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August 13, 2002

State of California  
Office of Planning and Research  
1400 Tenth Street  
Sacramento, CA 95814

### NOTICE OF EXEMPTION

**Project Title:** Low-Effect Habitat Conservation Plan for Valley Elderberry Longhorn Beetle for the University of California, Davis, 2001-2002 Campus Projects

**Project Location:** South of Russell Boulevard and west of La Rue Road; University of California, Davis

**County:** Yolo

### Project Description

Implementing the UC Davis Low-Effect Habitat Conservation Plan (HCP) for Valley Elderberry Longhorn Beetle (VELB) will involve relocating or removing a total of 12 elderberry shrubs or clusters of shrubs from 3 areas within the UC Davis main campus. Ten shrubs/clusters will be relocated to the Russell Ranch mitigation site along Putah Creek, west of campus. Two shrubs/clusters cannot be relocated without damaging the plant and structure that the plant has either grown under or around. All of these shrubs or clusters have stems more than 1 inch in diameter and therefore potentially support VELB, a federally-listed endangered species. No shrubs had evidence of VELB occurrence (i.e., emergence holes or adult beetles). For the two shrubs that cannot be relocated, cuttings will be taken from the shrubs for use in propagating plants for mitigation.

The only known VELB occurrences in the area are along Putah Creek, a drainage that supports a relatively dense riparian forest, including numerous mature elderberry shrubs, along much of its length. On the UC Davis campus, Putah Creek is a protected riparian preserve, which protects existing elderberry shrubs and any extant VELB populations and allows the natural establishment of new elderberry shrubs along its length. Surveys of the project sites indicate that these shrubs have not been colonized by VELB. This absence of VELB is likely due to the shrubs' relatively recent establishment, isolation, and distance from a source population. Therefore, these 12 shrubs do not represent essential or critical habitat for VELB. The potential effect on VELB that may result from moving the shrubs is considered minor to negligible.

The HCP has been developed in consultation with the U.S. Fish and Wildlife Service (USFWS) to mitigate for any potential loss of VELB habitat. The HCP will be used to obtain an incidental take permit from USFWS to comply with the Federal Endangered Species Act. The mitigation

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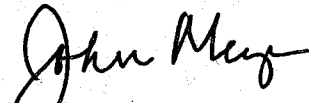
measures for VELB disturbance identified in the Environmental Impact Report for the UC Davis Long Range Development Plan state that UC Davis will consult with the USFWS regarding VELB issues. VELB is not a California State-listed special status species.

Implementation of the Low-Effects HCP and transplanting of the elderberry shrubs is expected to begin in August 2002, and be completed in November 2002.

The project is determined generally exempt from the California Environmental Quality Act (CEQA) under Title 14 California Administrative Code Section 15061 (b)(3), and categorically exempt under Section 15304 (Minor Alterations to Land). The project is covered by the general rule that CEQA does not apply to activities where there is no possibility that a significant effect on the environment could occur (Section 15061). The project is generally exempt because the shrubs are being removed from an area with little habitat value, and are being transplanted to an area where they will provide greater habitat potential. 486 additional native plants and elderberry seedlings are being planted at the transplant site, further increasing the habitat values being offered by the shrub relocation. The project is categorically exempt because the proposed relocation of the elderberry shrubs would result in only minor alterations to land and would not result in the removal of healthy, mature, scenic trees. 12 holes will be excavated during the removal and transplanting of the shrubs, which will be backfilled to existing lines and grades. Thus, the project would not have a significant effect on the environment.

In accordance with State Guidelines for Implementation of CEQA and the University of California Procedures for Implementation of CEQA, the campus hereby approves the Low-Effect Habitat Conservation Plan for Valley Elderberry Longhorn Beetle for the University of California, Davis, 2001-2002 Campus Projects on June 14, 2002. Please contact Sid England, Environmental Planner, at (530) 752-2432 if you have any questions about this project.

Sincerely,



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