

CONTENTS OF AN HCP

A habitat conservation plan should include the following:

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Executive Summary

Include the general location of the project or area covered by the Habitat Conservation Plan (Plan), the desired term of the permit (*i.e.*, number of years permit will be in effect), a brief description of the project/activity (*e.g.*, construction of 15 houses, timber harvest on 500 acres, etc.), the species to be covered by the Plan, and a brief description of the measures that will be used to minimize and mitigate the impacts of the project.

1.0 INTRODUCTION AND BACKGROUND

1.1 Overview/Background

Provide a general overview of the project (*i.e.*, brief description, background, history, etc. as appropriate) and purpose of the Plan.

1.2 Permit Duration

Include the desired term of the section 10(a)(1)(B) permit (*i.e.*, duration the permit be in effect; 5 years, 20 years, etc.). Include a discussion about the factors considered in determining the length of the permit (*e.g.*, duration of applicants proposed activities).

1.3 Regulatory/Legal Framework for Plan (Optional)

Provide a brief description of the prohibition against take and the lawful provision of incidental take as provided by the Federal Endangered Species Act. Include discussion of State Endangered Species Act as appropriate.

1.4 Plan Area

Identify the boundaries of the area covered by the Plan. Include maps, figures, universal transverse mercator (UTM) coordinates, township and range, and/or legal descriptions as necessary to clearly delineate precise boundaries. Provide map or description of regional location of Plan area/project. Multiple maps or lengthy documents should be included as an Appendix.

1.5 Species to be Covered by Permit

Provide a list of all species for which coverage under the permit is requested. Include Federal and State status, if applicable, for each species. These species are those that will be listed on the 10(a)(1)(B) permit and for which "no surprises" assurances will be given.

1.6 Other Introductory or Background Topics as Appropriate

2.0 ENVIRONMENTAL SETTING/BIOLOGICAL RESOURCES

2.1 Environmental Setting

Provide general information on the existing environmental setting (*i.e.*, the baseline prior to project implementation). Address topics and provide detail as appropriate to the scope and scale of the proposed project.

- 2.1.1 Climate
- 2.1.2 Topography/Geology
- 2.1.3 Hydrology/Streams, Rivers, Drainages
- 2.1.4 Vegetation
- 2.1.5 Wildlife
- 2.1.6 Existing Land Use

2.2 Species of Concern in the Plan Area

2.2.1 Wildlife Species of Concern

Provide information on all species to be covered by the permit, as well as any other listed or sensitive species which may occur in the Plan area even if incidental take coverage is not requested. Include information on the species' life history, habitat requirements, and distribution and population trends both range wide and within the Plan area. Numerous or lengthy species accounts can be included in the text of the Plan or an Appendix.

2.2.2 Plant Species of Concern

Provide the same type of information as described for wildlife above.

3.0 **PROJECT DESCRIPTION/ACTIVITIES COVERED BY PERMIT**

3.1 Project Description

Describe the project. Provide as much detail as necessary to give a complete and accurate picture of the project, including any pertinent timing or phasing information.

3.2 Activities Covered by Permit

Describe all activities related to the project that may result in take of covered species or are important to obtaining a complete understanding of the proposed project. Include activities that may result in short-term and long-term impacts and direct and indirect impacts.

Note: Coverage under the 10(a)(1)(B) permit applies only to those actions or activities described in the Plan.

4.0 **POTENTIAL BIOLOGICAL IMPACTS/TAKE ASSESSMENT**

4.1 Direct and Indirect Impacts

Describe the anticipated impacts to biological resources (*e.g.*, vegetation communities, wildlife, and plant species) resulting from project activities. Include information on both direct

impacts (*e.g.*, mortality of individual animals, grading of vegetation) and indirect impacts (*e.g.*, change in water quality, increased traffic, fragmentation of habitat).

4.1.1 Anticipated Take: Wildlife Species

Quantify the level of take anticipated for each covered species; take could be expressed as a number of individual animals, as habitat acres, or other appropriate measures.

4.1.2 Anticipated Impacts: Plant Species

Provide the same type of information as for wildlife species described above.

4.2 Cumulative Impacts

As appropriate, discuss cumulative impacts that may occur as a result of other projects which may affect the same resources.

5.0 CONSERVATION PROGRAM/MEASURES TO MINIMIZE AND MITIGATE FOR IMPACTS

5.1 Biological Goals

Describe the desired outcome for the covered species and their habitats in terms of biological goals and objects to be achieved through implementation of the conservation program. These goals should be broad guiding principles for the operating conservation program. They are the rationale behind the minimization and mitigation strategies (*e.g.*, maintain a viable population in the conservation area).

5.1.1 Biological Objectives

For each biological goal, describe specific biological objectives in terms of measurable targets for achieving the goals of the operating conservation program (*e.g.*, maintain a successful reproductive rate of 70% within the conservation area during the life of the permit). The objectives could be habitat or species based. Success criteria could involve the maintenance of a certain acreage of suitable habitat, certain levels of habitat quality, certain numbers of individuals within habitat areas, certain levels of reproductive success, etc.

Note: Each covered species that falls under that goal or objective must be accounted for individually as it relates to that habitat.

5.1.2 Adaptive management strategy

For some HCPs, the adaptive management strategy will be an integral part of an operating conservation program that addresses the uncertainty in the conservation of a species covered by an HCP. The strategy should identify the uncertainty, develop experimental strategies to answer questions relating to the uncertainty, integrate a monitoring program that detects the necessary information, and incorporates a feedback loop that links implementation and monitoring to a decision-making process that results in appropriate changes in management. This strategy should ultimately achieve the biological goals of the HCP.

5.2 Measures to Minimize Impacts

Describe measures that will be implemented to avoid or minimize project impacts to covered species (*e.g.*, education program for project workers, pre-activity surveys, plant or animal relocation, timing restrictions, vehicle speed limits, prohibitions on pets, etc.).

5.3 Measures to Mitigate Unavoidable Impacts

Describe measures that will be implemented to mitigate or compensate for unavoidable impacts (*e.g.*, establishment of permanent habitat preserve, purchase of credits in a habitat bank, enhancement of degraded habitat, etc.)

5.4 Monitoring and Reports

Describe the monitoring measures that will be implemented to 1) evaluate compliance; 2) determine if the biological goals and objectives are being met; and, 3) provide feedback information for the adaptive management strategy.

Describe any reports that will be prepared as part of the mitigation and monitoring process (*e.g.*, annual report assessing take that occurred, annual report on habitat acquisition, monthly report on species occurrence, etc.). Include information on the contents of the reports, frequency of reports, due dates, who will prepare reports, and to whom reports will be submitted.

6.0 FUNDING

6.1 Funding for Minimization and Mitigation Measures

Describe the funding mechanism that will be used to ensure that mitigation and monitoring will be implemented. Note that funding must be guaranteed. One option is to have mitigation in place prior to take occurring or phased-in as the take occurs. Other options for guaranteed funding include posting of a bond or letter of credit, or establishment of an endowment or other trust fund.

7.0 ALTERNATIVES

Describe the alternative actions to the takings considered, the level of take each alternative would result in, and the reasons why each alternative is not being utilized.

7.1 Alternative 1

7.2 Alternative 2

7.3 Alternative 3

8.0 PLAN IMPLEMENTATION, CHANGED AND UNFORSEEN CIRCUMSTANCES

8.1 Plan Implementation (Optional)

Describe any specifics of plan implementation (*e.g.*, phasing, options in project implementation, oversight organizations or committees, etc.). The need for this section will vary with the type of project and complexity of the Plan.

8.2 Changed Circumstances

Provide a detailed description of all reasonably foreseeable circumstances, including natural catastrophes that normally occur in the area (*e.g.*, listing of new species within the plan boundary, fire, earthquake, etc.). This should include any additional conservation and mitigation measures that are necessary to respond to the changes in circumstances. These measures should be considered part of the plan's operating conservation program.

8.2 Unforeseen Circumstances

Describe process for addressing those future changes in circumstances surrounding the HCP that could not reasonably be anticipated by the HCP planners.

Note: The Department of the Interior's "No Surprises" Rule assures landowners participating in the HCP process that no additional mitigation or financial compensation will be required for species adequately covered by a properly functioning HCP in light of unforeseen circumstances. As a rule, an HCP should treat any species for which assurances are requested as if the species were listed.

8.3 Other Measures as Required by Director

In general, an Implementing Agreement between the permit applicant, the Service, and the appropriate State resource agency (when State-listed species are involved) is required by the Director. This section of the Plan should indicate that such an Agreement has been developed and is attached as an Appendix to the Plan.

9.0 LITERATURE CITED

APPENDICES (Optional)

The following items/information should be included as appendices to the HCP as appropriate to a particular project. Note: In some circumstances it may be appropriate for some of this information to be included in the body of the Plan rather than as an appendix.

- A. Maps/Figures
- B. Biological Reports/Biological Assessments
- C. Implementing Agreement
- D. Conservation Easement Deed
- E. State Management Agreements; Memorandums of Understanding; etc.
- F. Financial/Account Information
- G. Community Involvement Process