

# Santa Clara Valley Habitat Conservation Plan/ Natural Community Conservation Plan

**Stakeholder  
Meeting  
February 28, 2006**

**David Zippin, Ph.D.  
Project Manager**



**SANTA CLARA VALLEY HCP/NCCP PARTNERSHIP**



 Jones & Stokes

# Topics

- ◆ Covering Agricultural Activities
  - Background on ESA/CESA
  - Agriculture in Santa Clara County
  - Categories of Agricultural Activities for HCP/NCCP
  - Neighboring Landowner Program
  - Potential Covered Activities in HCP/NCCP
  - Remaining Questions



# State and Federal ESA

## ◆ Federal ESA

- Unlawful to “take” federally listed species; includes habitat modification
- No exemption for agriculture except for some threatened species—  
4(d) rules (e.g., CA tiger salamander)



## ◆ California ESA

- Unlawful to “take” state listed species; does not include habitat modification unless results in death
- Exemption for routine and on-going agricultural activities under approved voluntary local management program (Title 14, Section 786.4)
- Exemption for accidental take on farm or ranch in course of lawful routine & on-going agricultural activities (Sect. 2087(a)). Does not apply to fish. Expires in 2009.

# Agriculture in Santa Clara County

- ◆ Data from 2004 (County Dept. of Agriculture)
- ◆ Ranching (180,100 acres in County)
  - Livestock grazing
  - Steers, heifers, cows, bulls
  - Goats, sheep, exotic animals
- ◆ Field crops
  - Hay (alfalfa or grain; 3,428 acres)
  - Pasture (3,209 acres)
  - Barley, oats, safflower, wheat (617 acres)





# Agriculture in Santa Clara County

- ◆ Vegetable crops (14,186 acres)
  - Peppers (2,866 acres)
  - Lettuce (2,986 acres)
  - Mushrooms (137 acres; \$54 million)
- ◆ Intensive agriculture
  - Cut flowers
  - Christmas trees (275 acres)
  - Nurseries (460 acres; \$44 million)
  - Dairies

# Categories of Agricultural Activities

- ◆ Routine Ag Operations
  - Widespread
  - Ranchland vs. cultivated agriculture
- ◆ Agricultural conversion
  - Conversion from one type to another
  - E.g., cropland→vineyard reduces habitat value
- ◆ Agricultural expansion into natural communities
  - Likely to occur in County?
  - Only vineyards?



# Neighboring Landowner Program

- ◆ First introduced in San Joaquin County HCP
- ◆ Will be adopted by East Contra Costa County HCP/NCCP
- ◆ Program provides take authorization for routine agricultural activities near HCP/NCCP preserves above “baseline”
- ◆ Baseline = condition prior to adoption of Plan
- ◆ Provides regulatory relief from “spillover” of species
- ◆ Must be opt-in program (not opt-out)
- ◆ Typically no cost to opt-in
- ◆ Agricultural expansion or major conversion not covered by this program (but can be covered by HCP/NCCP)

# Neighboring Landowner Program

- ◆ May apply to mobile terrestrial covered species expected to increase in population on reserves
  - San Joaquin kit fox
  - California tiger salamander
  - California red-legged frog
  - Western pond turtle
  - Bay checkerspot butterfly
  - Western burrowing owl
  - Tricolored blackbird
  - Least Bell's vireo?
  - Townsend's western big-eared bat?



# Potential Covered Activities in HCP/NCCP

- ◆ Ranching activities
  - Will be covered within HCP/NCCP reserves
  - Some coverage available off reserves through neighboring landowner program
  - Cover routine activities outside reserves?
- ◆ Irrigated Agriculture/Field Crops
  - Limited coverage available through neighboring landowner program
  - Cover Ag expansion into natural areas?
  - Cover routine agricultural activities?
- ◆ Intensive agriculture (e.g., nurseries, dairies, tree farms)
  - Expansion covered like urban or rural development (high impact areas)

# Remaining Questions

- ◆ Neighboring Landowner Program
  - Definition of routine agricultural activities
  - Distance of coverage?
    - + Consider potential spillover distance
    - + Consider potential location of reserves
  - Opt-in procedure
- ◆ Is coverage for routine agriculture needed beyond Neighboring Landowner program?
- ◆ Is coverage needed for agricultural expansion or conversion?