

City of Vacaville Public Works Department

# Environmental Guide



## *Table of Contents*

-  Introduction
-  Regulations and Policies
-  Sensitive Species: Plants
-  Sensitive Species: Animals
-  Cultural Resources
-  Environmental Best Practices
-  Agency Contacts
-  References
-  Index & Definitions

# INTRODUCTION



*The importance of Vacaville's natural and archeological resources has been on the minds of many before you. Botanist and Vacaville native, Willis Jepson, began his lifelong love of the natural world in Vacaville, and his contributions have forever shaped the botanical sciences field. Your daily interactions with the plants and animals of Vacaville could have a significant impact upon their future. This guide is designed to assist you in complying with the rules and regulations that protect the species and habitats that surround you.*

The purpose of this environmental guide is to provide the City of Vacaville Public Works Department with information to facilitate compliance with a Memorandum of Understanding (MOU) between the California Department of Fish and Game (CDFG), Region 2, and the City of Vacaville Public Works Department. The MOU was finalized and signed by the City of Vacaville and CDFG in 2005, and covers maintenance activities conducted within natural and manmade stream channels and riparian habitats, and other adjacent habitats. In addition to the above purpose, the guide strives to assist the Public Works Department in complying with a number of other Federal, State, and local

agencies that have jurisdiction over similar activities within streams corridors and adjacent habitats. This guide is intended to be used as a reference document whenever any maintenance activities are to occur in and around streams, and for field training of Public Works Department staff.

This guide provides a brief overview of federal, state and local regulations and policies potentially affecting stream maintenance activities, and includes profiles for sensitive species potentially present within and adjacent to stream corridors. In addition, the guide



*Tile Mural in front of Vacaville City Hall  
William Wagner Granizo, artist*



*Downtown Vacaville, Photo: C. Hute*

# FEDERAL AND STATE

## Regulations



### ***Clean Water Act***

The U.S. Army Corps of Engineers (USACE) regulates the placement of fill into Waters of the U.S. under Section 404 of the Clean Water Act (CWA). Waters of the U.S. include lakes, rivers, streams, and their tributaries, and wetlands. Activities that require a permit under Section 404 include placing fill or riprap, grading, mechanized land clearing and dredging. Any activity that results in the deposit of dredged or fill material within the Ordinary High Water Mark (OHWM) of Waters of the U.S. usually requires a permit, even if the area is dry at the time the activity takes place.

### ***California Endangered Species Act***

The California Department of Fish and Game (CDFG) regulates the take of state-listed Threatened and Endangered species through the California Endangered Species Act (CESA). The take of state-listed species incidental to otherwise lawful activities requires a permit, pursuant to Section 2081(b) of CESA. The state has the authority to issue an incidental take permit under Section 2081 of the Fish and Game Code, or to coordinate with USFWS during the Section 10(a) process to make the federal permit also apply to state-listed species.

### ***Section 1600 – California Fish and Game Code***

All diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake in California that supports wildlife resources is subject to regulation by CDFG, pursuant to Sections 1600 through 1603 of the California Fish and Game Code. Section 1603 states that it is unlawful for any person to substantially divert or obstruct the natural flow or substantially change the bed, channel or bank of any river, stream or lake designated by CDFG, or use any material from the streambeds, without first notifying CDFG of such activity. A CDFG Streambed Alteration Agreement must be obtained for any project that would result in impact to a river, stream, or lake.

### ***Section 3503.5 – California Fish and Game Code***

Section 3503.5 of the Fish and Game Code states that it is “unlawful to take, possess, or destroy any birds of prey in the orders Falconiformes or Strigiformes” (i.e., raptors). Destruction of an active raptor nest is considered a violation of Section 3503.5. This statute does not provide for the issuance of any type of incidental take permit.

# SENSITIVE SPECIES PHOTO INDEX (AVAILABLE PHOTOS ONLY)



Burrowing Owl



page 36

Foothill  
Yellow-Legged Frog



page 43

Yellow Breasted  
Chat



page 40

Vernal Pool  
Tadpole Shrimp



page 47

Swainson's Hawk



page 38

Valley Elderberry  
Longhorn Beetle



page 50

California Tiger  
Salamander



page 42

Northwestern  
Pond Turtle



page 41

# ADOBE-LILY

Fritillaria pluriflora



## **Legal Status**

California Native Plant Society List 1B

## **Habitat**

Found in chaparral, cismontane woodland, and valley and foothill grassland.

## **Description**

Adobe lily is an annual herb measuring 5.9 to 17.7 inches in height. Each plant has 3 to 10 leaves clustered near the ground surface. Leaves are elliptic to obovate-oblong, and measure 2.4 to 5.9 inches in length. Flowers are pinkish purple in color.

## **In Bloom**

February through April



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## **Be Aware**

This sensitive species is protected. Be aware of the plants and animals you may encounter. Follow Best Management Practices described later in this guide. Penalties for harming or harrassing these species may include significant fines and/or imprisonment.

# FOOTHILL YELLOW-LEGGED FROG

Rana boylei



## **Legal Status**

California Species of Concern

## **Habitat**

Inhabit partly shaded, shallow streams and riffles with a rocky substrate in a variety of aquatic habitats. Require at least some cobble-sized substrate for egg-laying. Require at least 15 weeks to attain metamorphosis.

## **Size**

Approximately 1.6 to 3 inches in length.



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# BIOLOGICAL RESOURCES

## Best Management Practices



The speed of project-related vehicular traffic should be limited to 10 miles per hour once vehicles have left paved roadways and are traveling along unpaved areas.



All trash items such as wrappers, cans, bottles, and food scraps generated both during construction and subsequent operation should be disposed of in closed containers only and regularly removed from the site. Food items may attract animals onto a project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife should be allowed.



To prevent harassment, mortality, or unauthorized "take" of sensitive species and/or their habitat by domestic dogs and cats, no pets should be permitted on any project site.



Impacts associated with wild fires can be minimized by maintaining firefighting equipment on site during project related activities. The use of shields, protective mats or use of other fire preventive methods during grinding and welding activities will prevent or minimize the potential for fire. Personnel should be trained regarding fire hazard for wildlife and their habitats. Smoking should never be allowed at project sites.



All equipment storage during site development and operation should be confined to the project area or to previously disturbed off site areas that are not habitat for sensitive species. Staging areas should be approved by a qualified biologist prior to use for staging activities.

# ARCHEOLOGICAL RESOURCES

Best Management Practices



If construction will occur within a archaeologically sensitive area, an archeological monitor should be present to ensure proper identification, evaluation, and if necessary, mitigation of discovery situations. Monitoring should be directed by a qualified archaeologist.



If archeological resources are discovered during excavation or soil disturbing activities, a certified archeologist should be retained to monitor construction excavations and to produce a mitigation plan for the proposed project. Archeological monitoring should include inspection of exposed materials to determine if artifacts are present. The archeologist will have authority to temporarily divert grading away from exposed resources in order to recover specimens. Appropriate field data forms should be prepared to record all details of the find. An archeologist should prepare a final mitigation report to be filed with the client, and all appropriate regulatory agencies.



Recovered artifacts should be prepared to the point of curation, identified by qualified experts, listed in a database to allow analysis, and deposited in a designated repository.

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View from Andrews Park, Vacaville, California

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