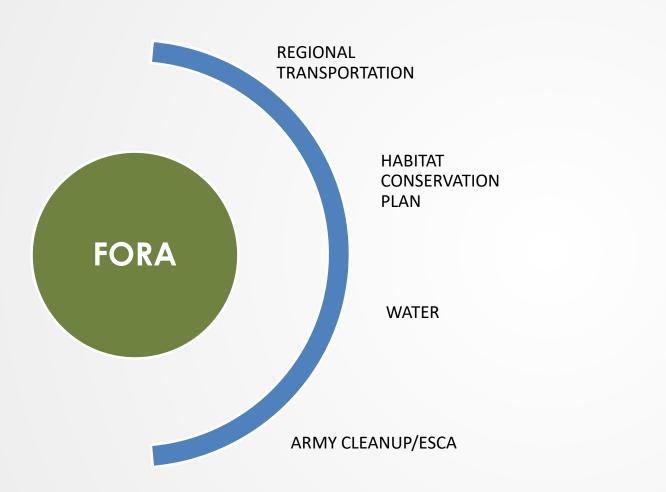
# Path to Implementation



# Post FORA





# Cooperative Agreement

























# Habitat Conservation Plans in CA

### Some Major HCPs Within Our Jurisdiction REGIONAL HCPs

| HCP Name & Permit Holder Link  | Documents                                |  |  |
|--|--|--|--|
| East Contra Costa  | Final Plan Documents                     |  |  |
| Metropolitan Bakersfield   | Conservation Plan                        |  |  |
| Natomas Basin Habitat Conservation Plan                                      | Conservancy Reports and Documents        |  |  |
| PG&E Bay Area Habitat Conservation Plan Operations and<br>Maintenance        | Plan Documents                           |  |  |
| San Bruno Mountain Habitat Conservation Plan                                 | Plan Documents                           |  |  |
| San Joaquin County Multi-Species Habitat Conservation and Open<br>Space Plan | Plan Documents                           |  |  |
| Santa Clara Valley Habitat Plan  | Final Habitat Plans                      |  |  |
| South Sacramento Habitat Conservation Plan                                   | Conservation Plan     Record of Decision |  |  |
| rolo Habitat Conservation Plan/Natural Community Conservation<br>Plan        | Plan Documents                           |  |  |

### Regional HCPs Under Development

| HCP Name & Permit Holder Link  | Draft Plan         |  |  |  |
|--|--------------------|--|--|--|
| Butte County   | Draft Plan         |  |  |  |
| Placer County Habitat Conservation Plan/Natural Community<br>Conservation Plan | Conservation Plan  |  |  |  |
| Solano Multispecies Habitat Conservation Plan                                  | Conservation Plan  |  |  |  |
| Yuba-Sutter Regional Conservation Plan   | Planning Agreement |  |  |  |



## **Habitat Conservation Plans**



The Sacramento Fish and Wildlife Office and the Pacific Gas and Electric Company celebrated the signing of the "PG&E Bay Area Habitat Conservation Plan Operations and Maintenance" in November 2017. The HCP is a result of the successful partnership between the Service and PG&E to ensure the needs of communities throughout the Bay Area and local wildlife are met.

Conservation of wildlife and open spaces does not have to be in conflict with economic growth and development, Habitat Conservation Plans (HCPs) provide a pathway forward to balance wildlife conservation with development. The primary objective of the HCP program is to conserve species and the ecosystems they depend on while streamlining permitting for economic development.

#### MORE INFORMATION

#### **Featured Stories**

- Secretary Jewell Highlights Landmark Contra Costa Partnership Benefiting Imperiled Species, Supporting Economic Growth
- Smart Planning Completed for Development and Habitat Conservation for Santa Clara Valley

#### **HCP Case Study**

- · Visit the East Contra Costa County Habitat Conservancy website to get a better idea of how the HCP was developed.
- . The Conservancy's booklet (1.8 MB PDF) about the plan is an excellent introduction to regional

#### **National HCP Information**

- Overview
- · Habitat Conservation Plans Under the Endangered Species Act (233 KB PDF)
- · Documents, fact sheets and the HCP Handbook
- · HCPs across the nation

#### FOLLOW US ONLINE





Contact Us

| HCP NAME   | COUNTY       | FORMATION DATE  | MANAGEMENT<br>STRUCTURE   | JURISDICTION COUNT  | HMA<br>AREA                         | SPECIES |
|--|--------------|---|---|---|-------------------------------------|---------|
| San Joaquin County<br>Multi-Species<br>Habitat Conservation<br>& Open Space Plan<br>(SJMSCP) | San Joaquin  | May 2001 (Plan<br>approval date / plan<br>development began<br>in 1993) | 501C(3) SJCOG, Inc. / Board is same as San Joaquin Council of Governments (SJCOG), which is a JPA | 8 (7 Cities and San Joaquin<br>County)  | 100,241<br>Acres<br>(see note<br>2) | 97      |
| Yolo HCP / NCCP  | Yolo         | JPA Formed in 2004,<br>plan approval<br>January 2019                    | JPA   | 5 (4 Cities and Yolo County)  | 28,381<br>Acres                     | 12      |
| Santa Clara HCP /<br>NCCA  | Santa Clara  | JPA formed in 2013,<br>plan adoption August<br>2012                     | JPA   | 5 (Parts of 4 Cities, part of Santa<br>Clara County), plus Santa Clara<br>Transportation Agency and Santa<br>Clara Water District | 46,900<br>Acres                     | 18      |
| East Contra Costa  | Contra Costa | JPA formed 2007,<br>plan approved 2006                                  | JPA   | 5 (4 Cites and Contra Costa<br>County) plus Contra Costa Flood<br>Control District and East Bay<br>Regional Park District         | 30,300<br>Acres                     | 28      |

# Similar JPA Organizations to Cooperative

## **Habitat**

The key purpose of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP or Plan) is to:

- Provide a strategy for balancing the need to conserve Open Space and the need to Convert Open Space to non-Open Space uses while protecting the region's agricultural economy.
- Preserve landowner property rights.
- Provide for the long-term management of plant, fish and wildlife species, especially those that are currently listed, or may be listed in the future, under the Federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA).
- Provide and maintain multiple-use Open Space which contribute to the quality of life of the residents of San Joaquin County.
- Accommodate a growing population while minimizing costs to project proponents and society at large.



## **CONTACT US**

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Associate Habitat Planner

**Email Laurel Boyd** 

Phone: 209-235-0574

# San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)

- 501C(3) SJCOG, Inc. / Board is same as San Joaquin Council of Governments (SJCOG), which is a JPA
- 7 Cities and San Joaquin County
- Habitat: 100,241 Acres
- Number of species 97



## East Contra Costa County Habitat Conservancy



Overview/History

Latest News/Updates

HCP/NCCP Implementation

**Project Permitting** 

**Public Meetings** 

Conservancy Staff

Documents

Archive

Links

## EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

The East Contra Costa County Habitat Conservancy is a joint exercise of powers authority formed by the Cities of Brentwood, Clayton, Oakley and Pittsburg and Contra Costa County to implement the East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan (HCP/NCCP or Plan). The HCP/NCCP provides a framework to protect natural resources in eastern Contra Costa County, while improving and streamlining the environmental permitting process for impacts on endangered species. The Plan will allow Contra Costa County, the Contra Costa County Flood Control and Water Conservation District, the East Bay Regional Park District and the Cities of Brentwood, Clayton, Oakley, and Pittsburg (collectively, the Permittees) to control endangered species permitting for activities and projects in the region that they perform or approve. The Plan also provides for comprehensive species, wetlands, and ecosystem conservation and contributes to the recovery of endangered species in northern California. The Plan avoids project-by-project permitting that is generally costly and time consuming for applicants and often results in uncoordinated and biologically ineffective mitigation.

**HCP/NCCP Overview Booklet** 

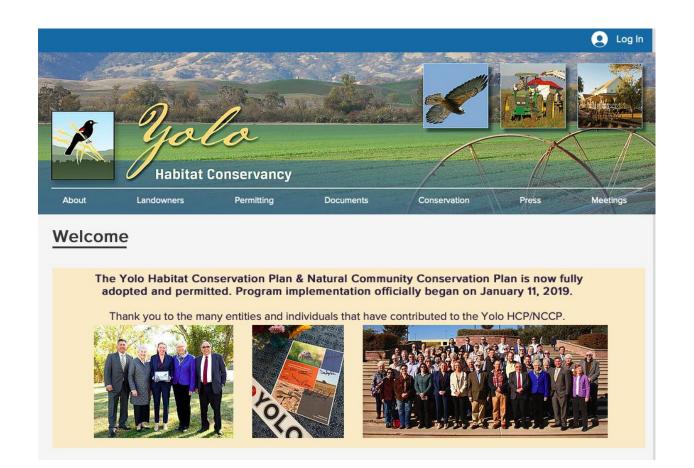
# East Contra Costa Habitat Conservancy

- JPA
- 4 Cities and Contra Costa County
- Habitat: 30,300 Acres
- Number of species 28



## San Clara Valley HCP/NCCP

- JPA
- Parts of four Cities, Santa Cala County and the Santa Clara Transportation Agency and Santa Clara Water District
- Habitat: 46,900 Acres
- Number of species 18
- Annual budget \$3.8M / Admin \$300-500K



# Yolo HCP/NCCP

- JPA
- 4 Cities and Yolo County
- Habitat: 28,381 Acres
- Number of species 12
- Budget \$2.9M / 500K Admin
- Staff/Contractor



## Permitting

The Yolo HCP/NCCP has replaced a project-by-project mitigation process characterized by uncertainties associated with timing, costs, and litigation. This provides an economic benefit to public agencies and other projects in the form of streamlined Endangered Species Act permitting. For a downloadable version of the following permitting overview, click <a href="here">here</a>.

## 2019-20 Fee Schedule

Land Conversion Fee \$14,033

Additional Fees for Wetlands:

Fresh/Emergent/Marsh: \$74,049

Valley/Foothill/Riparian: \$82,009

Lacustrine & Riverine: \$59,387

## Additional Assistance

Private/SPE Projects

**Public Projects** 

**Qualified Biologists** 

Resources

## Yolo HCP/NCCP Covered Activities



Urban projects and activities



Rural projects and activities



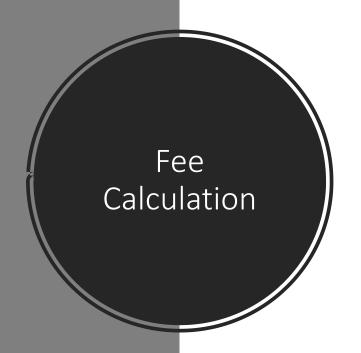
Public/private operations and maintenance



Conservation strategy implementation



Neighboring landowner agreements

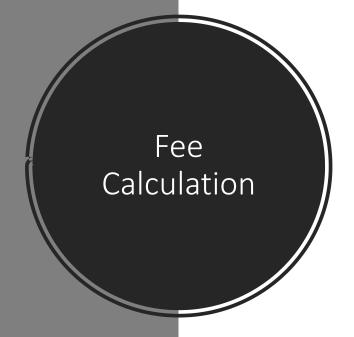




## Yolo HCP/NCCP Fees:

The annual fee adjustment for 2019 is in effect as of June 20, 2019. All applications received after June 20, 2019 are subject to the updated fees.

The current standard land cover fee is \$14,033/acre.



| PROJECT NAME:                                   |                              |                                     |   |                                  |   |        |
|---|------------------------------|-------------------------------------|---|----------------------------------|---|--------|
| APN(s):   |                              |                                     |   |                                  |   |        |
| III PISDICTION:                                 |                              |                                     |   |                                  |   |        |
| DATE  |                              |                                     |   |                                  |   |        |
|   |                              |                                     |   |                                  |   |        |
|   |                              |                                     |   |                                  |   |        |
|   |                              | ACREAGE PERMANENTLY                 |   | 2019 FEE PER ACRE                |   |        |
| VEVELOPMENT FEE.                                |                              |                                     |   | (SUBJECT TO CHANGE) <sup>2</sup> |   |        |
|   | Fee Zone 1                   |                                     |   | \$16,757.65                      | _ | \$0.0  |
| ee appropriate ordinance or HCP/NCCP Figure 9-1 |                              |                                     |   | \$33,515.30                      |   |        |
| o determine Fee Zone                            |                              |                                     |   | \$8,379.53                       |   |        |
|   | 100 2010 3                   |                                     | - | Development Fee Total            |   |        |
|   |                              |                                     |   |                                  |   |        |
|   |                              |                                     |   |                                  |   |        |
|   |                              | ACREAGE PERMANENTLY                 |   | 2019 FEE PER ACRE                |   |        |
| VETLAND MITIGATION FEE                          |                              | IMPACTED (TABLE 1)1                 |   | (SUBJECT TO CHANGE) 2            |   |        |
|   | Riparian woodland / scrub    |                                     | х | \$82,222.77                      | = | \$0.00 |
|   |                              |                                     |   | \$112,515.38                     |   |        |
|   |                              |                                     |   |                                  |   | \$0.00 |
|   | Alkali Wetland               |                                     |   | \$230,800.77                     |   |        |
|   | Ponds                        |                                     |   | \$122,612.91                     |   |        |
|   | Aquatic (open water)         |                                     | х | \$62,027.71                      | = | \$0.00 |
|   |                              |                                     |   | \$139,922.97                     |   |        |
|   |                              |                                     |   |                                  |   |        |
|   |                              | LINEAR FEET<br>PERMANENTLY IMPACTED |   | 2019 FEE PER LINEAR FT           |   |        |
|   | STREAMS                      | (TABLE 1)                           |   | (SUBJECT TO CHANGE) <sup>2</sup> |   |        |
|   | Streams 25 feet wide or less |                                     | х | \$670.34                         | = | \$0.00 |
| Stre  |                              |                                     |   | \$1,009.75                       |   |        |
|   |                              |                                     | ١ | Vetland Mitigation Fee Total     | = | \$0.00 |
|   |                              |                                     |   | -                                |   |        |

## MOU

- A memorandum of understanding (MOU or MoU) is a formal agreement between two or more parties. Companies and organizations can use MOUs to establish official partnerships.
- MOUs are not legally binding but they carry a degree of seriousness and mutual respect, stronger than a gentlemen's agreement.

## **JPA**

- A JPA is established when two or more public agencies by agreement jointly exercise any power common to the contracting agencies. Section 6500 et seq. of the California Government Code constitutes the enabling legislation for joint powers authorities.
- Covers a wide range of functions, including fire protection, water, library, criminal justice, recreation, transportation, open space, congestion management, animal control, and habitat management.
- The member agencies of a joint powers authority may be of like kind, or may be a combination of different types of agencies, including count1es, cities, special districts and state agencies.

| COMPARE   | JPA AGREEMENT  | MEMORANDUM OF UNDERSTANDING   |  |  |  |
|---|--|---|--|--|--|
| Definition  | An agreement is a document by which parties commit to working together to reach a common goal. | An MOU describes the terms of an agreement without being legally binding or involving the transfer of finances. |  |  |  |
| Traits  | Offer made and accepted.   | Offer. Acceptance of that offer. Intentions for the project.  |  |  |  |
| Enforceable in a court of law?                    | Yes.   | No (with exceptions).   |  |  |  |
| Liability Shields member agencies from liability. |  | Does not shield member agencies from liability.   |  |  |  |

## JPA Finalization Timeline

## Review with all signatories -Completed

- California State Parks TBD
- Monterey Peninsula Regional Parks TBD

## Review with legal counsel (FORA) - Completed

• Draft Agreement for Permitee Review

Permittee Meeting November 20, 9:00-12:00

City/County Legal Review November

Execution of Agreement – January - February



Appoint JPA members

FORA Board to review endowment funding

Discussion / adoption of member contributions

Staffing Plan

Operating budget that ensures compliance with HCP parameters

Meeting Planning

**MARCH** 

Apr.–June

# Helpful Links

League of Cities

https://www.cacities.org/getattachment/5768b027-71a7-4bc5-8d82-d2009f304297/LR-Cassman

- Yolo HCP/NCCP
   https://www.yolohabitatconservancy.org/
- Santa Clara Valley HCP/NCCP https://scv-habitatagency.org
- East Contra Costa County Habitat Conservancy

https://www.contracosta.ca.gov/depart/cd/water/HCP/index.html