

San Benito County Habitat Conservation Plan

Prepared By: Arielle Goodspeed



Federal and State Endangered Species Act

Endangered Species Act (ESA) of 1973

- ▶ The act aims to provide a framework to conserve and protect endangered and threatened species and their habitats.
- ▶ By providing States with financial assistance and incentives to develop and maintain conservation programs the Act serves as a method to meet many of the United States' international responsibilities to treaties and conventions such as the Convention on International Trade of Endangered Species of Wild Fauna and Flora ([CITES](#)) and the Western Hemisphere Convention.

California Endangered Species Act (CESA) 1970 and amended 1984 and 1997

- ▶ The act declares California policy to “conserve, protect, restore, and enhance any listed species and its habitat.”
- ▶ Approximately 250 species are currently listed under CESA.
- ▶ Prohibits the “take” of endangered, threatened, and candidate species
- ▶ “Take” includes “hunt, pursue, catch, capture, or kill” or attempts to do any of the same
- ▶ The California Department of Fish and Wildlife (CDFW) works with agencies, organizations, and other interested persons to study, protect, and preserve CESA-listed species and their habitats.

Purpose of Habitat Conservation Plans (HCPs)

- ▶ Landscape level planning
- ▶ Flexible to accommodate needs of applicants
- ▶ Comprehensive planning tools
- ▶ Part of an application for an incidental take permit

Results in...

- Regional Plans describe a suite of **covered activities** that are proposed within a specific **plan area**. The **covered species** in the plan are those that are likely to be impacted by covered activities. A **conservation program** is developed for each species covered in a plan to offset the impacts of the impacts.
- The activities must meet the Service's eligibility criteria and the HCP must meet the permit issuance criteria.
- Master permit is issued to the non-federal entity.



Purpose of Natural Community Conservation Plans (NCCPs)

- ▶ Plan for conservation over a large region
- ▶ Avoid uncoordinated project-by-project permitting and mitigation

Results in...

- *Conservation of species and natural communities in a large and interconnected reserve system*
- *Streamlined species permitting for compatible and appropriate development and economic growth.*



HCP Process

(single applicant or project)

Development of an HCP (3 months to 1 year)

Review of HCP (1 month)

Possible further negotiations and revisions of the documents (1 to 3 months)

Development of NEPA document

Cultural compliance

Federal Register publication (30-, 45-, or 60-day public comment period)

Preparation of Findings and Recommendations (1 month)

Permit issuance

CESA Permitting (if State-listed species) (1 month to 1 year)

1. Decide to Undertake Plan

2. Gather Preliminary Information

3. Prepare and Sign Planning Agreement

4. Notify Tribes in NCCP Area

Early Planning

Range: 0.8 – 5.3 years
Mean: 2.4 years
Median: 1.9 years

5. Solicit Independent Scientific Input

6. Compile and Assess Baseline Data

7. Incorporate Baseline Data and Planning Principles into Draft Plan Chapters

8. Conduct Technical Review of Draft Plan Chapters

9. Revise Baseline Data and Chapters to Produce Administrative Drafts

10. Agree on Plan and Prepare Public Review Draft

Plan Drafts

Range: 1.7 – 9.5 years
Mean: 5.0 years
Median: 4.5 years

11. Distribute Public Review Draft Documents

12. Notify Tribes in NCCP Area

13. Revise Based Upon Public Comments

14. Prepare Final Plan Documents

Public Review Process and Final Documents

Range: 0.6 – 1.7 years
Mean: 1.4 years
Median: 1.3 years

15. Obtain Local Government Approval

16. Obtain Wildlife Agency Approval and Permits

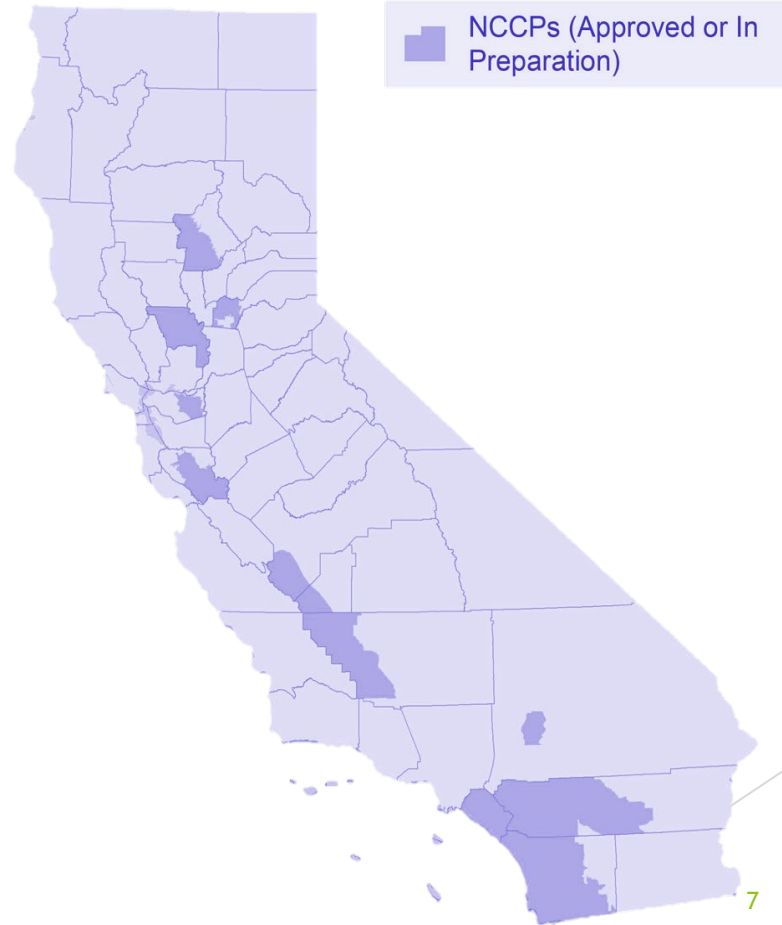
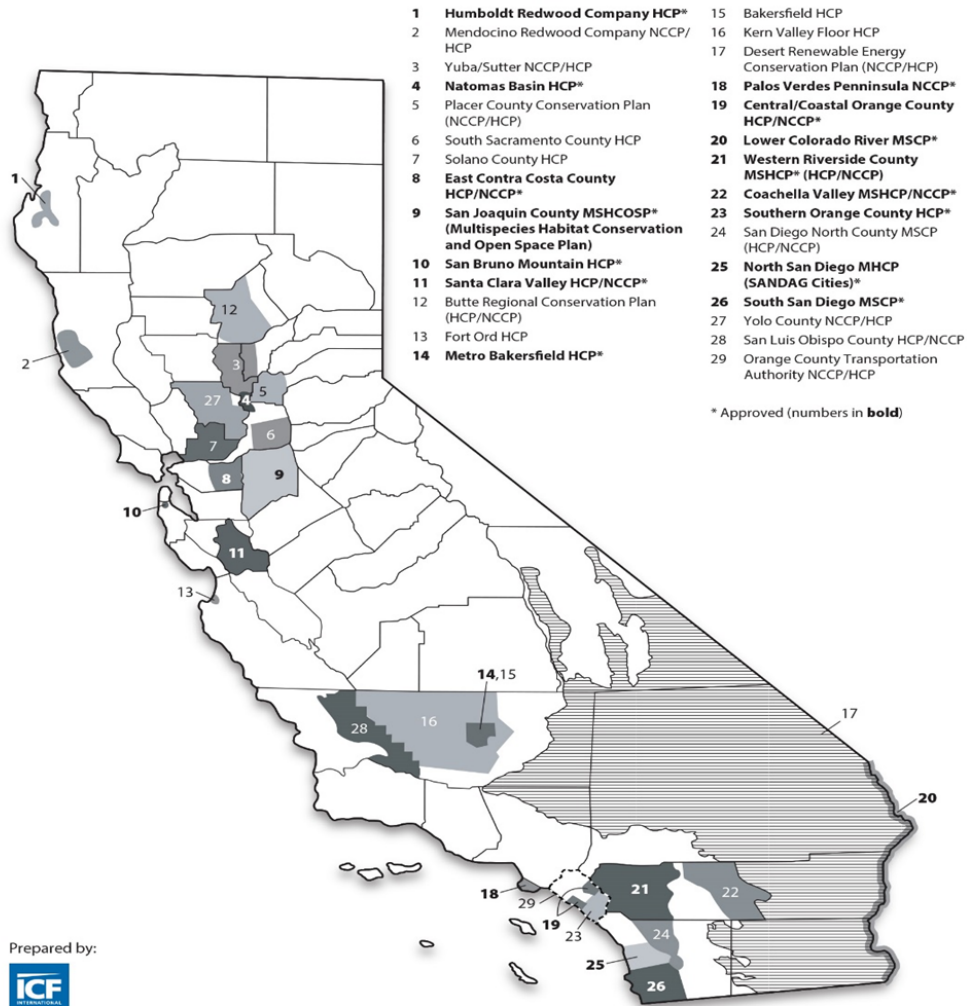
Approvals and Permits

Range: 0.8 – 1.7 years
Mean: 1.1 years
Median: 1.0 years

Regional HCPs and NCCPs in California

HCPs/NCCPs: Approved & in Development (2015)

NCCPs Across CA: 17 Approved plans & 9 plans currently in preparation



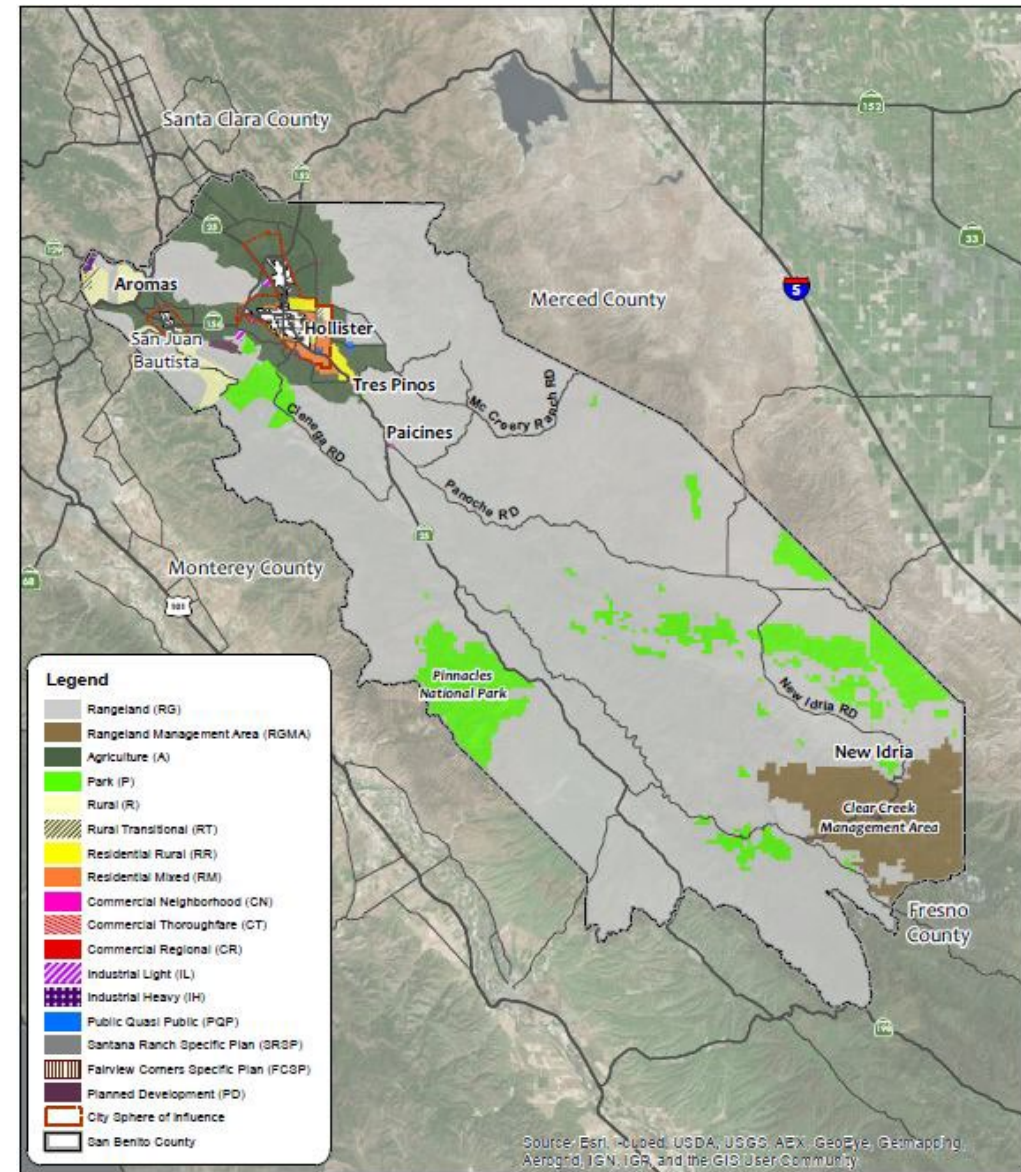
Prepared by:



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Benefits of Regional Planning

- ▶ Efficient placement of land use, infrastructure, and settlement growth
- ▶ Proactive approach to identifying conservation areas
- ▶ Provide clarity and transparency
- ▶ Streamline permitting mechanisms
- ▶ Public process



Benefits of Regional Conservation Plans

Compliance Benefits

- More cost effective than project-by-project HCPs
- A means to provide regulatory relief
- Streamline permitting process
- Establish or expand market for species mitigation banks
- Conservation easements on working lands
- No surprises assurances - “deal is a deal”

Conservation Benefits

- Conservation more effective
- Reach recovery goals faster
- Delisting more likely (or prevent listing)
- Increased access to funding for conservation

Streamlined Permitting Process

What it is not

- ▶ Lower standard
- ▶ Less conservation
- ▶ More development
- ▶ Circumvent other governing regulations

What it is

- ▶ An improved process
- ▶ Facilitates compliance
- ▶ Better conservation
- ▶ Clear and transparent
- ▶ Negotiated

Regional Conservation Plans address these problems through a streamlined permitting process



Ordinance 541 and General Plan Policy NCR-A

The County Board of Supervisors adopted Ordinance 541 on August 1, 1988 establishing a Habitat Conservation Plan study area and setting interim mitigation fees to finance a Habitat Conservation Plan and protect the San Joaquin Kit Fox.

General Plan Implementation Program NCR-A: Habitat Conservation Plan; The County shall consider working with the state and federal agencies to prepare and adopt a Habitat Conservation Plan (HCP) for listed and candidate species in San Benito County.

Staff applied for a grant application for a county-wide Habitat Conservation Plan (HCP) and Natural Community Conservation Plan (NCCP) called San Benito County Conservation Plan (SBCCP) in February 2021 after receiving Board of Supervisors Approval on February 23, 2021.

County expects to hear back in June 2021 if awarded grant.

Planning will begin soon after awarded.

San Benito County Conservation Plan Covered Species

FEDERALLY ENDANGERED SPECIES		
Animals		
Common name	Scientific name	Status
Blunt-nosed leopard lizard	<i>Gambelia sila</i>	FE, SE, SFP
California condor	<i>Gymnogyps californianus</i>	FE, SE, SFP
California red-legged frog	<i>Rana draytonii</i>	FT, SSC
California tiger salamander, Central California Distinct Population Segment	<i>Ambystoma californiense</i>	FT, ST
Least Bell's vireo	<i>Vireo bellii pusillus</i>	FE, SE
Giant kangaroo rat	<i>Dipodomys ingens</i>	FE, SE
San Joaquin kit fox	<i>Vulpes macrotis mutica</i>	FE, ST
Vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	FT
Vernal pool tadpole shrimp	<i>Lepidurus packardii</i>	FE
Plants		
Common name	Scientific name	Status
San Joaquin woolly-threads	<i>Monolopia congdonii</i>	FE
AT-RISK SPECIES		
Animals		
Common name	Scientific name	Status
Foothill yellow-legged frog, West/Central Coast clade	<i>Rana boylei</i>	FR, SE
Southwestern pond turtle	<i>Actinemys pallida</i>	FR, SSC
Western spadefoot toad	<i>Spea hammondi</i>	FR, SSC

Abbreviations: FE = Federally endangered; FT = Federally threatened; FR = Under Federal review; SE = State endangered; ST = State threatened; SFP = State fully protected; SSC = State species of special concern

Task Summary

Habitat Conservation Plan/Natural
Community Conservation Plan Scoping
and Strategy Development/Science
Advisory Panel/Planning Agreement for
NCCP

Deliverables include memoranda confirming the following tasks:

- Execute Planning Agreement between CDFW
- Identify a preliminary list of natural communities and species known or reasonably expected to be found in those communities
- Design and implementation of the science advisory process
- Identify covered activities
- Confirm covered species
- Develop draft method for impact assessment
- Develop draft biological goals and objectives

Prepare for public outreach meetings

Task Summary

Public and Stakeholder Outreach

Deliverables include development or implementation of the following:

- Public Workshops
- Public Presentations
- Press Releases
- Informational Brochures

County has created an ADHOC Committee for the purpose of *Public and Stakeholder Outreach* and to keep everyone informed as we move through the planning process

- Today is the first meeting
- Details will be posted on the website and can be emailed to those interested prior to each meeting
- Please note we are looking for 1-2 members of the public to serve on the committee (would like to have one member be an agricultural stakeholder) and will open this up later in the meeting

Task Summary

Drafting the SBCCP

Deliverables include developing the following draft SBCCP chapters:

- Chapter 1. Introduction
- Chapter 2. Land Use and Covered Activities
- Chapter 3. Existing Conditions
- Chapter 4. Assessment of Take
- Chapter 5. Conservation Strategy
- Chapter 6. Conditions on Covered Activities
- Chapter 7. Monitoring and Adaptive Management Framework

Task Summary

Scoping Environmental Compliance Documents (CEQA/NEPA)

Deliverables include:

- Begin identifying potential effects of the proposed actions.

An initial list of human and environmental resource areas that the proposed project may have significant impacts on

Task Summary

What the County is currently working on in preparation of being awarded the grant

Tasks in Progress:

- Sent a draft of the “Planning Agreement” to CDFW and will be getting comments back soon to finalize.
 - Once Planning Agreement is executed the County can begin the Science Advisory Panel Process / Stakeholder Meetings
- Working on finalizing an RFQ that will go out to bid for a consultant to help the County prepare HCP/NCCP
- Begin developing Outreach Materials
 - Website page has been created and will be continually updated
 - Brochures to handout (In English / Spanish) still being worked on
 - ADHOC Committee Meetings to update the public

For More
Information Please
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831-902-2547

Action Item(s)

Appoint

Appoint Chair **Appoint after all member representatives have been appointed**

Appoint

Appoint member representative and one alternate representative from City of Hollister and City of San Juan Bautista **Open up to City representatives**

Appoint

Appoint 1-2 member representatives from the public **Open up to the Public**

Set Quarterly Meetings for 2021 and 2022

August 2, 2021 at 4pm
November 1, 2021 at 4pm
February 7, 2022 at 4pm
May 2, 2022 at 4pm
August 1, 2022 at 4pm
November 7, 2022 at 4pm

Announcements

A promotional poster for the 2021 NHCPC Annual Meeting. The background is a scenic view of the Austin, Texas skyline from a hillside. In the top left, a blue shield-shaped graphic contains the text 'SAVE THE DATE' in white, stylized capital letters. The main title '2021 NHCPC Annual Meeting' is centered in large, bold, black serif font. Below the title, a paragraph in a smaller black sans-serif font describes the meeting as a gathering for HCP practitioners from across the country, including federal, state, and local agency staff, consultants, stakeholders, policy experts, and scientists. The dates and location 'OCT 5 - 7 | AUSTIN, TX' are prominently displayed in a large, white, serif font. Below this, the text 'TWO-DAY CONFERENCE AND A FIELD TRIP. VIDEO CONFERENCING OPTION WILL BE AVAILABLE. MORE DETAILS TO FOLLOW!' is written in a smaller, orange, sans-serif font. At the bottom, contact information is provided in a small black sans-serif font: 'For additional info, contact John Hopkins at john4ieh@gmail.com' and 'For event sponsorship opportunities, contact Gary Boyd at gboyd@wilco.org'. The bottom left corner features the National HCP Coalition logo, which includes a stylized building and trees. The bottom right corner contains the text 'National Habitat Conservation Plan Coalition' followed by the website 'www.nhpccoalition.org'.

ADJOURN