses over which the County has land use authority, including but not limited to residential, commercial, and industrial development, expansion, construction, operation,

and maintenance of public infrastructure, and temporary activities and events; certain agricultural activities over which the County exercises control for purposes of the Plan; and adaptive habitat management and monitoring activities in the Planning Area. The Parties intend that the Plan will allow Covered Activities in the Planning Area to be carried out in compliance with the NCCPA, CESA and FESA.

6.6. Interim Project Processing

The Parties recognize that before the Wildlife Agencies approve the Plan, certain projects and activities may be proposed within the Planning Area. The Parties agree to the following interim project process to: (1) ensure that development, construction, and other projects or activities approved or initiated in the Planning Area before completion of the Plan are consistent with the preliminary conservation objectives (Section 5) and do not compromise successful completion and implementation of the Plan; (2) facilitate CEQA, CESA, and FESA compliance for interim projects that require it; and (3) ensure that processing of interim projects is not unduly delayed during preparation of the Plan. The Plan does not authorize the take of candidate, threatened, endangered, or otherwise protected species by such interim projects, but the take of candidate, threatened, or endangered species that occurs during the interim period shall be included in the analysis of take to be authorized under the Plan.

6.6.1. Reportable Interim Projects

The Local Agency will notify the Wildlife Agencies pursuant to section 6.6.2 about proposed development, construction, subdivisions, rezones or other projects or activities requiring discretionary approvals from the Local Agency that have the potential to adversely impact proposed Covered Species and natural communities (“Reportable Interim Project”) within the Planning Area.

6.6.2. Notification Process

The Local Agency proposing to undertake or approve a Reportable Interim Project will notify the Wildlife Agencies of the project prior to the time, or as soon as possible after, the project application is deemed complete. The Local Agency will notify the particular individuals designated by the Wildlife Agencies to be notified of Reportable Interim Projects, and will provide these designated individuals with (1) a depiction of the project location on a USGS 7.5 minute quadrangle map with the quadrangle name and section, township, and range identified; (2) a description of the project along with the land cover types present on the project site using the most current land cover data available to the Local Agency; and (3) any other biological information available to the Local Agency about the project area.

6.6.3. Wildlife Agency Review

The Wildlife Agencies will review Reportable Interim Projects in a timely manner and will use reasonable efforts to provide any comments on the

projects to the Local Agency within the legally prescribed comment periods. The Wildlife Agencies will recommend mitigation measures or project alternatives that would help achieve the preliminary conservation objectives and will not preclude important conservation planning options or connectivity between areas of high habitat values. Any take of listed or candidate species arising out of a Reportable Interim Project must be authorized pursuant to applicable federal and/or state law.

6.6.4. Coordinating Interim Process with Plan Preparation

Representatives of the Parties will meet as needed to discuss Reportable Interim Projects and to coordinate with development of the Plan. Independent scientific input will be considered by the Parties during interim project review.

6.7. Protection of Habitat Land During Planning Process

6.7.1. Conservation Lands Acquired/Protected

The Parties may elect to preserve, enhance, or restore, either by acquisition or other means (*e.g.,* conservation easements; designated setbacks), lands in the Planning Area that contain native species of wildlife or natural communities prior to approval of the Plan. The Local Agency will consult with the Wildlife Agencies regarding potential lands to be protected. The Wildlife Agencies agree to credit such lands toward the land acquisition or habitat protection requirements of the Plan as appropriate, provided the lands are permanently conserved and managed and contribute to the Plan's conservation strategy.

6.7.2. Mitigation Lands

Lands, or portions of lands, acquired or otherwise protected solely to mitigate the impacts of specific projects, actions, or activities approved prior to Plan approval will only be considered as mitigation for those projects, actions, or activities. Such lands will be considered during the Plan analysis but will not count toward future mitigation obligations of the Plan.

6.8. Implementing Agreement

The NCCPA requires that any NCCP approved by CDFW include an Implementing Agreement (IA) that contains provisions for:

- Species coverage, including any conditions of coverage;
- The long-term protection of habitat reserves and/or other conservation measures;
- Implementation of mitigation and conservation measures;
- Terms for suspension or revocation of the take permit;
- Procedures for amendment of the Plan and IA;
- Implementation of monitoring and adaptive management programs;
- Oversight of Plan implementation to assess mitigation performance, funding, and habitat protection measures;

- Periodic reporting to the Wildlife Agencies and the public;
- Ensuring adequate funding to carry out the conservation measures identified in the Plan; and
- Ensuring implementation of conservation measures is roughly proportional in time and extent to the impacts to Covered Species authorized under the Plan.

While the Plan is being developed, the Parties will negotiate a draft Implementing Agreement that will satisfy the requirements of the NCCPA and FESA, and include specific provisions and procedures for the implementation, monitoring and funding of the Plan. A draft of the Implementing Agreement will be made available for public review and comment with the final public review draft of the Plan.

7. Commitment of Resources

7.1. Funding

The Parties agree that they will work together to bring available funding to the planning effort.

7.1.1. Local Funding

The Local Agency recognizes that, as a prospective applicant for state and federal permits, it has the primary responsibility for developing a plan that meets applicable legal requirements and that as a result, the development and implementation of the Plan must be funded primarily from locally assured sources.

7.1.2. CDFW Assistance with Funding and CDFW Costs

CDFW agrees to cooperate with the other Parties in identifying and securing, where appropriate and available, federal, and state funds earmarked for natural community conservation planning. The Parties agree that the Local Agency shall not provide reimbursement to CDFW for its participation in the planning phase of the Plan as provided in Fish and Game Code, Section 2810, except as provided in Section 8.8.1 of this Planning Agreement. CDFW's commitments and obligations under this Planning Agreement are subject to the availability of appropriated funds and the written commitment of funds by an authorized CDFW representative.

7.1.3. USFWS Assistance with Funding

The USFWS agrees to cooperate with the other Parties in identifying and securing, where appropriate, federal, and state funds earmarked for habitat conservation planning purposes. Potential federal funding sources may include: the USFWS' Cooperative Endangered Species Conservation Fund, Land and Water Conservation Fund, and land acquisition grants or loans through other federal agencies such as the Environmental Protection Agency, the Army Corps of Engineers, or the Departments of Agriculture or

Transportation. The commitments of the USFWS under this Planning Agreement are subject to the requirements of the federal Anti-Deficiency Act (31 U.S.C. section 1341) and the availability of appropriated funds. The Parties acknowledge that this Planning Agreement does not require any federal agency to expend its appropriated funds unless and until an authorized officer of that agency provides for such expenditures in writing.

7.2. Expertise of Wildlife Agencies

Subject to funding and staffing constraints, the Wildlife Agencies agree to provide technical and scientific information, analyses, and advice to assist the Local Agency with the timely and efficient development of the Plan.

8. Miscellaneous Provisions

8.1. Public Officials Not to Benefit

No member of or delegate to Congress will be entitled to any share or part of this Planning Agreement, or to any benefit that may arise from it.

8.2. Statutory Authority

The Parties will not construe this Planning Agreement to require any Party to act beyond, or in a manner inconsistent with, its statutory authority.

8.3. Public Comment Period

The Local Agency and CDFW will make the proposed draft Planning Agreement available for a 21-day public review and comment period before adoption.

8.4. Multiple Originals

This Planning Agreement may be executed by the Parties in multiple originals, each of which will be deemed to be an official original copy.

8.5. Effective Date

The Effective Date of this Planning Agreement will be the date on which it is fully executed by CDFW and the Local Agency. This Planning Agreement is effective as to each of the other Parties at the time that Party signs the Planning Agreement.

8.6. Duration

This Planning Agreement will be in effect until the Plan is approved and permitted by the Wildlife Agencies but shall not be in effect for more than five years following the Effective Date, unless extended by amendment. This Planning Agreement may be terminated pursuant to section 8.8 below.

8.7. Amendments

This Planning Agreement can be amended only by written agreement of all Parties.

8.8. Termination and Withdrawal

Subject to the requirement in Section 8.8.1 of the Planning Agreement, any party may withdraw from this Planning Agreement upon 30 days' written notice to the other Parties. The Planning Agreement will remain in effect as to all non-withdrawing Parties unless the remaining Parties determine that the withdrawal requires termination of the Planning Agreement. This Planning Agreement can be terminated only by written agreement of all Parties.

8.8.1. Funding

In the event that federal or state funds have been provided to assist with Plan preparation or implementation, any Party withdrawing from this Planning Agreement shall return to the granting agency unspent funds awarded to that Party prior to withdrawal. A withdrawing Party shall also provide the remaining Parties with a complete accounting of the use of any federal or state funds it received regardless of whether unspent funds remain at the time of withdrawal. In the event of termination of this Planning Agreement, all Parties who received funds shall return any unspent funds to the grantor prior to termination.

SIGNATURES:

Dated: 2/9/2023

COUNTY OF SAN BENITO

By: /s/ Steve Loupe
Steve Loupe, Interim RMA Director
County of San Benito

Dated: 3/27/2023

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

By: /s/ Josh Grover
Joshua Grover, Deputy Director
Ecosystem Conservation Division

Dated: 3/3/2023

US FISH AND WILDLIFE SERVICE

By: /s/ Stephen Henry
Stephen P. Henry, Field Supervisor
Ventura Fish and Wildlife Office

Exhibit A. Description and Map of the Planning Area

The County of San Benito is topographically diverse, with mountains, rich agricultural valleys, and urban areas. Located in the Coastal Range, the westernmost tip of the County is within ten miles of the Monterey Bay, while its easternmost tip is approximately the same distance from the San Joaquin Valley. The San Andreas and Calaveras earthquake faults traverse the County from northwest to southeast and have helped define the valleys between the mountain ranges. Elevations range from 80 feet near Aromas in the northern part of the County to 5,241 feet at the Peak of San Benito Mountain (within the Diablo Range) in the south.

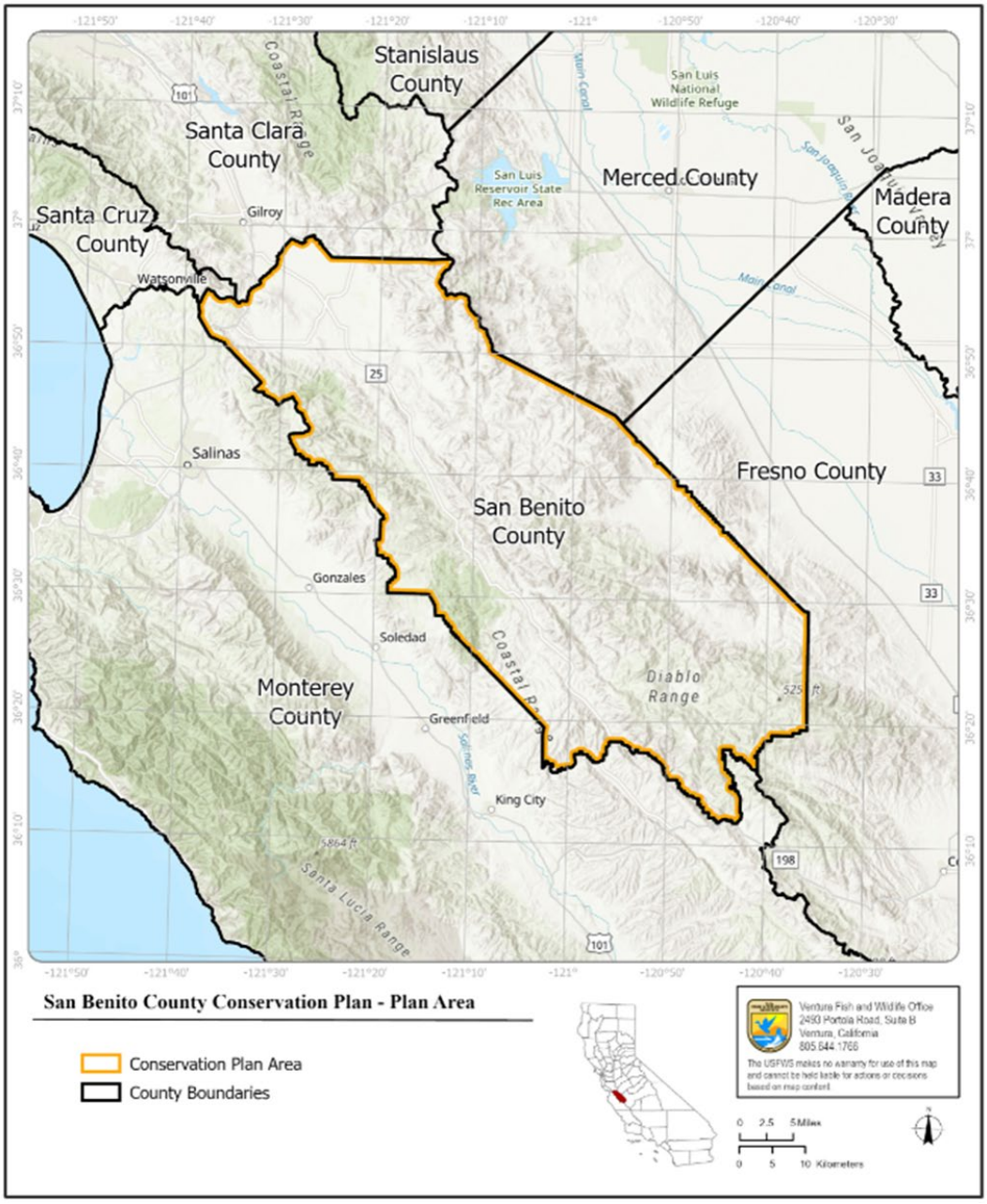

Exhibit B. Natural Communities and List of the Endangered, Threatened, Candidate, or Other Sensitive Species Known, or Reasonably Expected to be Found in the Planning Area

Natural communities in the Plan Area include large areas of annual grassland and grassland savannah, shrublands including chaparral and coastal sage scrub, blue oak and other woodlands, agricultural croplands, and riparian and aquatic habitats including marshes, vernal pools and seeps, and other wetlands. These habitat types support a diverse range of native plants and animals, including providing essential habitat for the Covered Species. The following sections provide a brief description of these habitats and the species they support (information taken from San Benito County 2035 General Plan, adopted July 21, 2015).

Tree-Dominated Habitats

Blue Oak-Foothill Pine. Blue oak (*Quercus douglasii*) and foothill pine (*Pinus sabiniana*) comprise the majority of the overstory along with coast live oak (*Quercus agrifolia*), valley oak (*Quercus lobata*), and California buckeye (*Aesculus californica*). Annual grasses and forbs typically comprise the understory. The blue oak-foothill pine woodland community is characteristic of sheltered valleys and north-facing sides of canyons and is found predominantly in the western and southern regions of the County. With temperatures lower than in the surrounding grasslands and chaparral, a wide variety of plant and animal species find shelter under this community's canopy. Shrubs commonly associated with this habitat are poison oak (*Toxicodendron diversilobum*), California laurel (*Umbellularia californica*), Pacific madrone (*Arbutus menziesii*), Ceanothus spp., and manzanita (*Arctostaphylos* spp.). Blue oak-foothill pine woodlands provide breeding habitats for a large variety of wildlife species. Many birds, including Bewick's wren (*Thryomanes bewickii*), acorn woodpecker (*Melanerpes formicivorus*), American kestrel (*Falco sparverius*), California quail (*Callipepla californica*), red-shouldered hawk (*Buteo lineatus*), and red-tailed hawk (*Buteo jamaicensis*) use oak communities for nesting, foraging, and shelter.

Other wildlife species that depend on oak woodlands for food and shelter include common gartersnake (*Thamnophis sirtalis*), western fence lizard (*Sceloporus occidentalis*), Virginia opossum (*Didelphus virginiana*), coyote (*Canis latrans*), mule deer (*Odocoileus hemionus*), and mountain lion (*Puma concolor*) among many others.

Coastal Oak Woodland. Typically, the overstory consists of deciduous and evergreen hardwoods mixed with scattered conifers. Coast live oak dominates the overstory with understory shrubs in the County such as California blackberry (*Rubus ursinus*), common snowberry (*Symphoricarpos albus*), toyon (*Heteromeles arbutifolia*), and herbaceous plants such as California polypody (*Polypodium californicum*), bracken fern (*Pteridium aquilinum* var. *pubescens*), and miner's lettuce (*Claytonia perfoliata*). In drier areas with the oaks more widely spaced, the understory may consist entirely of grassland species with a few shrubs. Where coast live oak woodlands intergrade with chaparral, species such as chamise (*Adenostoma fasciculatum*), chaparral currant (*Ribes malvaceum*), and ceanothus form the understory. When coast live oak intergrades with coastal scrub, sticky monkeyflower (*Diplacus aurantiacus*), coyote brush (*Baccharis pilularis*), and California sagebrush (*Artemisia californica*), among

other species, forms the understory. A wide variety of birds, including California scrub-jay (*Aphelocoma californica*), oak titmouse (*Baeolophus inornatus*), white-breasted nuthatch (*Sitta carolinensis*), western bluebird (*Sialia mexicana*) and black-headed grosbeak (*Pheucticus melanocephalus*) use oak communities for nesting, foraging, and shelter. Other wildlife species that use oak woodlands include common garter snake, big brown bat (*Eptesicus fuscus*), deer mouse (*Peromyscus maniculatus*), striped skunk (*Mephitis mephitis*), bobcat (*Lynx rufus*), coyote, and mule deer, among many others.

Valley Oak Woodland. The overstory is made up of almost exclusively valley oaks. Other trees associated with valley oak woodland include California sycamore (*Platanus racemosa*), coast live oak, foothill pine, and blue oak. Typical shrubs found in this habitat include poison oak, blue elderberry (*Sambucus mexicana*), toyon, California coffeeberry, and California blackberry. The ground cover consists typically of wild oats, bromes, barley (*Hordeum* spp.), perennial ryegrass (*Lolium perenne*), and needlegrasses. Valley oak woodlands provide breeding habitat for a large variety of wildlife species, with common species similar to that described for coastal oak woodland habitat.

Blue Oak Woodland. Within these woodlands, blue oak is the dominant species, making up 85 to 100 percent of the trees present. Coast live oak is a common associate in the canopy. Typically, blue oak woodlands are made up of scattered trees although sometimes the canopy may be closed. The understory habitat generally is associated with California juniper (*Juniperus californica*), poison oak, California coffee berry (*Frangula californica*), California buckeye, and manzanita species.

Ground cover is made up mainly of annuals, including bromes (*Bromus* spp.), wild oats (*Avena* spp.), purple needlegrass (*Stipa pulchra*), filaree (*Erodium* spp.), and others associated. Wildlife is similar to that found in coastal oak woodland habitat.

Montane Hardwood. Common associates found in the County include coast live oak, big-leaf maple (*Acer macrophyllum*), Pacific madrone, tanoak (*Notholithocarpus densiflorus*), canyon live oak (*Quercus chrysolepis*), foothill pine, coastal redwood (*Sequoia sempervirens*), and eucalyptus (*Eucalyptus globulus*). Characteristic species of montane hardwood and montane hardwood conifer habitats include California scrub and Steller's (*Cyanocitta stelleri*) jays, acorn woodpecker, wild turkey (*Meleagris gallopavo*), dusky-footed woodrat (*Neotoma fuscipes*), mule deer, and California ground squirrel (*Otospermophilus beecheyi*). Eucalyptus forms almost pure stands with little native overstory associates. Characteristic species of eucalyptus stands include American crow (*Corvus brachyrhynchos*), common raven (*Corvus corax*), barn owl (*Tyto alba*), and red-tailed and red-shouldered hawks. Small vertebrate species found within these habitats include gopher snake (*Pituophis catenifer*) and dusky-footed woodrat.

Conifer. Conifer groups include Jeffrey pine, juniper, and sierran mixed conifer habitats. A portion of the conifer habitat is unique in the County as it contains the only known coexistence of the Coulter pine (*Pinus coulteri*), Jeffery pine (*Pinus jeffreyi*), and incense cedar (*Calocedrus decurrens*) in the world. Typical conifers found in these habitats include these species as well as coastal redwood and ponderosa pine (*Pinus ponderosa*). Associated with these habitats are California

black oak (*Quercus kelloggii*), black cottonwood (*Populus trichocarpa*), manzanita, tanoak, big sagebrush (*Artemisia tridentata*), California buckwheat (*Eriogonum fasciculatum*), California wild rose (*Rosa californica*), ceanothus, lupines (*Lupinus* spp.), and needlegrass. The variety in plant species composition provides diversity in food and cover for many species. Jeffrey pine seeds are included in the diet of more wildlife species than any other tree genus excluding oaks. The bark and foliage are important food sources for squirrels and mule deer.

Valley Foothill Riparian. Dominant species in the canopy layer are cottonwood, California sycamore, and valley oak. Subcanopy trees include white alder (*Alnus rhombifolia*), boxelder (*Acer negundo*), and red willow (*Salix laevigata*). Typical understory shrubs include wild rose, California blackberry, blue elderberry, poison oak, and willows (*Salix* spp.). The herbaceous layer, typically comprising only one percent of the overall cover, primarily consists of sedges (*Carex* spp.), rushes (*Juncus* spp.), miner's lettuce, poison hemlock (*Conium maculatum*), and stinging nettle (*Urtica dioica*). Valley foothill riparian habitats provide food, water, migration and dispersal corridors, and escape, nesting, and thermal cover for an abundance of wildlife. Several rare frog species including California red-legged frog (*Rana draytonii*) and foothill yellow-legged frog (*Rana boylii*) use this habitat.

Shrub-Dominated Habitats

Chamise-Redshank Chaparral. This habitat is dominated by nearly pure stands of chamise or red shank (*Adenostoma sparsifolium*), or a mixture of both. Common associates include toyon, sugar sumac (*Rhus ovata*), ceanothus, and California coffee berry. This habitat is generally surrounded by mixed chaparral, annual grassland, blue oak-foothill pine, or ponderosa pine habitats. Wildlife species found in this habitat type also frequently occur in mixed chaparral and montane chaparral habitats. These species include black-tailed jackrabbit (*Lepus californicus*), California thrasher (*Toxostoma redivivum*), California towhee (*Melozone crissalis*), and gopher snake.

Mixed Chaparral. This habitat type supports a wide variety of plant species. Composition changes with precipitation, aspect, and soil type. Species that are common in this habitat include several species of ceanothus and manzanita, chamise, ashy silk tassel (*Garrya flavescens*), toyon, yerba santa (*Eriodictyon californicum*), sumac, holly leaf cherry (*Prunus ilicifolia*), and California *fremontia* (*Fremontodendron californicum*). Mixed chaparral habitats are formed in a matrix with chamise-redshank chaparral, annual grassland, and blue oak-foothill pine. Many wildlife species use this habitat including Anna's hummingbird (*Calypte anna*), California quail, ring-necked snake (*Diadophis punctatus*), Bell's sparrow (*Artemisiospiza belli*), spotted towhee (*Pipilo maculatus*), and wrentit (*Chamaea fasciata*).

Coastal Scrub. Coyote brush tends to dominate the overstory and is commonly associated with ceanothus, coffeeberry, sticky monkeyflower, blackberry, California sagebrush, California buckwheat, and poison-oak. Bracken fern and sword fern (*Polystichum munitum*) are dominant in the understory alongside common parsnip (*Heracleum maximum*), paintbrush (*Castilleja* spp.), yerba buena (*Clinopodium douglasii*), and California oatgrass (*Danthonia californica*). Although vegetation

productivity is lower in coastal scrub than in adjacent chaparral habitats, coastal scrub supports a wide variety of vertebrate species.

Desert Scrub. Creosote bush (*Larrea tridentata*) is often considered a dominant species within desert scrub communities. Alkali desert scrub is typically dominated by shrubby saltbushes. Sagebrush stands are typically large, open, discontinuous stands of big sagebrush of fairly uniform height. Species that can be found within desert scrub habitats include a variety of lizard and snakes including rare blunt-nosed leopard lizard (*Gambelia sila*) and San Joaquin coachwhip (*Masticophis flagellum ruddocki*), various pocket mice and kangaroo rats, San Joaquin kit fox (*Vulpes macrotis mutica*), coyote, and bobcat (*Lynx rufus*).

Herbaceous-Dominated Habitats

Agriculture (including pasture). Vegetation composition and structure in agricultural habitats are variable, depending on the type of crops grown and the time of year. For these reasons habitat value for wildlife is also variable. In addition, the types and timing of operational activities of agricultural lands affects habitat suitability for wildlife. Tall and maintained crops such as vineyards provide different habitat value and likely support different wildlife species than short crops with a lot of exposed bare ground between rows or pastureland. Typical wildlife species that use agricultural habitat include a variety of rodents, such as California ground squirrel and California vole (*Microtus californicus*), and birds, such as red-winged blackbird (*Agelaius phoeniceus*), northern harrier (*Circus cyaneus*), white-tailed kite (*Elanus leucurus*), and yellow-billed magpie (*Pica nuttalli*). Croplands provide food and water for these species, but do not generally provide long-term shelter due to the frequency of disturbance.

Annual Grassland (including vernal pools). Annual grassland habitats are open grasslands composed primarily of annual plant species and which occupy what was once pristine native grassland. This habitat type occurs mostly on flat plains to gently rolling foothills. Many grassland species also occur as understory plants in oak woodland and other habitats. Structure in annual grassland depends largely on weather patterns and livestock grazing. Dramatic differences in physiognomy, both between seasons and between years, are characteristic of this habitat. Introduced annual grasses are the dominant plant species in this habitat. These include wild oats, soft chess (*Bromus hordeaceus*), ripgut brome (*Bromus diandrus*), red brome (*Bromus madritensis)*, wild barley (*Hordeum vulgare*), and foxtail fescue (*Vulpia myuros*). Common forbs include broadleaf filaree (*Erodium botrys*), redstem filaree (*Erodium cicutarium*), turkey mullein (*Croton setiger*), true clovers (*Trifolium* spp.), bur clover (*Medicago polymorpha*), popcorn flower (*Plagiobothrys* spp.), and many others. Perennial grasses, found in moist, lightly grazed, or relic prairie areas, include purple needlegrass and Idaho fescue (*Festuca idahoensis*). Vernal pools, found in small depressions with a hardpan soil layer, support Downingia, meadowfoam (*Limnanthes* spp.), and other species. Many wildlife species use annual grasslands for foraging, but some require special habitat features such as cliffs, caves, ponds, or habitats with woody plants for breeding, resting, and escape cover. Characteristic reptiles that breed in grassland habitats include the western fence lizard, common garter snake, and western rattlesnake (*Crotalus atrox*). Mammals typically found in this habitat include the black-tailed jackrabbit, California ground squirrel, Botta's pocket gopher (*Thomomys bottae*), western harvest mouse

(*Reithrodontomys megalotis*), California vole, badger (*Taxidea taxus*), and coyote. The federally endangered and State threatened San Joaquin kit fox and threatened California tiger salamander (*Ambystoma californiense*) are also found in and adjacent to this habitat. Common birds known to breed in annual grasslands include the burrowing owl (*Athene cunicularia*), short-eared owl (*Asio flammeus*), horned lark (*Eremophila alpestris*), and western meadowlark (*Sturnella neglecta*). This habitat also provides important foraging habitat for the turkey vulture (*Cathartes aura*), American kestrel, white-tailed kite, and prairie falcon (*Falco mexicanus*).

Aquatic Habitats

Water and Wetlands. Water habitat includes both lacustrine and riverine habitats. Lacustrine includes lakes, reservoirs, ponds, and ponded areas along streams, while riverine includes rivers, canals, and streams. They typically support fish species and provide foraging, cover, and breeding habitat for other aquatic species such as pond turtle (*Actinemys pallida*), amphibians, various waterfowl, and fish-eating species such as belted kingfisher (*Megaceryle alcyon*) and great blue heron (*Ardea herodias*). Wetland areas are important resources for the County. These areas include freshwater sloughs, swamps, vernal pools, wet meadows, wet pastures, springs and seeps, portions of lakes, ponds, rivers and streams, and all other areas which are periodically or permanently covered by shallow water, or dominated by hydrophytic vegetation, or in which the soils are predominantly hydric in nature. Notable lakes and reservoirs in the County are San Felipe (Soap) and Anzar Lakes, Tequisquita Slough, and San Justo, Paicines, and Hernandez Reservoirs.

Developed Habitats

Urban. The urban landscape consists of developed land, quarries, strip mines, and gravel pits. This classification also includes golf courses, urban parks, and landfills. Wildlife species that use urban habitat vary depending on the density of development, the surrounding land use, and the types and availability of vegetation and other habitat features available for foraging, nesting, and cover. In general, however, wildlife habitat in urban areas consists of landscaped areas with a mix of both native and exotic ornamental plant species. Species using these areas are conditioned to a greater level of human activity than those in natural and less developed areas. Generally, the more developed an urban area is (e.g., downtown), the less diverse the species will be. Wildlife species typically found in urban habitat include American crow, rock dove (*Columba livia*), American robin (*Turdus migratorius*), Brewer's blackbird (*Euphagus cyanocephalus*), house finch (*Haemorhous mexicanus*), house sparrow (*Passer domesticus*), northern mockingbird (*Mimus polyglottos*), mourning dove (*Zenaida macrocoura*), raccoon, Virginia opossum, and striped skunk.

Non-Vegetated Habitats

Barren. Barren habitat is defined by the absence of vegetation. Any habitat with <2 percent total vegetation cover by herbaceous, desert, or non-wildland species and <10 percent cover by tree or shrub species is defined this way. The physical settings for permanently barren habitat represent extreme environments for vegetation. An extremely hot or cold climate, a near-vertical slope, an impermeable substrate, constant disturbance by either human or natural forces, or a soil either lacking in

organic matter or excessively saline can each contribute to a habitat being inhospitable to plants. This habitat typically includes areas of exposed rock, talus slopes, and bare ground/dirt that do not support vegetation. Barren habitat does have value for wildlife. Many hawks and falcons nest on rock ledges. Numerous shorebirds rely on open ground covered with sand or gravel for constructing small scrape nests. Bank swallows use barren vertical cliffs of friable soils along river corridors to dig holes for nesting and cover. Rocky river canyon walls above open water is preferred foraging habitat for many bats. In the desert open sandy soil is critical as burrowing and egg-laying substrate for horned lizards and fringe-toed lizards.

The following table lists special-status species with potential to occur in the County organized by their federal, state, CDFW, and the California Native Plant Society's (CNPS) California Rare Plant Rank (CRPR) designation. (Acronyms used for listing status are explained at the bottom of the table). This list includes species from existing federal and state lists, although some species may be of very low distribution or abundance within the County.

Species	Listing		
	Federal	State	CNPS
Invertebrates			
Crotch bumble bee (*Bombus crotchii*)		TICP	
Monarch butterfly (*Danaus plexippus*)	FC	TICP	
Vernal pool fairy shrimp (*Branchinecta lynchi*)	FT		
Vernal pool tadpole shrimp (*Lepidurus packardii*)	FE		
Fish			
Monterey hitch (*Lavinia exilicauda harengus*)		SSC	
Steelhead – South-central California Coast DPS (*Oncorhynchus mykiss irideus* pop. 9)	FT		
Amphibians			
California red-legged frog (*Rana draytonii*)	FT	SSC	
California tiger salamander (*Ambystoma californiense*)	FT	ST	
Coast Range newt (*Taricha torosa*)		SSC	
Foothill yellow-legged frog (*Rana boylii*)		SE/SSC	
Western spadefoot toad (*Spea hammondii*)	UR	SSC	
Reptiles			
Blunt-nose leopard lizard (*Gambelia sila*)	FE	SE/FP	

Species	Listing		
	Federal	State	CNPS
Coast horned lizard (*Phrynosoma blainvillii*)		SSC	
San Joaquin coachwhip (*Masticophis flagellum ruddocki*)		SSC	
Northern legless lizard (*Anniella pulchra*)		SSC	
Western pond turtle (*Emys marmorata*)	UR	SSC	
Two-striped garter snake (*Thamnophis hammondii*)		SSC	
Birds			
American peregrine falcon (*Falco peregrinus anatum*)		FP	
Bald eagle (*Haliaeetus leucocephalus*)	BGPA	SE/FP	
Bank swallow (*Riparia riparia*)		ST	
Burrowing owl (*Athene cunicularia*)		SSC	
California condor (*Gymnogyps californianus*)	FE	SE/FP	
Least Bell's vireo (*Vireo bellii pusilus*)	FE	SE	
Long-eared owl (*Asio otus*)		SSC	
Mountain plover (*Charadrius montanus*)		SSC	
Southwestern willow flycatcher (*Empidonax traillii extimus*)	FE	SE	
Swainson's hawk (*Buteo swainsoni*)		ST	
Tricolored blackbird (*Agelaius tricolor*)		ST/SSC	
Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*)	FT	SE	
Yellow-breasted chat (*Icteria virens*)		SSC	
White-tailed kite (*Elanus leucurus*)		FP	
Mammals			
American badger (*Taxidea taxus*)		SSC	
Big-eared kangaroo rat (*Dipodomys venustus elephantinus*)		SSC	
Giant kangaroo rat (*Dipodomys ingens*)	FE	SE	
Monterey dusky-footed woodrat (*Neotoma macrotis luciana*)		SSC	

Species	Listing		
	Federal	State	CNPS
San Joaquin antelope squirrel (*Ammospermophilus nelsoni*)		ST	
Pallid bat (*Antrozous pallidus*)		SSC	
San Joaquin kit fox (*Vulpes macrotis mutica*)	FE	ST	
Townsend's big-eared bat (*Corynorhinus townsendii*)		SSC	
Tulare grasshopper mouse (*Onychomys torridus tularensis*)		SSC	
Western mastiff bat (*Eumops perotis califomicus*)		SSC	
Western red bat (*Lasiurus blossevillii*)		SSC	
Mountain lion, Southern California/Central Coast ESU (*Puma concolor*)		UR	
Plants			
Alkali milk-vetch (*Astragalus tener* var. *tener*)			1B.2
Bent-flowered fiddleneck *(Amsinckia lunaris)*			1B.2
Carmel Valley malacothrix (*Malacothrix saxatilis* var. *arachnoidea*)			1B.2
Chaparral harebell (*Campanula exigua*)			1B.2
Chaparral ragwort (*Senecio aphanactis*)			2B.2
Diablo Range hare-leaf (*Lagophylla diabolensis*)			1B.2
Gabilan Mountains manzanita (*Arctostaphylos gabilanensis*)			1B.2
Forked hare-leaf (*Lagophylla dichotoma*)			1B.1
Fragrant fritillary (*Fritillaria liliacea*)			1B.2
Hall's tarplant (*Deinandra halliana*)			1B.1
Hernandez spineflower (*Chorizanthe biloba* var. *immemora*)			1B.2
Hooked popcornflower (*Plagiobothrys uncinatus*)			1B.2
Hoover's button-celery (*Eryngium aristulatum* var. *hooveri*)			1B.1
Hospital Canyon larkspur (*Delphinium californicum* ssp. *interius*)			1B.2

Species	Listing		
	Federal	State	CNPS
Indian Valley bush-mallow (*Malacothamnus aboriginum*)			1B.2
Jepson's milk-vetch (*Astragalus rattanii* var. *jepsonianus*)			1B.2
Lost Hills crownscale (*Atriplex coronata* var. *vallicola*)			1B.2
Lemmon's jewelflower (*Caulanthus lemmonii*)			1B.2
Marsh microseris (*Microseris paludosa*)			1B.2
Mt. Diablo phacelia (*Phacelia phacelioides*)			1B.2
Munz's tidy-tips (*Layia munzii*)			1B.2
Pajaro manzanita (*Arctostaphylos pajaroensis*)			1B.1
Pale-yellow layia (*Layia heterotricha*)			1B.1
Panoche Hills navarretia (*Navarretia panochensis*)			1B.3
Panoche pepper-grass (*Lepidium jaredii* ssp. *album*)			1B.2
Pinnacles buckwheat (*Eriogonum nortonii*)			1B.3
Prostrate vernal pool navarretia (*Navarretia prostrata*)			1B.1
Rayless layia (*Layia discoidea*)			1B.1
Recurved larkspur (*Delphinium recurvatum*)			1B.2
Robbins' nemacladus (*Nemacladus secundiflorus* var. *robbinsii*)			1B.2
Saline clover (*Trifolium hydrophilum*)			1B.2
San Benito evening primrose (*Camissonia benitensis*)	D		1B.1
San Benito fritillary (*Fritillaria viridea*)			1B.2
San Benito onion (*Allium howellii* var. *sanbenitense*)			1B.3
San Benito pentachaeta (*Pentachaeta exilis* ssp. *aeolica*)			1B.2
San Joaquin spearscale (*Extriplex joaquinana*)			1B.2
San Joaquin wooly-threads (*Monolopia congdonii*)	FE		1B.2

Species	Listing		
	Federal	State	CNPS
Santa Lucia dwarf rush (*Juncus luciensis*)			1B.2
Showy golden madia (*Madia radiata*)			1B.1
Shining navarretia (*Navarretia nigelliformis* ssp. *radians*)			1B.2
Talus fritillary (*Fritillaria falcata*)			1B.2
Western Heermann's buckwheat (*Eriogonum heermannii* var. *occidentale*)			1B.2
Woodland woollythreads (*Monolopia gracilens*)			1B.2

Listing Status Codes:

Federal (USFWS)

FE	Listed as Endangered under the Federal Endangered Species Act
FT	Listed as Threatened under the Federal Endangered Species Act
FC	Candidate for listing under the Federal Endangered Species Act
D	Delisted due to recovery
UR	Under review for listing
BGPA	Bald Eagle and Golden Eagle Protection Act

State (CDFW)

SE	Listed as Endangered under the California Endangered Species Act
ST	Listed as Threatened under the California Endangered Species Act
FP	CDFW Fully Protected species under California Fish and Wildlife Code
SSC	CDFW Species of Special Concern
UR	Under review for listing
TICP	Terrestrial Invertebrate of Conservation Priority

CNPS (California Rare Plant Ranking)

1B	Rare, threatened, or endangered in California and elsewhere
2B	Rare, threatened, or endangered in California, but more common elsewhere
.1	Seriously threatened in California
.2	Fairly threatened in California
.3	Not very threatened in California