

Santa Clara Valley Habitat Conservation Plan/ Natural Community Conservation Plan

Overview of HCP/NCCP Process

Santa Clara County Parks &
Recreation Commission
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SANTA CLARA VALLEY HCP/NCCP PARTNERSHIP



 Jones & Stokes

Overview Outline

- ◆ What is an HCP and NCCP?
- ◆ Why are we preparing one?
- ◆ What the plan will and won't do
- ◆ Benefits to County parks
- ◆ Process and Schedule
- ◆ Study Area and Covered Species

What is an HCP/NCCCP?

- ◆ Habitat Conservation Plan/Natural Community Conservation Plan
- ◆ Federal/State mechanism to resolve conflicts between threatened and endangered species and development
- ◆ Plan to conserve species and habitats in exchange for permits to “take” threatened or endangered species
- ◆ What is “take”?
 - Under ESA, “take” is defined as “an action or attempt to hunt, harm, harass, pursue, shoot, wound, capture, kill, trap, or collect a species.”

Comparison of HCP & NCCP

HCP

- ◆ Federal ESA
- ◆ Minimize/Mitigate
- ◆ Listed/non-listed species
- ◆ Scalable (small-large area)
- ◆ 5 point Policy guidance
- ◆ Incidental take permit for non federal action
- ◆ “No surprises”

NCCP

- ◆ California ESA
- ◆ Provide for conservation
- ◆ Listed/non-listed species
- ◆ Regional only
- ◆ Independent science, public participation, monitoring & adaptive management required
- ◆ Take authorization
- ◆ Statutory assurances

Why prepare an HCP/NCCCP?

- ◆ Growing need for regional conservation as growth continues
- ◆ USFWS Sect. 7 Biological Opinion (2001) requires regional HCP as condition of approval for
 - Highway 101 widening (San Jose to Morgan Hill)
 - Bailey Avenue interchange
 - Highway 85/101 interchange
 - Coyote Valley Research Park

Santa Clara Valley HCP/NCCP Origins

- ◆ Original Local Partners bound by MOU (June 2004)
 - Santa Clara County
 - City of San Jose
 - Santa Clara Valley Water District
 - Santa Clara Valley Transportation Authority
- ◆ New Partners added in 2005
 - City of Gilroy
 - City of Morgan Hill
- ◆ NCCP Planning Agreement signed by all October 2005



What the HCP/NCCP Will Do

- ◆ **Provide permits** from USFWS, NMFS, and CDFG for “take” of listed species to Local Partners
- ◆ **Streamline projects.** Local Partner jurisdictions will extend this take authorization to applicants who meet requirements of HCP/NCCP
- ◆ **Improve mitigation.** Provide large-scale habitat and species conservation in areas of high biological value—avoid project-by-project approach
- ◆ **Provide new money.** Attract new sources of state and federal funding for conservation in Santa Clara County

What the HCP/NCCCP Will Not Do

- ◆ Be the “end all” habitat or species conservation plan for Santa Clara County
- ◆ Eliminate need for projects to comply with ESA, CESA, CEQA, or other local, state, federal laws
- ◆ Solve all environmental conflicts in the County
 - Water quality?
 - Viewsheds?
 - Riparian setbacks?

Benefits to SCC Parks & Recreation

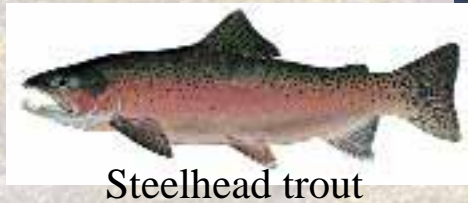
- ◆ More flexibility in siting trails and other facilities
- ◆ Streamlined permits for new construction and O&M
- ◆ More open space, as well as additional recreation opportunities in HCP/NCCP reserves
- ◆ Potential new funding source for species management and monitoring in County parks that support HCP/NCCP
- ◆ Possible funding for new County parks

The HCP/NCCP Process & Schedule

1. Establish Decision Making Structure (Done)
2. Develop Draft *HCP/NCCP* and *EIR/EIS* (2006-07)
3. Public Draft *HCP/NCCP*, *EIR/EIS*, *Permit Application* (2008)
4. Obtain Permits (2009)
5. HCP/NCCP Implementation (Post-permit)

Covered Species

Recommended 35 species be covered by Plan:
18 wildlife species

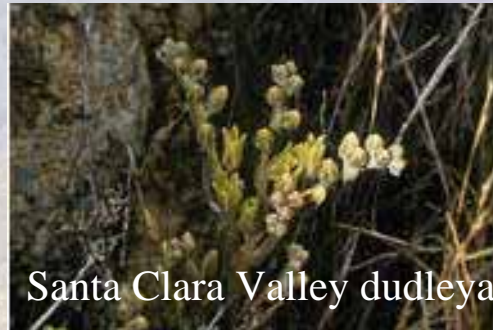


Covered Species

17 plant species



Most beautiful
jewelflower



Santa Clara Valley dudleya



Smooth lessingia

© 2003 Dean Wm. Taylor



Fragrant fritillary

© 1999 California Academy of Sciences



Hall's bush mallow

© 2005 David A. Tharp



Coyote ceanothus

© 2005 Janell Hillman



Mt. Hamilton thistle



Robust spineflower

© 2002 Doreen L. Smith



Chaparral harebell

© 2001 California Academy of Sciences

Questions & Answers

Contact Information

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Benefits

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Concerns

- ◆ Provides regulatory certainty and local control
- ◆ More open space and recreational opportunities
- ◆ Creates large habitat preserves
- ◆ Better conservation than project-by-project
- ◆ Improved monitoring & mitigation
- ◆ Streamlined approval process for public projects and O&M activities
- ◆ Long, staff intensive HCP/NCCCP process
- ◆ May restrict land management/limit land use
- ◆ Perception of more gov't regulations
- ◆ Local agencies responsible for implementation
- ◆ Cost to develop and implement plan is high (new fees)

Benefits & Concerns

Interest Group	Benefit	Concern
Development	Certainty of process, reduced permit costs, faster approval	May limit land use, new fees, long process
Landowner/Ag	Ag/ranchland preservation, new market for open space	May restrict land management, perception of more govt regs
Environmental	Large habitat preserves, controls urban sprawl, better than project-by-project	Facilitates development, may be net loss of habitat
Local Agencies	Local control of ESA issues, streamline approval process for public projects and O&M, watershed protection	Long, staff intensive process, responsible for implementing plan
General Public	More open space, more recreational opportunities	Perception of new fee, high cost to develop and implement plan