

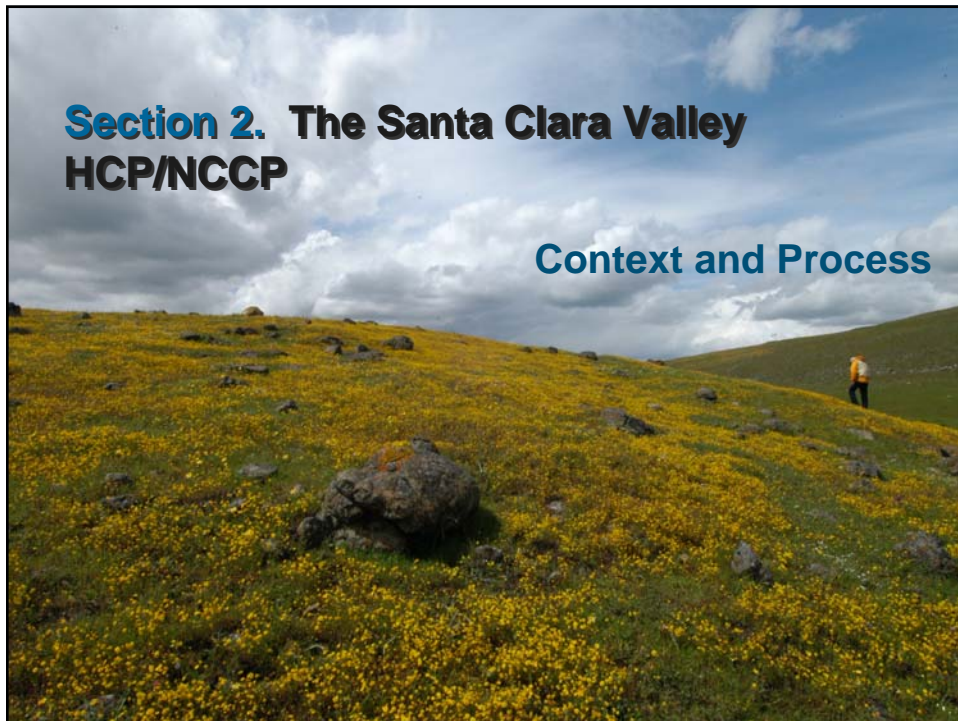
Other Relevant Federal Laws

- ◆ Bald Eagle and Golden Eagle Protection Act
- ◆ Migratory Bird Treaty Act
- ◆ Clean Water Act Sections 401 and 404 (wetlands and water quality permitting)
- ◆ National Historic Preservation Act (addressed in EIS)

Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan

Section 2. The Santa Clara Valley HCP/NCCP

Context and Process

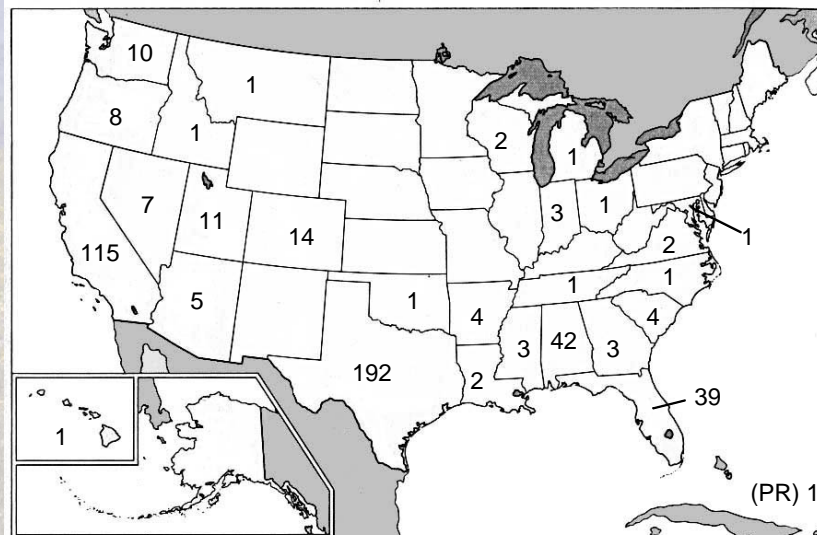


HCPs in the U.S. and CA

- ◆ As of January 3, 2006, in U.S.
 - 502 HCPs approved
 - 826 permits approved
 - 245 amendments approved
 - 33.6 million acres (= Georgia)
- ◆ In Process:
 - CA has most regional HCPs approved and in process
 - Sacramento field office is busiest in U.S.
- ◆ Data online: http://ecos.fws.gov/conserv_plans

Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan

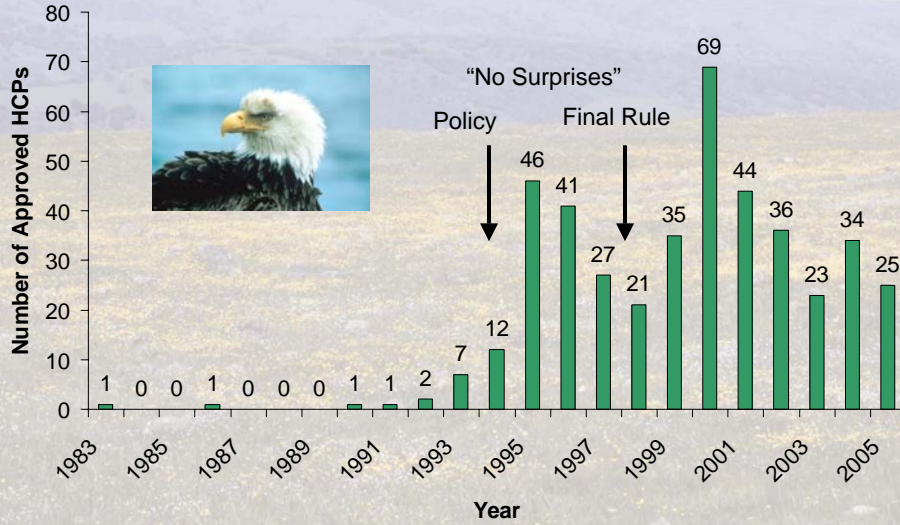
Locations of Approved HCPs



Source: USFWS 1/3/06

Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan

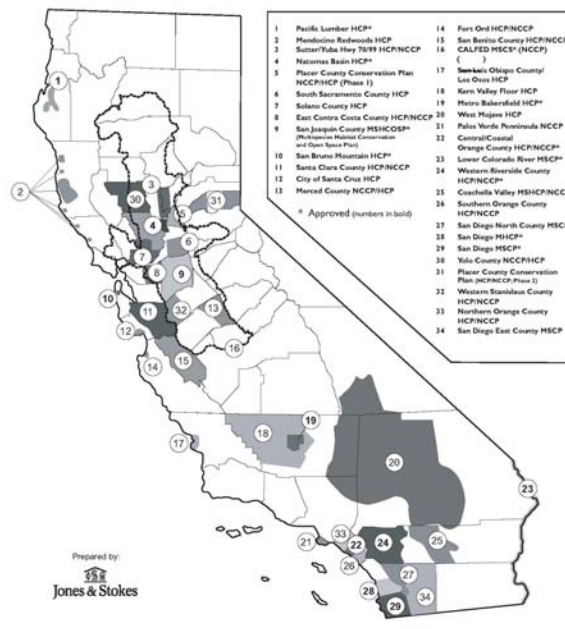
Growth in HCPs



Source: USFWS 1/3/06

Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan

Regional HCPs and NCCPs in California Approved and in Development 2005



Prepared by
 Jones & Stokes

Plan Origins

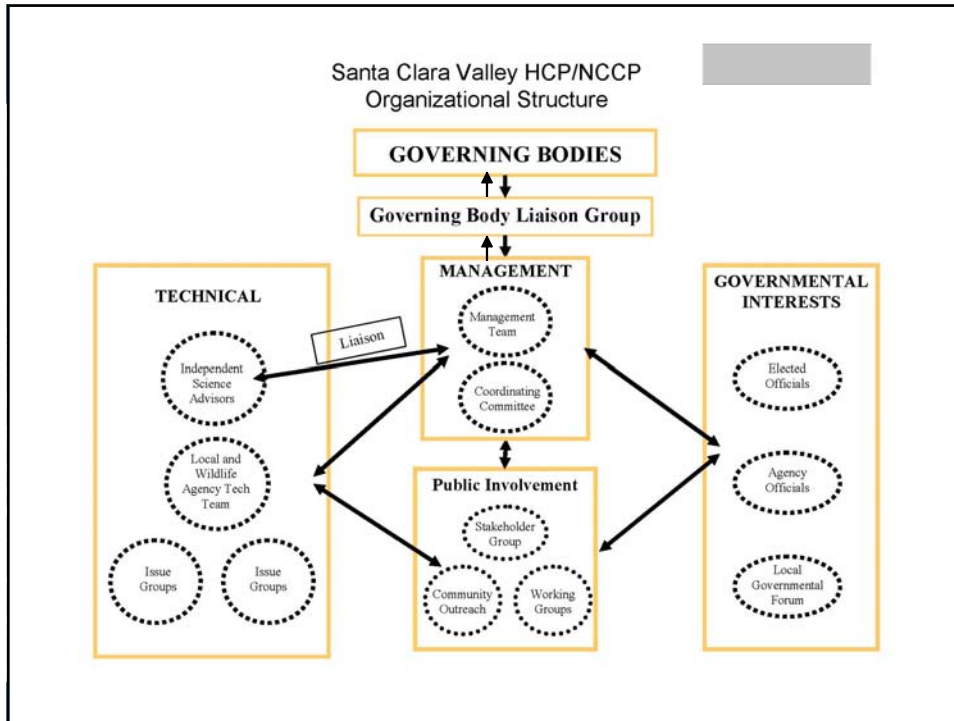
- ◆ Growing need for regional conservation as growth continues
- ◆ USFWS Sect. 7 Biological Opinion (2001) requires regional HCP as condition of approval for
 - Highway 101 widening (San Jose to Morgan Hill)
 - Bailey Avenue interchange
 - Highway 85/101 interchange
 - Coyote Valley Research Park

Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan

Plan Development

- ◆ 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 10/20/05

Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan



Project Consultants

- | | |
|----------------------------------|----------------|
| 1. Program Manager: | Ken Schreiber |
| 2. HCP/NCCP: | Jones & Stokes |
| 3. Stakeholder facilitation: | MIG |
| 4. Science Advisor facilitation: | Kleinschmidt |
| 5. Public outreach: | Jones & Stokes |
| 6. Economic Analysis: | TBD |
| 7. EIR/EIS: | TBD |
| 8. Implementing Agreement: | TBD |

Goals of Santa Clara Valley HCP/NCCP

- ◆ Source: Planning Agreement
 - Allow appropriate compatible growth and development;
 - Provide permits and authorizations to allow take of listed species;
 - Provide take authorization for covered species that are not currently listed but that may be listed in the future;

Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan

Goals of Santa Clara Valley HCP/NCCP (Cont.)

- Provide a comprehensive means to coordinate and standardize mitigation and compensation requirements of FESA, CEQA, NEPA, NCCPA
- Ensure that public and private actions will be governed equally and consistently, reducing delays, expenses and regulatory duplication;
- Provide a less costly, more efficient project review process which results in greater conservation values than the current project-by-project, species-by-species review and regulatory regime; and
- Provide take authority for covered activities related to the need for uninterrupted water supply, flood protection and watershed activities to the extent consistent with applicable laws.

Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan

The HCP/NCCP Process

1. Establish Decision-Making Structure (done)
2. Develop Draft HCP/NCCP and EIR/EIS
3. Public Draft HCP/NCCP, EIR/EIS, Permit Application
4. Obtain Permits
5. HCP/NCCP Implementation (Post-Permit)



Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan

