



Swainson's Hawk: Environmental Impacts and Issues

A Guide for the Unincorporated Areas of Sacramento County

Species Information:



The Swainson's hawk (*Buteo swainsoni*) is a large bird of prey with a body length of about 21 inches. The breast and belly may be light with a characteristic dark, wide "bib" from the lower throat down to the upper breast and light colored wing linings.

A great majority of Swainson's hawks migrate from their nesting areas in northwestern Canada, the western U.S., and Mexico, to wintering grounds in South America, a round trip which can exceed 14,000 miles. Swainson's hawks nesting in Sacramento County are generally found in scattered trees or along riparian systems adjacent to agricultural fields or pastures. These open fields are the primary foraging areas. Swainson's hawks generally search for prey by soaring and several hawks may be seen foraging together following tractors or other farm equipment capturing prey escaping from farming operations.

Regulatory Background:

Under the California Environmental Quality Act (CEQA), the County as a land use authority must evaluate the environmental impacts of certain development projects. Because the Swainson's hawk is listed as a threatened species by the State of California, it is a subject of analysis when CEQA impact evaluations are required. Statewide, the California Department of Fish and Wildlife (CDFW) is the trustee agency that oversees the protection of the Hawk.

In unincorporated Sacramento County, the Planning and Environmental Review Division (PER) is responsible for completing CEQA evaluations on discretionary projects and determining if a project will impact the Swainson's hawk. There is a common misconception that an application for a building permit triggers a requirement for Swainson's hawk mitigation; it does not. However, an existing mitigation requirement from a previous discretionary act, such as parcel/subdivision maps and/or rezones may be triggered at the building permit stage. PER evaluates two types of impacts; foraging habitat and nesting impacts.

Nesting Impacts:

To determine impacts to nesting habitat, PER relies on guidelines provided by CDFW. These guidelines state that no intensive new disturbances, such as heavy equipment operation associated with construction, should be initiated within ¼ mile of an active Swainson's hawk nest in an urban setting or within ½ mile in a rural setting between March 1 and September 15 (the nesting season).

As mitigation, PER may ask for nesting surveys if known nests or appropriate nesting habitat exists within the project vicinity. If surveys show there are no active nests within the distances specified above, then no additional mitigation will be required. If active nests are found and disturbances such as construction are to occur during the nesting season, then protective measures specified by CDFW will be required.

Foraging Habitat Impacts:

Sacramento County and CDFW have jointly developed a methodology for determining foraging habitat impacts in unincorporated Sacramento County. The methodology recognizes that Swainson's hawk foraging habitat value is greater in large expansive open spaces and agricultural areas than in areas which have been fragmented by agricultural-residential or urban development. The concept is that impact to foraging habitat occurs as properties develop to increasingly more intensive uses on smaller minimum parcel sizes. Therefore, foraging habitat impacts are assessed when agricultural and agricultural-residential parcels are rezoned to smaller minimum parcel sizes. The level of impact is calculated in acres and is based on the starting habitat value and ending habitat value.

As a baseline, PER assumes that properties zoned AG-40 and larger have 100% habitat value, AG-20 properties have 75% and AR-10 properties have 25% habitat value. Properties zoned AR-5 and smaller, such as AR-2, AR-1, the urban Residential Densities (RD-1 thru 40), commercial and industrial zonings, retain no habitat value. Table 1 below illustrates the continuum of habitat values by zoning and Table 2 provides the possible impact scenarios based on different starting and ending zonings.

Table 1: Swainson's Hawk Foraging Habitat Value by Zoning Category

Zoning Category	Habitat Value Remaining
AG-40 and larger (e.g., AG-80, A-80, AG-160 etc.)	100%
AG-20, A-20, Some IR and UR	75%
AR-10, A-10	25%
AR-5 and A-5 and smaller (e.g., AR-2, A-2, AR-1, A-1, RE, RD, R, Commercial and Industrial Zones)	0%

Table 2: Swainson's Hawk Foraging Habitat Impacts Associated with Different Rezone Proposals

Rezone Request (From)	Rezone Request (To)	Impact
AG-40 and larger (e.g., AG-80, A-80, AG-160 etc.)	AG-20	25% of project size
AG-40 and larger (e.g., AG-80, A-80, AG-160 etc.)	AR-10	75% of project size
AG-40 and larger (e.g., AG-80, A-80, AG-160 etc.)	AR-5, AR-2, AR-1 and any RD, Commercial or Industrial Zone	100% of project size
AG-20, A-20, Some IR and UR	AR-10	50% of project size
AG-20, A-20, Some IR and UR	AR-5, AR-2, AR-1 and any RD, Commercial or Industrial Zone	75% of project size
AR-10, A-10	AR-5, AR-2, AR-1 and any RD, Commercial or Industrial Zone	25% of project size
AR-5 and A-5 and smaller (e.g., AR-2, A-2, A-1, RE, RD(1 thru 40), R, Commercial and Industrial Zones)	AR-5, AR-2, AR-1 and any RD, Commercial or Industrial Zone	0% of project size

For example, a 20-acre property being rezoned from AG-20 to AR-10 would be assessed an impact of 50% based on a starting value of 75% and ending value of 25%. This would result in a mitigation requirement of 10 acres. There are exceptions to the methodology including the Elverta Specific Plan area, Rancho Murieta area and some properties with unique characteristics.

Once PER has determined that a project will result in a foraging habitat impact, several mitigation options are generally provided. One option is participation in the County's Swainson's Hawk Mitigation Program administered by the Sacramento County Department of Community Development. Under the program, mitigation can be satisfied by: (1) providing replacement land or paying a fee if the impact is less than 40 acres; or (2) only by providing replacement land if impacts are 40 acres or more. The current fee is \$12,925 per acre of impact with a \$500 administrative fee per payment. Fees are subject to periodic update based on real estate market conditions and were last updated in December 2009. Other mitigation options usually involve working on an individual basis with CDFW. Mitigation is required prior to the approval of improvement plans, building permits, or recordation of the final map, whichever occurs first; or, if only a rezone is requested, prior to final adoption of the zoning agreement.

Contact Information:

Agency	PER	PER	CDFW
Topic	Impact Determinations	Swainson's Hawk Mitigation Program	Species Info.
Website	http://www.per.saccounty.net/EnvironmentalDocuments/Pages/SwainsonsHawkOrdinance.aspx	http://www.per.saccounty.net/EnvironmentalDocuments/Pages/SwainsonsHawkOrdinance.aspx	http://www.dfg.ca.gov/wildlife/nongame/raptors/swha/
Phone Number	(916) 874-6141	(916) 874-6141	(916) 358-2900
Key Contacts	Tim Hawkins	John Lundgren	Habitat Conservation Planning Branch