

## Bush Prairie Habitat Conservation Plan



# Habitat Conservation Plan 101

Planning Commission Discussion, March 14, 2023



## Agenda

- **Habitat and Protected Species**
- **Endangered Species Act Listing**
- **Need for Habitat Conservation Plan**
- **Overview of the Bush Prairie HCP**
- **Public Engagement Opportunities**
- **Questions & Comments**



## Habitat and Protected Species

- **South Puget Sound Prairies**
  - Support many unique species
  - Extensively developed
  - Many potential conflicts between development and endangered species
  
- **Olympia Pocket Gopher**
  - Endangered Species Act listing in 2014
  - Most widespread of the protected prairie species in the City



## Habitat and Protected Species

### ■ Other Listed Prairie Species

- Streaked Horned Lark
- Oregon Vesper Sparrow
- Both on Olympia Regional Airport

### ■ Oregon Spotted Frog

- Found primarily in wetlands and streams in the western half of the City associated with the Black Lake drainage system



## Endangered Species Act Listing

### ■ **ESA Listing**

- Protects species and habitat
- The range of the Olympia pocket gopher overlaps with the City of Tumwater and UGA
- Oregon spotted frog habitat in City
- Many activities occur in the City and on Port property potentially impact gophers and other prairie species
- Federal permits needed for those projects
- City and Port ILA 2016





## ■ ESA Listing

- “Take” of animals or habitat requires a complex, costly, slow USFWS process
- Incidental Take Permit
- Especially difficult for individual landowners

Endangered  
Species Act  
Listing



## HCP – Benefits

- **Habitat Conservation Plan (HCP)**
  - Permits area wide “take” (ESA Section 10)
  - Allows for higher quality and more efficient long-term species protection
  - Reduces uncertainty, costs, and delays for new development and redevelopment
  - Allows development envisioned by the City and Port to be built
  - Allows continued and ongoing maintenance of City and Port facilities



## HCP – Funding to Prepare HCP

### ■ Funding to Prepare HCP

- Federal Section 6 grant received in 2016 (Phase 1), 2018 (Phase 2), and 2023 (Phase 3) to fund HCP completion
- Matched by City and Port funds
- Section 6 grant from the U.S. Fish and Wildlife Service, but administered by the Washington Department of Fish and Wildlife
- Phase 1 grant in June 2016, Phase 2 in October 2018, and Phase 3 in April 2023



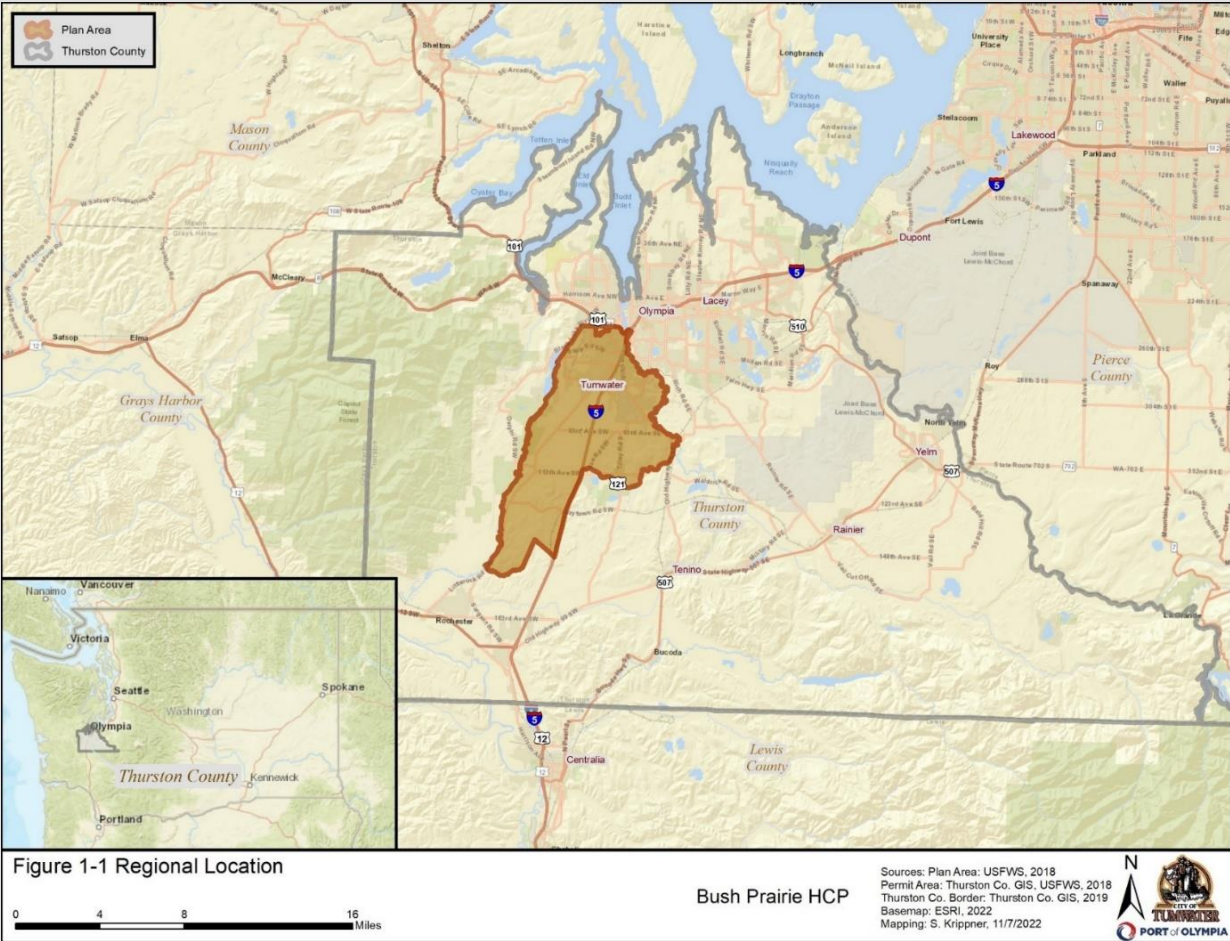


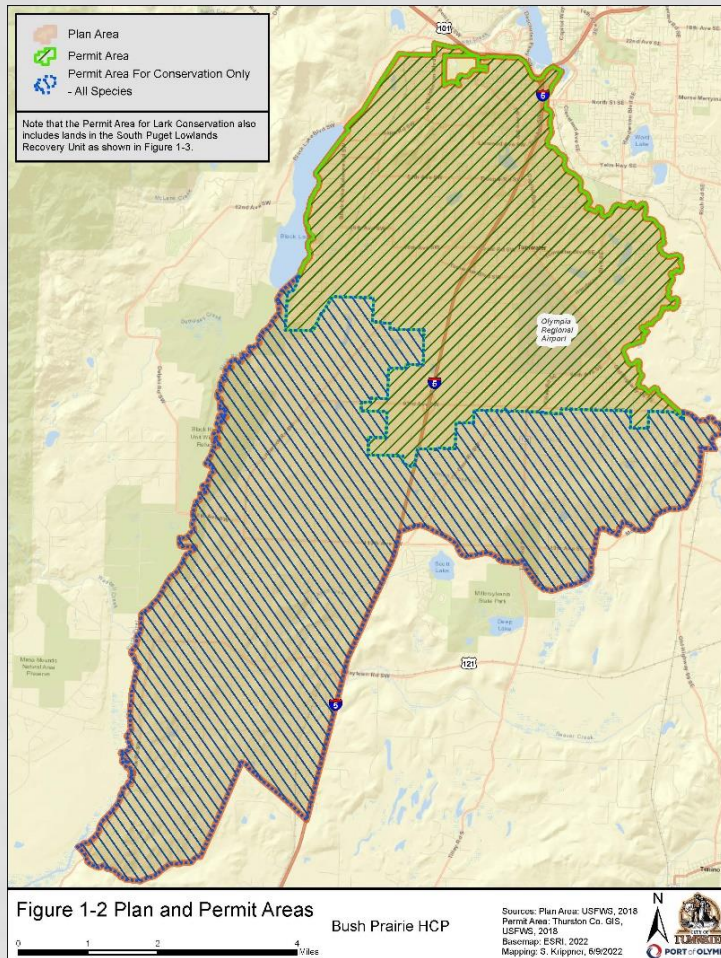
- **Permit Area**
  - Covers City and Port Controlled Lands
- **Term**
  - 30-year Term

HCP –  
Permit Area  
and Term



# HCP – Location





# Permit Area

City of Tumwater  
urban growth  
area, west of the  
Deschutes River

# Plan Area

# Olympia pocket gopher range



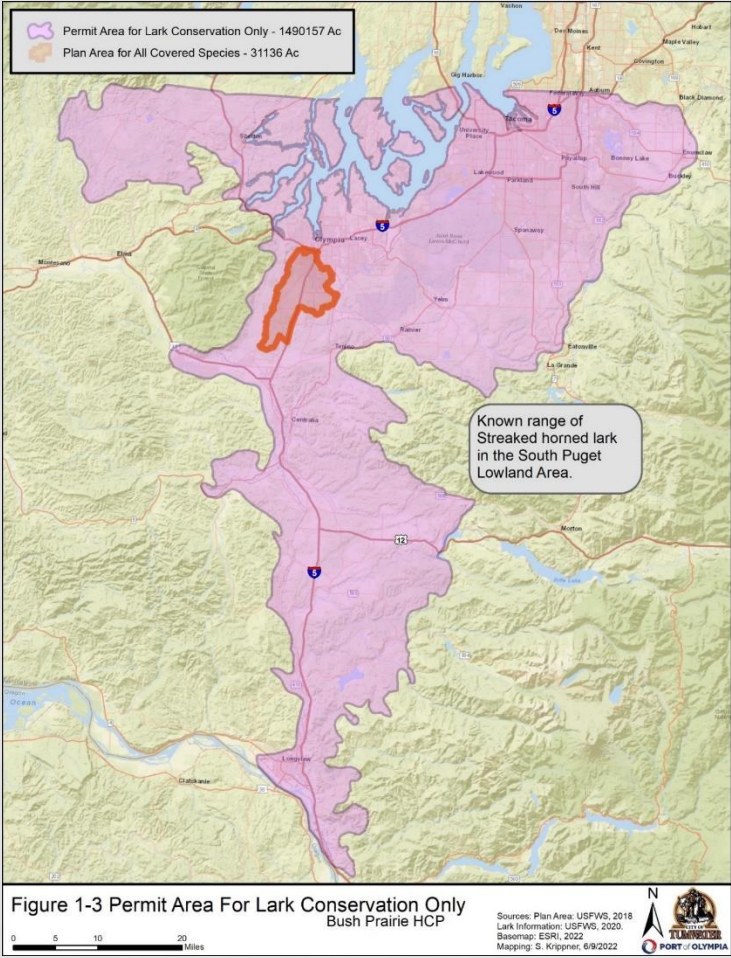
**PORT of OLYMPIA**







# HCP – Permit & Plan Areas



## ■ Permit Area for Streaked Horn Lark Only

Streaked Horned  
Lark range in the  
South Puget  
Lowland Area



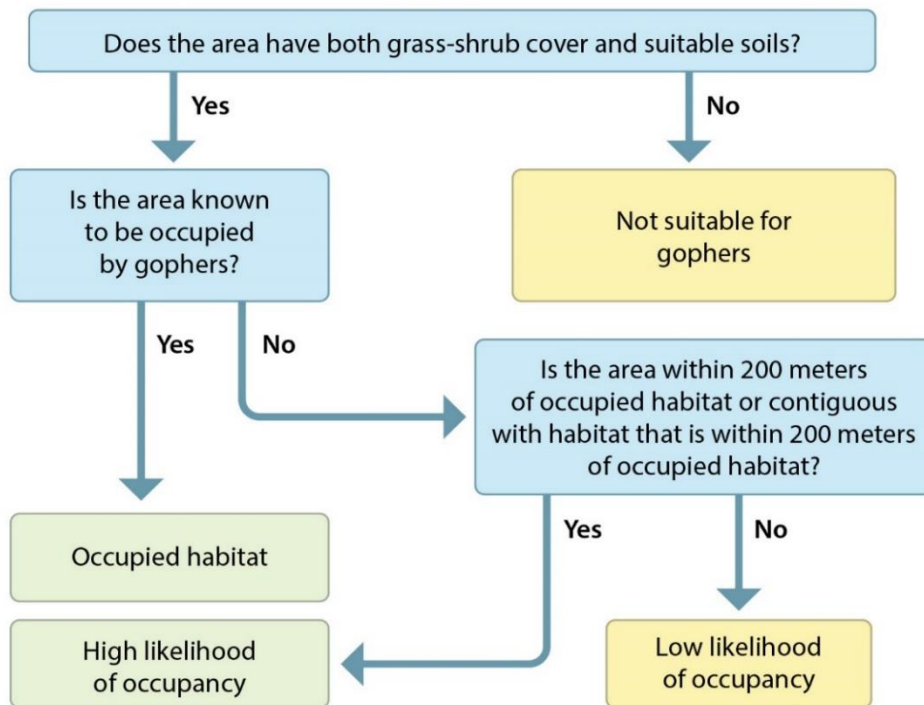
Covered Species	Federal Listing Status	State Listing Status
Olympia Pocket Gopher	Threatened	Threatened
Oregon Spotted Frog	Threatened	Endangered
Oregon Vesper Sparrow	Under Review	Endangered
Streaked Horned Lark	Threatened	Endangered



## HCP – Covered Species

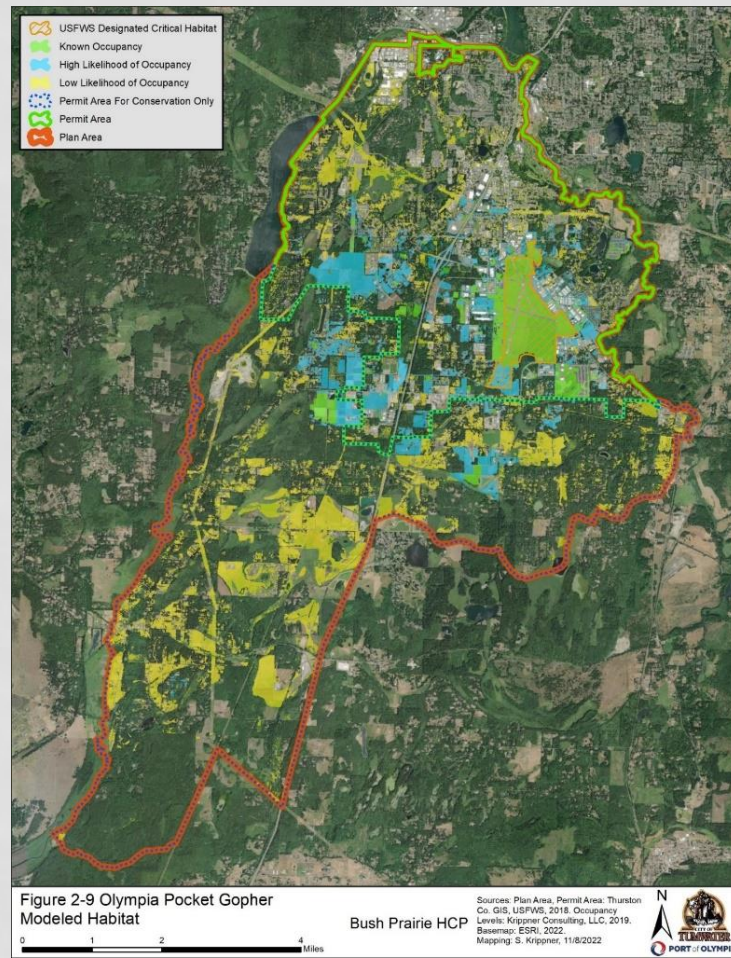


## ■ Olympia Pocket Gopher Model



HCP –  
Habitat  
Models

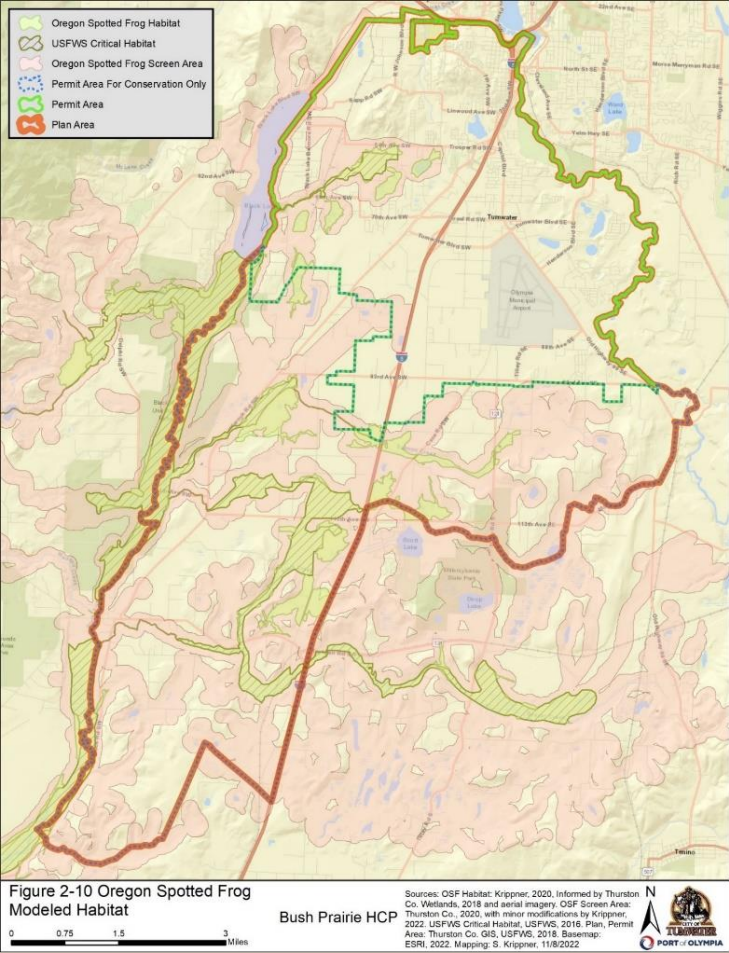




# HCP – Olympia Pocket Gopher Habitat



# HCP – Oregon Spotted Frog Habitat







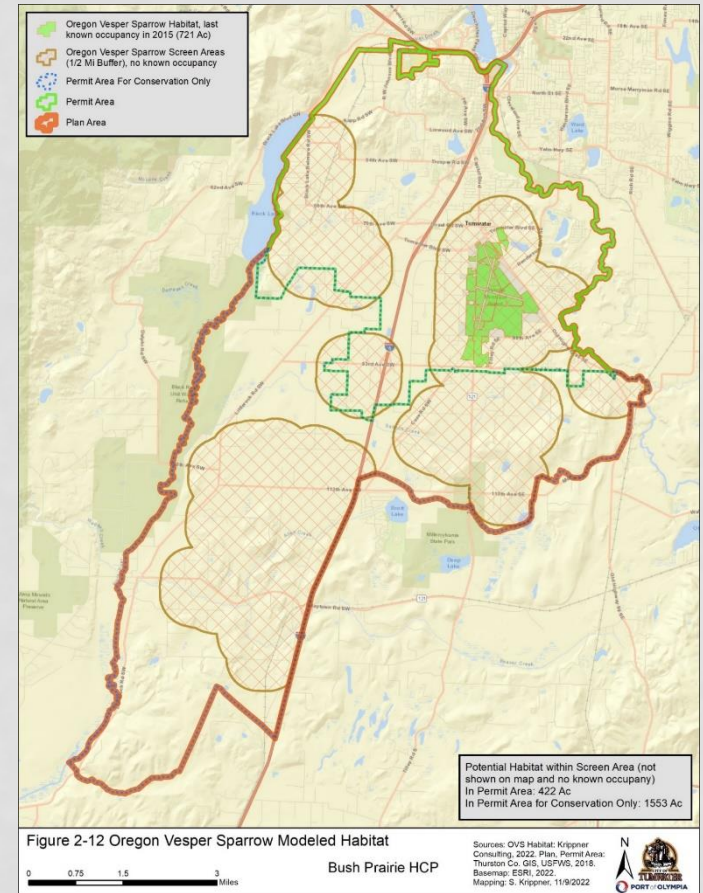
- Used known occurrences
- Included adjacent lands with short grassland vegetation



## HCP – Streaked Horned Lark Habitat



- Used known occurrences
- Included adjacent lands with short grassland vegetation



# HCP – Oregon Vesper Sparrow Habitat



## HCP – Covered Activities Criteria

### ■ Activities Covered

- Activities must meet all six criteria:
  1. Control: City or Port will perform or issue a permit for the activity
  2. Location: Activity is within Permit Area
  3. Timing: Activity is during 30-year permit term
  4. Impact: There is a reasonable risk of take
  5. Definition: Activity is defined well enough to assess its impacts on the species
  6. Practicable: More feasible to include the activity in the HCP than to not do so



- **City Activities Covered**
  1. Urban development projects
  2. Recurring activities (public events)
  3. Facilities operations and maintenance
  4. Conservation strategy implementation

HCP –  
City Covered  
Activities





## HCP – Port Covered Activities

- **Port Activities Covered**
  1. Aeronautical activities under the authority of Federal Aviation Administration (FAA)
  2. Operations and maintenance
  3. Capital improvements identified in Olympia Regional Airport Master Plan



## HCP – Effects Analysis

- **Effects Analysis**
  - Identifies activities that may result in incidental take of covered species
  - Encompasses the immediate effect of an activity on a species or its habitat as well as effects that occur later in time, but are still reasonably certain to take place
  - Includes direct mortality or injury to individuals or the removal or degradation of suitable habitat



## HCP – Effects Analysis

- **Development Effects**
  - Estimates of urban growth from the Thurston Regional Planning Council
  - Estimates of development under the Port of Olympia Master Plan
  - Removed areas that are unlikely to develop (e.g., development underway, mitigation lands)
  - Compared areas likely to develop with assumptions about species habitat potential



# HCP – Estimated Effects Olympia Pocket Gopher

<b>Modeled Habitat Type</b>	<b>Total Amount of Modeled Habitat in Permit Area (acres)</b>	<b>Maximum Amount Removed by Covered Activities (acres)</b>	<b>Modeled Habitat Remaining in Permit Area Following Loss from Covered Activities (acres)</b>	<b>Percent Lost During Permit Term</b>
Occupied	1,014	277	737	27
Higher Likelihood of Occupancy	1,630	635	995	39
Lower Likelihood of Occupancy	4,360	597	3,763	14
Total	7,004	1,509	5,495	21

\*Acreages are estimates and may change prior to completion of the HCP



HCP –  
Estimated  
Effects  
Oregon Spotted  
Frog

Modeled Habitat Type	Total Modeled Habitat in Permit Area (acres)	Maximum Loss of Modeled Habitat in Permit Area (acres)	Total Habitat Remaining Following Modeled Habitat Loss from Covered Activities (acres)	Percent Lost During Permit Term
Occupied Wetlands	2,654	20	2,634	0.7

\*Acreages are estimates and may change prior to completion of the HCP



HCP –  
Estimated  
Effects  
Streaked  
Horned Lark

Modeled Habitat Type	Total Amount of Modeled Habitat in Permit Area (acres)	Maximum Amount of Modeled Habitat Lost in Permit Area (acres) <sup>a</sup>	Amount of Modeled Habitat Remaining Following Habitat Loss under HCP (acres)	Percent of Habitat Lost During Permit Term
Suitable Habitat	519	222	297	43

\*Acreages are estimates and may change prior to completion of the HCP





# HCP – Estimated Effects Oregon Vesper Sparrow

<b>Modeled Habitat Type</b>	<b>Total Amount of Modeled Habitat in Permit Area (acres)</b>	<b>Maximum Amount of Modeled Habitat Lost in Permit Area (acres)<sup>a</sup></b>	<b>Amount of Modeled Habitat Remaining Following Habitat Loss under HCP (acres)</b>	<b>Percent of Habitat Lost During Permit Term</b>
Oregon Vesper Sparrow Habitat	2,696	597	2,099	22

\*Acreages are estimates and may change prior to completion of the HCP



## HCP – Conservation Strategy

### ■ Conservation Strategy

- Designed to address ESA requirement to minimize and mitigate the impacts of the taking on the covered species to the maximum extent practicable
- Mitigation program fully offsets the taking impacts of each of the covered species that may result from covered activities



## HCP – Conservation Strategy

### ■ Conservation Strategy

- Mitigates the impacts in the effects analysis, including direct, indirect, temporary, and permanent effects
- Based on the best scientific data available at the time of its preparation
- Identifies the amount of mitigation land needed, the criteria for selecting it, and the location requirements



## HCP – Conservation Strategy

- **Conservation Strategy**
  - Creates biological goals and objectives for covered species
  - Outlines the management activities on mitigation lands that will improve habitat conditions
  - Describes a monitoring program to track progress





# HCP – Conservation Strategy – Land Acquisition Goals

## ■ Conservation Strategy

Modeled Habitat	Total Maximum Permanent Impacts	Estimated Protected Habitat for Permanent Impacts	Total Maximum Temporary Impacts	Estimated Protected Habitat for Temporary Impacts	Total Permanently Protected Habitat if Maximum Impacts Occur
Olympia pocket gopher	1,509	1,509	191	96	1,351–1,605
Oregon spotted frog	20	20	20	20	40
Streaked horned lark	222	222	45	23	150-300
Oregon vesper sparrow	597	597	45	23	620



## HCP – Monitoring and Adaptive Management

- **Monitoring and Adaptive Management**
  - Includes guidelines to develop a detailed program during the initial years of implementation to:
    1. Ensure compliance with the HCP
    2. Assess the status of covered species habitat within the Reserve System
    3. Evaluate the effects of management actions on species as the conservation strategy is implemented over time



## HCP – Implementati on

### ■ Implementation

- City and the Port's roles and responsibilities as HCP Permittees
- Covered activity application process
- Process for assembling the Reserve System and other mitigation options
- Annual compliance and reporting
- The City will be the primary responsible party for HCP implementation



## HCP – Implementati on

### ■ Implementation

- The HCP takes into account a number of uncertainties:
  1. Total amount of development that occurs
  2. Frequency of operations and maintenance activities
  3. Amount of onsite mitigation
  4. Number of project proponents who seek ESA coverage through the HCP





## HCP – Cost Centers

- **HCP Cost Centers**
  - Implementation of conservation strategy
  - Mitigation land acquisition
  - Land management, monitoring, and administration costs
  - Adaptive management
  - Funding to manage mitigation lands in perpetuity
  - Contingency funds to cover uncertainties



## HCP – Cost Centers

### ■ HCP Costs – Habitat Conversion Fee

	Average Annual Costs	Cumulative 30- Year Costs
Plan Administration	\$57,585	\$1,813,928
Conservation Land Acquisition	\$1,696,443	\$50,893,291
Land Management and Habitat Restoration	\$412,312	\$12,369,373
Monitoring and Adaptive Management	\$333,460	\$10,003,810
Olympia Pocket Gopher Research	\$20,000	\$200,000
Endowment	\$488,314	\$14,649,422
<b>Total</b>	<b>\$2,994,782</b>	<b>\$89,929,823</b>
<b><i>Total Acres Impacted</i></b>		<b><i>1,529</i></b>
<b><i>Cost Per Acre of Impact (Habitat Conversion Fee)</i></b>		<b><i>\$58,816</i></b>



## HCP – Habitat Conversion Fee

- **Habitat Conversion Fee – Timing**
  - The habitat conversion fee due at the first applicable step in the project approval process that authorizes ground disturbance, such as:
    - Grading permit issuance
    - Building permit issuance
    - Any other final action for a covered activity that authorizes an action that will result in an impact on a covered species or its habitat



## HCP – Habitat Conversion Fee

- **Habitat Conversion Fee – Timing**
  - For development projects such as parks subject to mitigation fees but not subject to future building permit issuance, the entire fee obligation associated with this acreage will be due at grading permit or improvement plan approval





## HCP – Habitat Conversion Fee

- **Habitat Conversion Fee – Timing**
  - For projects with multiple phases, the fee for each phase is due at the time of issuance of grading permits, improvement plans, or building permits
  - Infrastructure improvements serving more than one phase on multi-phase projects will pay fees at grading permit issuance or improvement plan approval regardless of the number of future phases served by the infrastructure



## ■ Habitat Conversion Fee – Examples

- Any project (residential, commercial, institutional, or industrial) disturbing 10 acres of habitat:

10 acres X \$58,816 (Habitat Conversion Fee) per acre =  
\$588,160 in Habitat Conversion Fees

HCP –  
Habitat  
Conversion  
Fee



## HCP – Habitat Conversion Fee

### ■ Habitat Conversion Fee – Examples

- Adding a 20 foot by 30 foot patio to a backyard of an existing house disturbing habitat:

20 feet X 30 feet = 600 square feet

600 square feet / 43,560 square feet = 0.014 acres

0.014 acres X \$58,816 (Habitat Conversion Fee) per acre =  
\$823.42 in Habitat Conversion Fees



## ■ Habitat Conversion Fee – Examples

- Any project not disturbing habitat

No Habitat Conversion Fee

HCP –  
Habitat  
Conversion  
Fee



## Public Engagement

- **Stakeholder Meetings**
  - Five stakeholder meetings to date, #6 in March and #7 in April
  - Numerous meetings with small groups of stakeholders
  - Special coordination with WDFW and FAA





- **Community Meetings**
  - First meeting in November 14, 2019
  - Second meeting planned for later in 2023

Public  
Engagement



## NEPA/SEPA Review

- **NEPA/SEPA Review Process**
  - Notice of Intent
  - Public Scoping
  - Public Review and Comment
  - National Environmental Policy Act (NEPA) and State Environmental Policy Act (SEPA) can be completed concurrently
  - NEPA and SEPA may be accomplished using a single document or separate documents



## HCP – Timeline 2023

- **2023 HCP Activities**
  - March 6, 2023: City issued a working draft of the HCP to USFWS, WDFW, and the project stakeholder group
  - March 17, 2023: Stakeholder Meeting #6
  - April 21, 2023: Stakeholder Meeting #7
  - More than once a month meetings with USFWS continuing during the year



## ■ What is Next

- **Complete HCP:** Public Draft expected late summer 2023, Final HCP and approvals 2024
- **SEPA/NEPA Review:** Expected to start in 2023

HCP –  
Timeline  
2023/24



- **Questions and Discussion**
- **Project Website:**  
<http://www.bushprairiehcp.org/>

Questions