

Habitat Conservation Plan (HCP) - Update

FORA Administrative Committee meeting
September 19, 2018

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Overview



- HCP Update
- HCP/HMP Summary
- HCP in the Transition Plan
- JPA Formation
- Recommendations

HCP Update - Background



- ▶ 1997 Habitat Management Plan (HMP)
 - Allowed Army to transfer Fort Ord property
 - Established Fort Ord Habitat Reserve System
 - Did not authorize “Take” of special status species
 - Signatories agreed to take on habitat mgmt. of reserves

- ▶ 2019 Habitat Conservation Plan (HCP)
 - Funding to manage habitat reserve system, meeting jurisdictions’ HMP responsibilities
 - Federal and State Take Permits
 - New Joint Powers Authority (JPA) to manage annual expenditures and ensure HCP compliance

2016-2017 Events



- ▶ US Fish and Wildlife Service (USFWS) July 29, 2016 letter
 - USFWS provided nine general recommendations for HCP changes
 - 2017 Screencheck Draft HCP addressed these concerns
 - Updated take analysis for Federal Permit
 - Limited species to currently Threatened or Endangered status
 - Added mitigation measures to implement on Fort Ord National Monument (FONM) and adaptive measures for several species

- ▶ Timeline
 - **Requested** Permittee and Wildlife Agencies' feedback on 2nd Screencheck Draft HCP by July 2017
 - Permittees and Wildlife Agencies **agreed** to review Draft HCP by September 30, 2017

2017 Screencheck Draft



- ▶ All comments in on time except CDFW, who took 11 months

- ▶ CDFW comments were unexpected (for Screencheck review) and have required extensive discussion and edits
 - BLM assurances
 - USFWS/CDFW approach on California Tiger Salamander mgmt.
 - ITP for Sand Gilia

- ▶ Delayed Schedule – new schedule is attached to Board Report

- ▶ Department of Interior April 27th Memorandum
 - Imposes Environmental Impact Statement (EIS) completion limit to one year (April 2019)
 - Requires reduction in EIS document size (300 pages)
- ▶ Good news for meeting tight timeline for HCP completion



Current HCP Timeline



Now ▶ Final Screencheck Review (by USFWS Solicitor)

**Nov-
Dec-Jan** ▶ Public Draft Review

**March-
April '19** ▶ HCP JPA formation

May '19 ▶ State and Federal Permits for Take

HMP/HCP Summary

► Obligations

HMP	HCP
Prepare Resource Management Plans for Habitat Reserves	Prepare Resource Management Plans for Habitat Reserves
Deed restricted habitat reserves to preserve and protect species	Deed restrictions and conservation easements to preserve, protect, and mitigate impacts to species
No species monitoring required and few specifications for restoration target	Species monitoring and habitat restoration targets required
Borderland requirements along Fort Ord National Monument (FONM)	Borderland requirements along all Habitat Reserves
Many habitat reserve owners do not have identified funding sources	Habitat reserve owners have identified funding sources (i.e., CFD)

HMP/HCP Summary

► Benefits

HMP	HCP
Habitat reserves have deed restrictions allowing Army to transfer Fort Ord lands from Federal to local ownership	Habitat reserves have conservation easements allowing species mitigations for covered activities in reserves and development lands
Species monitoring in reserves is not required	Species monitoring is required and reported regularly to improve management
Habitat management funding is subject to land owners budget priorities	Habitat management funding is strategically collected through the FORA CFD or its replacement
Designated Development lands have no HMP requirements, except Borderlands	Designated development lands are allowed ITPs

Development per JD

Jurisdiction/Agency	Development Acres	Available HMA Acres for State Permit plants/CTS
Monterey	110	0
Del Rey Oaks	344	18*
Seaside	1,811	0
Marina	994**	147
County of Monterey	2,285	1,507
TOTAL	5,544	1,654

**Monterey Peninsula Regional Park District owned.*

***Rough estimate of remaining Fort Ord development lands.*

Monterey HMP/HCP

▶ Potential Outcomes

HMP	HCP
Potential species present: Yadon's piperia, CTS, CRLF, Monterey Spineflower, Seaside's birds beak.	Potential species present: Yadon's piperia, CTS, CRLF, Monterey Spineflower, Seaside's birds beak.
To develop 110 acres of development, take permits would be required. Mitigation lands for permitting would need to be identified.	Development of 110 acres is included as an HCP covered activity and permitted.
Monterey only has Borderland requirements. No habitat reserves.	Monterey only has Borderland requirements. No habitat reserves.
No funding requirements for the HMP.	Development pays CFD or replacement funding mechanism.

► Potential Outcomes

HMP	HCP
Potential species present: Yadon's piperia, CTS, CRLF, Monterey Spineflower, Seaside's birds beak, Sand gilia.	Potential species present: Yadon's piperia, CTS, CRLF, Monterey Spineflower, Seaside's birds beak, Sand gilia.
To develop 344 acres of development, take permits would be required. Mitigation lands for permitting would need to be identified.	Development of 344 acres is included as an HCP covered activity and permitted.
DRO only has Borderland requirements. MPRPD has 18-acre habitat reserve.	DRO only has Borderland requirements. MPRPD has 18-acre habitat reserve.
No funding requirements for the HMP, except for MPRPD.	Development pays CFD or replacement funding mechanism.

▶ Potential Outcomes

HMP	HCP
Potential species present: Yadon's piperia, CTS, CRLF, Monterey Spineflower, Seaside's birds beak, Sand gilia, Smith's blue butterfly.	Potential species present: Yadon's piperia, CTS, CRLF, Monterey Spineflower, Seaside's birds beak, Sand gilia, Smith's blue butterfly.
To develop 1,811 acres of development, take permits would be required. Mitigation lands for permitting would need to be identified.	Development of 1,811 acres is included as an HCP covered activity and permitted.
Seaside only has Borderland requirements. No habitat reserves.	Seaside only has Borderland requirements. No habitat reserves.
No funding requirements for the HMP.	Development pays CFD or replacement funding mechanism.

► Potential Outcomes

HMP	HCP
Potential species present: Yadon's piperia, CTS, CRLF, Monterey Spineflower, Seaside's birds beak, Sand gilia, Smith's blue butterfly.	Potential species present: Yadon's piperia, CTS, CRLF, Monterey Spineflower, Seaside's birds beak, Sand gilia, Smith's blue butterfly.
To develop 994 acres of development, take permits would be required. Mitigation lands for permitting partially met by habitat reserves, any more would need to be identified.	Development of 994 acres is included as an HCP covered activity and permitted.
Marina has no Borderland requirements. Habitat reserves total 147 acres.	Marina has Borderland requirements. Habitat reserves total 147 acres.
HMP funding requirements for management on 147 acres includes Resource Management Plan development and habitat management activities.	Development pays CFD or replacement funding mechanism.

▶ Potential Outcomes

HMP	HCP
Potential species present: CTS, CRLF, Monterey Spineflower, Seaside's birds beak, Sand gilia, Smith's blue butterfly.	Potential species present: CTS, CRLF, Monterey Spineflower, Seaside's birds beak, Sand gilia, Smith's blue butterfly.
To develop 2,285 acres of development, take permits would be required. Mitigation lands for permitting partially met by habitat reserves, any more would need to be identified.	Development of 2,285 acres is included as an HCP covered activity and permitted.
County has Borderland requirements. Habitat reserves total 1,507 acres.	County has Borderland requirements. Habitat reserves total 1,507 acres.
HMP funding requirements for management on 1,507 acres includes Resource Management Plan development and habitat management activities.	Development pays CFD or replacement funding mechanism.

HCP in Transition Plan



- ▶ Transition Taskforce (TTF) members expressed desire to “tie up loose ends”
 - Transition Plan should have a recipient organization for HCP responsibilities in place
 - Preference for a JPA set up in next few months, in case the 2019 HCP JPA is not in place by June 2020

- ▶ TTF suggested option to form a JPA now, as an entity to implement the HMP and receive FORA CFD habitat management funding
 - JPA could amend its purpose in the future to implement the HCP, if that effort is successful
- ▶ If HCP is approved, early formation of JPA would not be necessary
 - Streamlined Federal EIS process moves permit issuance to May 2019
 - Forming a JPA and then amending that JPAs purpose creates an extra step for multiple public agencies

Board Recommendations



- ▶ Receive this HCP status report
- ▶ Consider directing staff to work with jurisdictions on feasibility of forming of a JPA to implement base-wide habitat management activities required by the 1997 HMP

Questions?

