

**FORWARD AND INTRODUCTION  
TO THE REVISED APRIL 2003  
FINAL NATOMAS BASIN HABITAT CONSERVATION PLAN  
(PREPARED JULY 2003)**

The following July 2003 version of the FINAL Natomas Basin Habitat Conservation Plan (NBHCP) has been provided to reflect changes to the April 2003 FINAL NBHCP to specifically include: 1) changes adopted by the City Council of Sacramento and the Board of Supervisors of Sutter County as part of their review and approval of the NBHCP or, 2) to reflect changes which clarify the intent or resolve inconsistencies in the text of the NBHCP.

Three changes to the April 2003 FINAL NBHCP were approved by the City Council of the City of Sacramento on May 13, 2003, and also approved by the Board of Supervisors of Sutter County on June 10, 2003. The full text revisions necessary to reflect these changes are included in this revised and updated version of the FINAL NBHCP. In summary the changes adopted by the Sacramento City Council and the Sutter Board of Supervisors respect:

1. That acquisition of mitigation lands by TNBC pursuant to this NBHCP and the associated permits shall be limited to the Natomas Basin and the outer ring of the levees of the Natomas Basin. Acquisition of mitigation lands to offset the impacts of Authorized Development pursuant to the City of Sacramento and Sutter County's Incidental Take Permits may not occur in the area defined by the NBHCP as Area B. Similarly, the NBHCP does not provide for TNBC to acquire Mitigation Lands in Area B to fulfill Metro Air Park's Mitigation Land acquisition obligations.
2. An additional avoidance measure has been added to Chapter V, Section 5, B, "Measures to Reduce Loss of Nest Trees."
3. A new section has been added to Chapter VI, Section B, New Section 3, to clarify that the City of Sacramento and Sutter County retain the authority to require a developer/land owner to provide Mitigation Land in lieu of payment of the Land Acquisition Component of the Mitigation Fee.

Some minor text changes to clarify mitigation requirements have been suggested by the staff of USFWS and accepted by the City of Sacramento and Sutter County.

Other changes have been identified as part of the public review of the final documents to resolve inconsistencies, or clarify intent.



## NBHCP Definitions

Note: These same definitions as amended, are included in the Final Implementation Agreement to the NBHCP)

Terms used in this Plan and the associated Implementation Agreement shall have the same meaning as those same terms have under the ESA and CESA, except as set forth below. Capitalized terms used but not defined herein, but which are defined in the Plan, shall have the meanings specified in the Plan.

1. Adaptive Management. The term “Adaptive Management” means a method for examining alternative strategies for meeting measurable goals and objectives, and then, if necessary adjusting future conservation management actions according to what is learned to achieve those goals and objectives.
2. Amendment. The term “Amendment” shall refer to significant changes to the NBHCP, Implementation Agreement and/or Incidental Take Permit for circumstances as described in Chapter VI, Section 3(b) of the NBHCP. Amendments include activities which are more significant than and different from revisions (see also “Revisions”).
3. Area B (Out of Basin Mitigation Area). Area B shall refer to lands identified on Figure 20 of the HCP in which TNBC may pursue acquisition of Mitigation Lands under the specific terms described in Chapter IV, Section 2.b of the HCP, with approval of USFWS and CDFG. TNBC shall account for all acreage acquired in Area B to ensure that the total amount of such lands does not exceed 20 percent of the total Mitigation Lands. The additional requirements for acquisition of mitigation lands in Area B (out of basin), apply only to Area B and do not apply to any acquisitions of mitigation lands located within the Natomas Basin or the outer “ring” of the Natomas Basin defined as the land bounding the Natomas Basin and extending to the edge of the water immediately outside the Natomas Basin levees.

*(Note: During the final NBHCP approval process by the City Council of the City of Sacramento and the Board of Supervisors of Sutter County, authorization to purchase Mitigation Lands to offset the impacts of development was limited to the Natomas Basin and the “outer” ring around the levees of the Natomas Basin. No authorization to purchase lands to mitigate impacts of Authorized Development in Area B (out of basin area) was granted by the City Council and the Board of Supervisors.)*

4. Authorized Development. The term “Authorized Development” means that development for which incidental take is authorized for the City of Sacramento and Sutter County under this NBHCP. Authorized Development is limited to a total of 15,517 acres of Planned Development (as further defined below in Section III.A) under the NBHCP. Included within the City’s 8,050 acre portion of the Authorized Development are 28 acres of infrastructure development associated with the Metro Air Park (MAP) project in Sacramento County. Included within Sutter County’s 7,467 acres of Authorized Development is 16.5 acres of proposed drainage channel improvements located within

Sacramento County. Incidental take resulting from the 1,983 acre MAP project, including the 28 acres located in the City of Sacramento, is covered by separate incidental take permits issued by the Wildlife Agencies. The 15,517 acres of Authorized Development related incidental take within the City and Sutter County combined with the 1,983 acres of development related take within Sacramento County for the MAP project represent a total of 17,500 acres of potential urban development in the Natomas Basin which has been analyzed in the NBHCP as Planned Development, as further defined below. Any development within the City of Sacramento beyond the 8,050 acres to be covered under its incidental take permits, within Sutter County, beyond the 7,467 acres to be covered under its incidental take permits, or within Sacramento County beyond the MAP project, will not be covered under the respective incidental take permits and will trigger a reevaluation of impacts to and mitigation for biological and other resources in the Natomas Basin and amendment of the NBHCP and the incidental take permits or development of a new HCP and issuance of new incidental take permits to address such impacts and mitigation as appropriate.

5. Biological Monitoring. The term “Biological Monitoring” means the mandatory element of all HCPs that is designed and implemented to provide the information necessary to assess compliance and project impacts, and verify progress toward the biological goals and objectives for the Plan’s Covered Species and habitats.
6. Biological Monitoring Plan. Refers to specific monitoring requirements to be conducted in the Natomas Basin as specified in Chapter VI, Section E, Subsection 2, and includes both the overall NBHCP Biological Effectiveness Monitoring Program and the Site Specific Biological Monitoring Programs.
7. Changed Circumstances. This term “Changed circumstances” is defined in Title 50 of the Code of Federal Regulations, Section 17.3 as changes in circumstances affecting a species or geographic area covered by the NBHCP that can reasonably be anticipated by Plan Participants and the USFWS, and that can be planned for (e.g., the listing of a new species, or a fire or other natural catastrophic event in areas prone to such events.)” Changed circumstances addressed in NBHCP are outlined in Chapter VI, Section K of the HCP.
8. Compliance Monitoring. The term “Compliance Monitoring” means an itemized, task specific method of verifying that the Permittee is carrying out the terms of the NBHCP, Permit and IA.
9. Conservation Measures. The term “Conservation Measures” means that accepting and conveying developer mitigation fees, and possibly land dedications, as required under the NBHCP, the Land Use Agencies shall implement a variety of measures that will avoid, minimize or mitigate the take of Covered Species.
10. Covered Activities. The term “Covered Activities” means the Land Use Agencies Covered Activities and the TNBC Covered Activities.

11. Covered Activities, Land Use Agencies. The term “Land Use Agencies Covered Activities” refers to those specific activities identified at Chapter I, Section N.(1) of the NBHCP for which each Land Use Permittee shall be provided coverage under the federal Section 10(a)(1)(B) permits, and the State Section 2081 Permits. Covered Activities generally means the conversion from vacant land or agricultural uses to residential, commercial, and industrial uses, including related public and private infrastructure development and improvements by the City or Sutter County.
12. Covered Activities, TNBC. The term “TNBC Covered Activities” means those activities conducted by TNBC on behalf of the City, Sutter County and other Permittees who may obtain take authorization pursuant to the NBHCP or an HCP based on the NBHCP, within TNBC’s Permit Area. These activities include acquisition, habitat creation, restoration, preservation, enhancement, management and monitoring activities within Conserved Habitat Areas. TNBC’s Covered Activities are described at Chapter I, Section N (3) of the NBHCP.
13. Covered Activities, Water Agencies. The term “Water Agencies Covered Activity” refers to those specific activities identified in Chapter I, Section N (2) of the NBHCP for which each Water Agency Permittee shall be provided coverage under the federal Section 10(a)(1)(B) permits, and the State Section 2081 Permits. Such Covered Activities generally include physical maintenance and operation of the Water Agencies’ existing facilities located within the Plan Area, including channel maintenance, vegetation control (where no herbicides are utilized), and construction or improvement of facilities where there is no increase to the footprint of the existing facility.
14. Covered Species. The term "Covered Species" means the Federally Protected Species, State Protected Species and the Other Species identified within Table I-1 hereto.
15. ESA and CESA. The term "ESA" means the Federal Endangered Species Act of 1973, as amended. The term "CESA" means the California Endangered Species Act, as amended.
16. Exempt Area. The term refers to areas within the Natomas Basin, within the City of Sacramento which are already approved for development or already developed and as shown on Exhibit B of the Implementation Agreement.
17. Federally Protected Species. The term "Federally Protected Species" means those plants and animals listed by the United States (“U.S.”) under the provisions of ESA and shown as Covered Species on Table I-1 hereto that are found, or may be found, in the Permit Areas, as well as those other Covered Species listed on Table I-1 that the USFWS may list in the future.
18. Five Point Policy. The term “Five Point Policy” refers to an addendum to the HCP Handbook published by the Fish and Wildlife Service and the National Marine Service on June 1, 2000. The five point policy addendum provides clarifying guidance for conducting the incidental take permit program and for those applying for an incidental take permit under section 10(a)(1)(B) of the Endangered Species Act (ESA).

19. Habitat Values. The term "Habitat Values" means the capability of a land or water area or associated areas, where indigenous plant(s) or animal(s), individually or collectively, may occur and upon which the Covered Species are dependent, in whole or in part, to provide for some or all of their maintenance, growth and reproduction.
20. Implementation Annual Meeting. The term refers to the annual public meeting held jointly with TNBC, other Permittees, USFWS and CDFG to report on the progress of the HCP Conservation Strategy as described in Chapter VI, Section G of the NBHCP.
21. Implementation Annual Report. The term refers to the annual report prepared by the TNBC describing the compliance and effectiveness monitoring processes and findings and the status of the progress in implementing the NBHCP in accordance with the requirements of Chapter VI, Section G of the NBHCP.
22. Incidental Take. The term "Incidental Take" means any taking of Covered Species that is incidental to, and not the purpose of, the carrying out of otherwise lawful activity.
23. Incidental Take Permits. The terms "Incidental Take Permits," "ITPs" and "Permits" mean the individual permits issued to each Permittee subject to Section 10(a)(1)(B) of the Endangered Species Act and Section 2081 of the California Endangered Species Act.
24. Independent Mid-Point Review. This term refers to the required review and evaluation of the effectiveness of the HCP by each of the land use agencies at a defined mid-point in the approval of Authorized Development and as more specifically defined in Chapter VI, Section J of the NBHCP.
25. Land Use Agencies. The term "Land Use Agencies" means the City of Sacramento and Sutter County. If and when Sacramento County submits and receives approval of its own ITP, Sacramento County would be considered a Land Use Agency as defined herein.
26. MAP (Metro Air Park) Habitat Conservation Plan (MAP HCP). This term refers to final approved Habitat Conservation Plan for the Metro Air Park Project located in the unincorporated portion of the Natomas Basin within Sacramento County, specifically, "Habitat Conservation Plan for the Metro Air Park Project in the Natomas Basin, Sacramento County, California, Prepared by Metro Air Park Property Owner's Association, Dated 2001."
27. Mitigation Fees. As defined in Chapter VI, the term "Mitigation Fees" means the one time, up-front fees levied upon an Authorized Development site (in gross acres) that is used to pay for the Mitigation Land acquisition, enhancement, management, monitoring, and other activities required under the NBHCP. The Mitigation Fees must be paid prior to the issuance of an Urban Development Permit by the Land Use Permittee. The components of the Mitigation Fee include: Land Acquisition, Restoration/Enhancement/Monitoring, Administration O&M, O&M Endowment Fund, Supplemental Endowment Fund, and Fee Collection Administration as defined in Chapter VI.

28. Mitigation Lands. The term “Mitigation Lands” means the reserve lands acquired through collection and use of Mitigation Fees from Authorized Development, and in some cases land which has been accepted for dedication from Authorized Development, which will be set aside and managed at a ratio of one-half (½) acre of land protected or preserved for every one (1) acre of land converted to Authorized Development. The NBHCP Operating Conservation Program will result in 8,750 acres of Mitigation Lands to be established and managed by TNBC.
29. Mitigation Ratio. The term “Mitigation Ratio” means mitigation for the conversion of land in the respective Permit Areas to Authorized Development at a ratio of one-half (½) acre of land protected or preserved for every one (1) acre of land converted to Authorized Development.
30. Mitigation Requirement. The term “Mitigation Requirement” means the mitigation requirement for each public and private project is determined by applying the Mitigation Ratio to the land area converted to Authorized Development as calculated in accordance with the requirements set forth in Chapter VI, Section 1.
31. Natomas Basin. "Natomas Basin" or "Basin" means that geographical area depicted in Figure 2, Natomas Basin and Affected Jurisdictions.
32. Natomas Basin Habitat Conservation Plan. The terms “Natomas Basin Habitat Conservation Plan,” “NBHCP” and “the Plan” mean the year 2003 final\_version of the Natomas Basin Habitat Conservation Plan prepared for the City of Sacramento, Sutter County, The Natomas Basin Conservancy (TNBC), RD 1000 and Natomas Mutual.
33. Natomas Basin Habitat Conservation Plan, 1997. The terms “1997 NBHCP” and “1997 Plan” mean the previously approved City of Sacramento Natomas Basin HCP that was the original basis for this 2003 final NBHCP.
34. No Surprises Rule. The term “No Surprises Rule” refers the terms and conditions specified in the February 28, 1998, the U.S. Fish and Wildlife final rule codifying its “No Surprises” policy into federal regulation (63 FR 8859). The “No Surprises” rule states, in part, that: “In negotiating unforeseen circumstances, the [Service] will not require the commitment of additional land, water or financial compensation or other natural resources beyond the level otherwise agreed upon for the species covered by the conservation plan without the consent of the Permittee. If additional conservation and mitigation measures are deemed necessary to respond to unforeseen circumstances, the [Service] may require additional measures of the Permittee where the conservation plan is being properly implemented, but only if such measures are limited to modifications within conserved habitat areas, if any, or to the Conservation Plan’s Operating Conservation Program for the affected species, and maintain the original terms of the Conservation Plan to the maximum extent possible. Additional conservation and mitigation measures will not involve the commitment of additional land, water or financial compensation or restrictions on the use of land, water, or other natural resources otherwise available for development or use under the original terms of the conservation

plan, without the consent of the Permittee.” (50 C.F.R. Sections 17.22(b)(5)(iii) and 17.32(b)(5)(iii).) The No Surprises Rules is discussed in Chapter VI, Section K of the NBHCP.

35. Operating Conservation Program. The term “Operating Conservation Program” means the totality of the conservation and management measures provided for under the NBHCP to avoid, minimize, mitigate and monitor the impacts of take of the Covered Species as described in Chapters IV through VI of the Plan. The Operating Conservation Program includes totals the Permittees reporting obligations under the Permits and responses to Changed Circumstances described in Chapter VI.
36. Overall Program Review. This term refers to a required program review of the effectiveness of the Operating Conservation Program to be initiated at the point Urban Development Permits covering a total of 9,000 acres of development in the Natomas Basin have been issued by the Land Use Permittees and by Sacramento County for the Metro Air Park. The areas to be covered by the Overall Program Review are specified and described in Chapter VI, Section I of the NBHCP.
37. Permit Area, City of Sacramento. The term “Permit Area” as applied to the City of Sacramento means that area designated on Figure 2 of the NBHCP Implementation Agreement that totals 8,050 acres located within the City of Sacramento city limits and in certain locations (i.e., the Panhandle Annexation Area) within the unincorporated areas of Sacramento County. Incidental take authority for the City of Sacramento is limited to this Permit Area.
38. Permit Area, County of Sutter. The term “Permit Area” as applied to Sutter County means that area designated on Figure 2 of the NBHCP Implementation Agreement that totals 7,467 acres located within the unincorporated areas of Sutter County, and approximately 16.5 acres located within unincorporated Sacramento County. Incidental take authority for Sutter County is limited to this Permit Area.
39. Permit Area, Natomas Mutual. The term “Permit Area” as applied to Natomas Mutual means canals, ditches, waterways, ponds and open water areas, as well as roads, right-of-ways, facilities, maintenance yards, pumps, pipelines, and water detention facilities, under the direct jurisdiction of Natomas Mutual and inside the inner toe of levees surrounding the Natomas Basin, but not including the Sacramento River levees. Incidental take authority for Natomas Mutual is limited to this Permit Area.
40. Permit Area, RD 1000. The term “Permit Area” as applied to RD 1000 means canals, ditches, waterways, ponds and open water areas, as well as roads, right-of-ways, facilities, maintenance yards, pumps, pipelines, and water detention facilities, under the direct jurisdiction of RD 1000 and inside the inner toe of levees surrounding the Natomas Basin, but not including the Sacramento River levees. Incidental take authority for RD 1000 is limited to this Permit Area.



41. Permit Area, TNBC. The term “Permit Area” as applied to The Natomas Basin Conservancy (TNBC) consists of all lands within the Natomas Basin (the Plan Area), as well as the land bounding the Natomas Basin and extending to the edge of water immediately outside the Natomas Basin levees and Area B as depicted on Figure 20, Out of Basin Mitigation Areas.

*(Note: During the final NBHCP approval process by the City Council of the City of Sacramento and the Board of Supervisors of Sutter County, authorization to purchase Mitigation Lands to offset the impacts of development was limited to the Natomas Basin and the “outer” ring around the levees of the Natomas Basin. No authorization to purchase lands to mitigate impacts of Authorized Development in Area B (out of basin area) was granted by the City Council and the Board of Supervisors.)*

42. Permittees. The term "Permittees" means the City of Sacramento, Sutter County, The Natomas Basin Conservancy and RD 1000 and Natomas Mutual to the extent that RD 1000 and Natomas Mutual apply for and obtain incidental take permits from USFWS and CDFG based upon this NBHCP.
43. Plan Area. The term “Plan Area” means the entire 53,537 acres of land within the inside toe of levee of the Natomas Basin levees. The Plan Area refers to the portion of the Natomas Basin that is bounded on the west by the Sacramento River, on the north by the Natomas Cross Canal, on the east by Steelhead Creek (formerly known as Natomas East Main Drain Canal), and on the south by the Garden Highway.
44. Planned Development. The term “Planned Development” means the Authorized Development plus the development of the 1,983 acre Metro Air Park, which is subject to the Metro Air Park Habitat Conservation Plan (“MAP Authorized Development”).
45. Plan Operator. The term “Plan Operator” means The Natomas Basin Conservancy, the entity responsible for implementing the NBHCP.
46. Plan Participants. The term “Plan Participants” means parties actively involved in implementing the NBHCP, including the Wildlife Agencies (USFWS and CDFG), the Permittees (City of Sacramento, Sutter County, Natomas Mutual and RD 1000), and the Plan Operator (TNBC).
47. Potential Permittees. The term “Potential Permittees” refers to additional entities within the Natomas Basin that may decide to commit to the terms of the NBHCP and the Implementation Agreement and, through the issuance of Permits by the Wildlife Agencies, join as full Permittees at a future date.
48. Protected Species. The term "Protected Species" means those plants and animals listed under the State CESA and the Federal ESA.
49. Qualified Biologist. The term “qualified biologist” shall refer to a biologist which meets the training and experience requirements necessary to conduct assessments or surveys for

specific species, and who has been approved by the Wildlife Agencies to conduct those assessments or surveys.

50. Reintroduction. The term “reintroduction” as used in the NBHCP refers to relocating individuals (or seeds or cysts, etc) of a Covered Species: (1). Either from one TNBC Reserve Site to another TNBC Reserve Site or from one location on a TNBC Reserve Site to a new location within the same TNBC Reserve Site; or (2) the relocation of an individual of a Covered Species from a site which will be impacted by Authorized Development to a TNBC Reserve Site to avoid, minimize or mitigate the impacts to Covered Species. The term “reintroduction” as used in the Natomas Basin HCP refers to the movement of animals or plants within the Basin and does not refer to the intentional introduction or recolonization of Covered Species from outside the Basin to inside the Basin.
51. Revisions. Refers to minor changes to the NBHCP as specified in Chapter VI, Section 3.a of the NBHCP. Revisions to the NBHCP are changes to the Plan provided for under the Operating Conservation Program, including Adaptive Management changes and Mitigation Fee adjustments. These revisions would not result in operations under the NBHCP that are significantly different from those analyzed in connection with the NBHCP as approved, result in adverse impacts on the environment that are new or significantly different from those analyzed in connection with the NBHCP as approved.
52. Section 10(a)(1)(B) Permits. The terms "Section 10(a)(1)(B) Permits" or "Permits" as used in this Plan means the permits issued by the USFWS under Section 10 (a)(1)(B) of the ESA which authorize the incidental take of a Covered Species which may occur as a result of urban development activities, including public facilities projects, within the City of Sacramento and Sutter County, or as a result of the operation and/or maintenance, including the construction and improvements with no significant increase to the existing footprint, of flood control or water supply activities, water ditches, canals, pumphouses, maintenance facilities, or other ancillary facilities within the Natomas Basin, or as a result of habitat management, enhancement, or restoration activities on reserve lands. "Permit" may also be used in this Plan to collectively refer to the Section 10(a)(1)(B) Permits, and the Section 2081 Permits.
53. Section 2081 Permits. The terms "Section 2081 Permits" or “Permits” means the permits for the incidental take of threatened and endangered species, listed under the CESA, issued by the CDFG under Section 2081(b) and/or 2081.1 of the California Fish and Game Code, or any successor section to authorize the incidental take of a Covered Species which may occur as a result of urban development activities, including public facilities projects, within the City of Sacramento and Sutter County, or as a result of the operation and/or maintenance, including the construction and improvements with no significant increase to the existing footprint, of flood control or water supply activities, water ditches, canals, pumphouses, maintenance facilities, or other ancillary facilities within the Natomas Basin, or as a result of habitat management, enhancement, or restoration activities on reserve lands. "Permits" may also be used in this Agreement to

refer collectively to the Section 10(a)(1)(B) Permits and/or the Section 2081(b) or 2081.1 Permits.

54. Site Specific Management Plan. The terms “Site Specific Management Plan” and “SSMP” mean those plans that TNBC is required to complete for each reserve unit that it acquires. SSMP’s shall include operations plans that address on-site habitat restoration, enhancement, maintenance and management activities that will be presented to the NBHCP TAC for approval on a three year basis.
55. State Protected Species. The term “State Protected Species” means those plants and animals listed by the State of California (“State”) under the provisions of CESA and shown as Covered Species on Table I-1 hereto that are found, or may be found, in the Permit Areas.
56. Swainson’s Hawk Zone. This zone is defined as the lands which are not currently developed (excluding the 252 acres of land designated “Urban” on the City of Sacramento General Plan and the North Natomas Community Plan located within the City of Sacramento) and which are located within the Natomas Basin and within one mile east of the toe of the inside levee of the Sacramento River and extending from the Natomas Cross Canal on the north and Interstate 80 on the south. See also Figure 13 of the NBHCP.
57. System of Reserves. The term “system of reserves” means Mitigation Lands generally and includes all habitat conserved and managed for the Covered Species, including rice fields by TNBC.
58. Take or Taking. With regard to any activities subject to ESA, the terms “Take” or “Taking” shall have the same meaning as provided in the ESA. With regard to any activities subject to CESA, the terms “Take” or “Taking” shall have the same meaning as provided in CESA.
59. Technical Advisory Committee. The terms “Technical Advisory Committee” and “TAC” mean the advisory group of technical experts selected by the Permittees and the Wildlife Agencies to assist TNBC Board with directing the implementation of the NBHCP.
60. The Natomas Basin Conservancy. The terms “The Natomas Basin Conservancy,” “the Conservancy” or “TNBC” shall mean the independent entity established for the purpose of implementing the Natomas Basin Habitat Conservation Plan on behalf of the City, Sutter County and other Potential Permittees. The TNBC is also a Permittee for purposes of implementation of the reserve system.
61. TNBC Mitigation Land or Reserve Area. The term “TNBC Reserve Area” or “TNBC Mitigation Land” shall mean those areas where TNBC is authorized to acquire and manage wildlife reserves subject to the provisions of the NBHCP. Such areas shall include all lands within the Natomas Basin, as well as the land bounding the Natomas Basin and extending to the edge of water immediately outside the Natomas Basin levees

and Area B as depicted on Figure 20, Out of Basin Mitigation Areas. The TNBC Reserve Area and the TNBC Permit Area are coterminous.

62. Unforeseen Circumstances. The term “Unforeseen circumstances” is defined at 50 C.F.R. 17.3 as changes in circumstances affecting a species or geographic area covered by a conservation plan that could not reasonably have been anticipated by plan developers and the USFWS at the time of the NBHCP’s negotiation and development, and that result in a substantial and adverse change in the status of the Covered Species. Unforeseen circumstances are discussed in Chapter VI, Section K of the NBHCP.
63. Urban Development Permit and Urban Development Permittee. The term “Urban Development Permit” shall mean the final authorization granted by the Land Use Agencies prior to disturbance of undeveloped land in conjunction with a public or private development project. An Urban Development Permit may also be used to refer to a grading permit or notice to proceed. An “Urban Development Permittee” refers to the individual, agency or company applying for approval, or receiving approval of an Urban Development Permit from the Land Use Agencies.
64. Water Agencies. The term “Water Agencies” means RD 1000 and Natomas Mutual. Natomas Mutual is a private company and not a governmental agency.
65. Wildlife Agencies. The term “Wildlife Agencies” means the U.S. Fish and Wildlife Service and the California Department of Fish and Game.