



Yolo Habitat Conservancy

County of Yolo • City of Davis • City of Winters • City of West Sacramento
City of Woodland • University of California, Davis

To: Gary Sandy, Chair
Members of the Board

From: Alexander Tengolics
Executive Director

Re: Authorize the Executive Director to execute a new Certificate of Inclusion and the Special Participating Entity Agreement with Pacific Gas & Electric (PG&E) to allow the use of Yolo HCP/NCCP permit coverage for the PG&E R-1692 natural gas transmission line pressurization project

Date: May 16, 2022

REQUESTED ACTION:

Authorize the Executive Director to execute a new Certificate of Inclusion and the Special Participating Entity Agreement with Pacific Gas & Electric (PG&E) to allow the use of Yolo HCP/NCCP permit coverage for the PG&E R-1692 natural gas transmission line pressurization project

BACKGROUND:

To grant permit coverage to an SPE, the Conservancy must determine the requested permit coverage is available and establish a legally enforceable contract (SPE Agreement) with the SPE. The SPE Agreement binds the SPE to the relevant terms of the Yolo HCP/NCCP permits, Implementing Agreement, and Yolo HCP/NCCP. In addition to executing the SPE Agreement, the SPE entity must submit a complete application package, pay both the standard Yolo HCP/NCCP land cover fees and supplemental SPE charges per the SPE fee policy approved by the Board in July 2019, and complete any other steps required by the contract. After these steps are complete, the Conservancy will issue a Certificate of Inclusion to the SPE.

In December of 2021, PG&E contacted Conservancy staff to discuss requesting permit coverage to cover the impact area of a natural gas transmission line excavation project. The excavation would allow for PG&E to replace this section of pipe to address gas pressurization in the line as well meet the criteria for pipe operating in a Class 1 public road crossing. Once the pipeline segment is replaced, the trench would be backfilled with native material back to the original contour and the work area would be reseeded and

monitored until it is successfully returned to pre-construction condition. It was determined that the R-1692 natural gas transmission line excavation would require 0.8 acres of temporary impact to the cultivated lands (non-rice) land cover type and 0.2 acres of grassland (all types) to mitigate for the impacts to the project area. The project results in impacts an additional 0.2-acres of land cover impacts, but the impacts occur to land cover types that do not have maximum allowable loss acreages in Yolo HCP/NCCP Table 5-1. PG&E intends to utilize the PG&E Multiple Region Operations and Maintenance Habitat Conservation Plan (HCP) to mitigate for the federally covered species and the Conservancy's Natural Community Conservation Plan (NCCP) to the state mitigation obligations. Conservancy staff verified with the wildlife agencies that this approach is permissible.

PG&E has completed the full application package for Yolo HCP/NCCP coverage and will sign a cost recovery agreement that covers the PG&E R-1692 natural gas transmission line excavation project. PG&E will also deposit \$10,000 to cover the costs of reviewing the PG&E R-1692 natural gas transmission line excavation project application for coverage, in addition to the application fee. In this case because the dollar amount required mitigate for the 1.2-acres of temporary impact is less than the \$1,981 application fee, the application fee is credited towards the mitigation fees and the Conservancy will not collect the additional \$361.25 identified in Attachment A.

Staff recommend approval of expanded permit coverage for the upgrade to the PG&E R-1692 natural gas transmission line excavation project as the impacts of the proposed project only occur on a small amount of the cultivated lands (non-rice) and grassland land cover types for which there is ample Yolo HCP/NCCP coverage, and the project will not deplete the amount of permit coverage available to projects subject to the jurisdiction of the member agencies.

ATTACHMENTS:

Attachment A. Application for Coverage

