

Draft Screening Form
Low-Effect Incidental Take Permit Determination and
National Environmental Policy Act (NEPA)

I. HCP Information

A. HCP Name: Habitat Conservation Plan for the San Juan Reconstruction Project, San Benito County, California

B. Affected Species: Federally threatened Central Distinct Population Segment of the California tiger salamander (*Ambystoma californiense*) and federally threatened California red-legged frog (*Rana draytonii*)

C. HCP Size (in stream miles and/or acres): The project would disturb 5.8 acres within a 12-acre site, which includes an existing elementary school (Assessor Parcel Number: 002-500-0050).

D. Brief Project Description (including minimization and mitigation plans):

The Aromas-San Juan Unified School District (applicant) is seeking an incidental take permit under section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act), for take of the federally threatened California red-legged frog and Central Distinct Population Segment of the California tiger salamander, incidental to the reconstruction of an existing school campus and associated facilities on 5.8 acres. Within the 5.8-acre site, 4 acres would be permanently impacted during construction and construction access and 1.8 acres would be temporarily impacted during construction staging. The applicant's habitat conservation plan (HCP) includes measures to minimize impacts to the California red-legged frog and California tiger salamander (covered species) as well as provide mitigation to offset unavoidable impacts to those species. The applicant requests a permit term of five years.

The proposed project is located at 100 Nyland Drive (Assessor's Parcel Number 002-500-0050), San Juan Bautista, California. The 5.8-acre permit area is located within 12 acres. The project site consists of mainly disturbed areas, including developed (buildings and paved, 4 acres), non-native field or lawn (0.6 acre), bare ground or ruderal (1 acre), and campus landscaping including tree canopy (0.15 acre). There are no wetland or aquatic features on the project site. Although no protocol surveys were conducted for the covered species, the applicant has determined that the site provides dispersal habitat for the covered species. California red-legged frog and California tiger salamander have been observed in aquatic habitat within 1.24 miles of the permit area.

Goals and objectives for the covered species include:

1. Avoid or minimize adverse impacts to California tiger salamander and California red-legged frog during construction of the proposed project within the permit area by implementing conservation measures reviewed and approved by the U.S. Fish and

Wildlife Service (Service) and California Department of Fish and Wildlife (EMC 2024, pp. 5.1 to 5-12).

2. Ensure that compensatory mitigation for take of California tiger salamander and California red-legged frog, including habitat loss, occurs. Prior to initiating any project activities, the applicant will purchase one dual-species credit from the Sparling Ranch Conservation Bank.
3. A Service-approved biologist will conduct monitoring to ensure effective implementation of the conservation strategy, and to evaluate success toward the biological goals and objectives. Monitoring results will be documented in annual reports provided to the Service.

II. Does the HCP fit the following Department of Interior and Fish and Wildlife Service categorical-exclusion criteria?

A. Are the effects of the HCP minor or negligible on federally listed, proposed, or candidate species and their habitats covered under the HCP?

Yes, the effects of the project on the California red-legged frog and California tiger salamander are minor. The proposed project would disturb permanently 4 acres (urban, ornamental landscaping, ruderal/bare ground, and non-native lawn or field) and temporarily disturb 1.8 acres (urban, ornamental landscaping, ruderal/bare ground, and non-native lawn or field) of low-quality dispersal habitat for the covered species. The project would occur within an area that is largely surrounded by fragmented habitat, adjacent to existing development and agriculture. The applicant has proposed conservation measures to avoid and reduce impacts to California tiger salamander and California red-legged frog. Additionally, prior to the start of project activities, the applicant proposes to offset impacts to the covered species by purchasing one dual-species credit from the Sparling Ranch Conservation Bank, which will result in the protection and management of high-quality habitat for the covered species.

B. Are the effects of the HCP minor or negligible on all other components of the human environment, including environmental values and environmental resources (e.g. air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, environmental justice, etc.), after implementation of the minimization and mitigation measures?

The proposed project is the reconstruction and expansion of an existing public elementary school, which will increase its capacity to support the surrounding rural community. The proposed project consists of 15 classrooms, two restrooms, library, administration building, multipurpose structure, and food service; a new basketball court; and a pedestrian hardscape, landscaping, drop-off facilities, on-site utilities within a 5.8-acre permit area. The project includes demolition of the existing single-story structures and removal of trees located within the 5.8-acre permit area.

Additionally, in consideration of cultural resources, the applicant contracted Albion Environmental, Inc (Albion) in April 2022 to conduct a cultural resources assessment of the

project area. Although a database search of Northwest Information Center indicated that no archaeological resources have been previously identified within the project area, a visual inspection of the project area surface revealed evidence of Native American and imported European artifacts. The site is characterized by the presence of faunal bone, lithics, shell, *teja* (Spanish roof tile), undiagnostic glass fragments, and brick. Based on the current evidence, it is unclear if the project represents a precolonial site with historic disturbance, or Native Americans living on the landscape during the historic era. Therefore, on July 26, 2022, Albion archaeologists conducted a targeted phase II subsurface investigation to evaluate the site for California Register of Historical Resources eligibility, assess project impacts, and (if needed) develop mitigation measures, as warranted under California Environmental Quality Act (CEQA). None of the 58 artifacts collected from the field were temporally diagnostic. Because of the presence of krotovina in Strata I and IV, and modern materials in Strata II and III, Albion determined that soils above 18 inches within the tested portions of the site were either construction fill or disturbed. Albion determined that the effects of the project on the cultural resources are not significant and the resource does not need to be considered further in the CEQA process. So long as the depths of impact stay above 18 inches, Albion determined that archaeological monitoring is not necessary for construction activities.

Given the small size of the impacts, the proposed project is consistent with the area's purpose of being a school zone, applicant's coordination with California Native American Commission, and the results of the Phase II evaluation study, we anticipate effects of the HCP to be minor or negligible on all other components of the human environment, including environmental values and environmental resources.

C. Would the incremental impacts of this HCP, considered together with the impacts of other past, present, and reasonably foreseeable future actions (regardless of what agency or person undertakes such other actions) not result, over time, in cumulative effects to the human environment (the natural and physical environment) which would be considered significant?

The incremental impacts of the HCP, considered together with the impacts of other past, present, and reasonably foreseeable future actions would not result in cumulative effects to the human environment, which would be considered significant. The project area occurs within the landscape of Mission San Juan Bautista. However, there is no evidence of how this area was specifically used within the mission period. By the mid-1800s, the project area spanned across two ranchos. By the early to mid-20th century, aerial photographs show development in the eastern portion of the project area. By 1998, the current school was developed and the structures depicted in the previous aerials are no longer present. The current school facilities are not listed in the County's Historic Register. The proposed project entails expanding classrooms within a small area of an existing school site; and therefore, is consistent with its current land use. The property is surrounded by agricultural uses and a residence to the east, Nyland Drive and State Route 156 and residences to the south, commercial uses and residences to the west, and agricultural uses to the north. These surrounding lands would not be impacted because of the proposed project. Given that the covered activities are consistent with historic and current land uses in the area we anticipate effects from similar, continued land uses would have minor or negligible effects on all other components of the human environment, including environmental values and environmental resources.

III. Do any of the exceptions to categorical exclusions (extraordinary circumstances) listed in 43 CFR 46.215 apply to this HCP?

Would implementation of the HCP:

A. Have significant impacts on public health or safety?

No. The HCP supports the issuance of an incidental take permit for the California red-legged frog and California tiger salamander associated with the expansion of a school and associated infrastructure on 5.8 acres in an area of similar uses. The proposed project would be conducted following the California Building Code and would not involve the use of hazardous materials, substances, or waste.

B. Have significant impacts on such natural resources and unique geographic characteristics as: historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990) or floodplains (Executive Order 11988); national monuments; migratory birds, eagles, or other ecologically significant or critical resources?

No. The project is sited in a school-zoned area and the parcels do not support unique geographic characteristics such as park, recreation or refuge lands, wilderness areas, wild or scenic rivers, national natural landmarks, sole or principal aquifers, prime farmlands, wetlands, floodplains, national monuments, migratory bird resources, or other ecologically significant or critical areas. Although 58 artifacts were collected during the cultural assessment survey, none of the artifacts were temporally diagnostic. Archeologists concluded the historic or cultural resources on site were not significant and no further archaeological investigations to mitigate impacts to cultural resources were warranted.

C. Have highly controversial environmental effects (defined at 43 CFR 46.30), or involve unresolved conflicts concerning alternative uses of available resources [see NEPA section 102(2)(E)]?

No. The project is consistent with the City of San Juan Bautista's zoning laws, ordinances, regulations, and policies, and is consistent with current and surrounding developed uses. As such, we do not anticipate any controversial environmental effects.

D. Have highly uncertain and potentially significant environmental effects, or involve unique or unknown environmental risks?

No. The project is limited in size and scope and consists of standard construction practices. We do not anticipate that this would result in uncertain effects or unknown risks.

E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?

No. As discussed, the project is limited in size and scope and located in a school-zoned area. This HCP does not establish a precedent for future actions or represent a decision in principle about future actions that would potentially cause significant environmental effects.

F. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?

No. This is a single action not related to any other. We are not aware of any future actions directly related to the HCP; therefore, do not anticipate any significant cumulative effects.

G. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places?

No. A search of the National Register of Historic Places (<http://www.cr.nps.gov/places.htm>) revealed no cultural or historic sites listed or eligible for listing within the project area.

H. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?

No. The proposed project would disturb permanently 4 acres (urban, ornamental landscaping, ruderal/bare ground, and non-native lawn or field) and temporarily disturb 1.8 acres (urban, ornamental landscaping, ruderal/bare ground, and non-native lawn or field) that is assumed to be low-quality dispersal habitat for California red-legged frog and California tiger salamander based on known nearby occurrences. The project would occur within an area that is largely surrounded by fragmented habitat, adjacent to existing development and agriculture. Disturbance to this area of low-quality habitat is anticipated to have a negligible effect on the long-term persistence of the California red-legged frog and California tiger salamander in the area. Additionally, the applicant will mitigate unavoidable take of the covered species by purchasing one dual-species credit at the Sparling Ranch Conservation Bank; and therefore, effects to recovery of the covered species would not be significant. There is no critical habitat for the covered species within the permit area; therefore, there would be no effect to critical habitat.

I. Violate a Federal law, or a State, local, or tribal law, or a requirement imposed for the protection of the environment.

No. The HCP supports the issuance of an incidental take permit that would authorize take of the California red-legged frog and California tiger salamander incidental to otherwise lawful activities. This project is subject to California Environmental Quality Act review pursuant to the City of San Juan Bautista's implementing guidelines and other Federal, State, and local environmental laws and requirements. Tribal lands would not be affected. Additionally, in consideration of cultural resources, the applicant has conducted an archival database search at the Northwest Information Center and a cultural resources evaluation of the site. Although 58 artifacts were collected during the cultural assessment survey, none of the artifacts were temporally diagnostic. Archeologists concluded the historic or cultural resources on site were not

significant and no further archaeological investigations to mitigate impacts to cultural resources were warranted.

J. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

No. The proposed project would not have a disproportionately high and adverse effect on low income or minority populations.

K. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

No. Ceremonial or sacred sites do not occur on the proposed project site and would not be affected by implementation of the HCP.

L. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

No. The project site consists of mainly disturbed areas, including developed (buildings and paved, 4.0 acres), non-native field and lawn (0.6 acre) bare ground and ruderal (1.0 acre), and campus landscaping including tree canopy (0.15 acre). Best management practices will be implemented to prevent the spread of non-native species within the project area and adjacent to it, including removal of invasive species at the project site, landscaping using only native plant species, and ensuring that equipment that may have come in contact with invasive plants has been thoroughly cleaned before entering the site (including, but not limited to excavators, graders, backhoes, etc.).