

Bush Prairie Habitat Conservation Plan



Habitat Conservation Plan 101

City Council Worksession, January 25, 2022



Agenda

- **Habitat and Protected Species**
- **Endangered Species Act Listing**
- **Need for Habitat Conservation Plan**
- **Overview of 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

- **Mazama Pocket Gopher**
 - Endangered Species Act listing in 2014
 - Most widespread of 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 UGA
- Oregon spotted frog habitat in City
- Many activities occur in the City and on Port property potentially impact gophers and other species
- Permits are needed for those projects
- City and Port ILA 2016



- **ESA Listing**
 - “Take” of animals or habitat requires a complex, costly, slow USFWS process
 - 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 funds received in 2016 (Phase 1) and 2018 (Phase 2) to support the completion of an HCP
- Matched by City and Port funds
- Section 6 grant funds from the U.S. Fish and Wildlife Service, but administered by the Washington Department of Fish and Wildlife
- Work began under the Phase 1 grant in June 2016 and under Phase 2 in October 2018



Covered Species	Federal Listing Status	State Listing Status
Olympia pocket gopher	Threatened	Threatened
Oregon spotted frog	Threatened	Endangered
Oregon vesper sparrow	Under Review	Species of Concern
Streaked horned lark	Threatened	Endangered



HCP – Covered Species

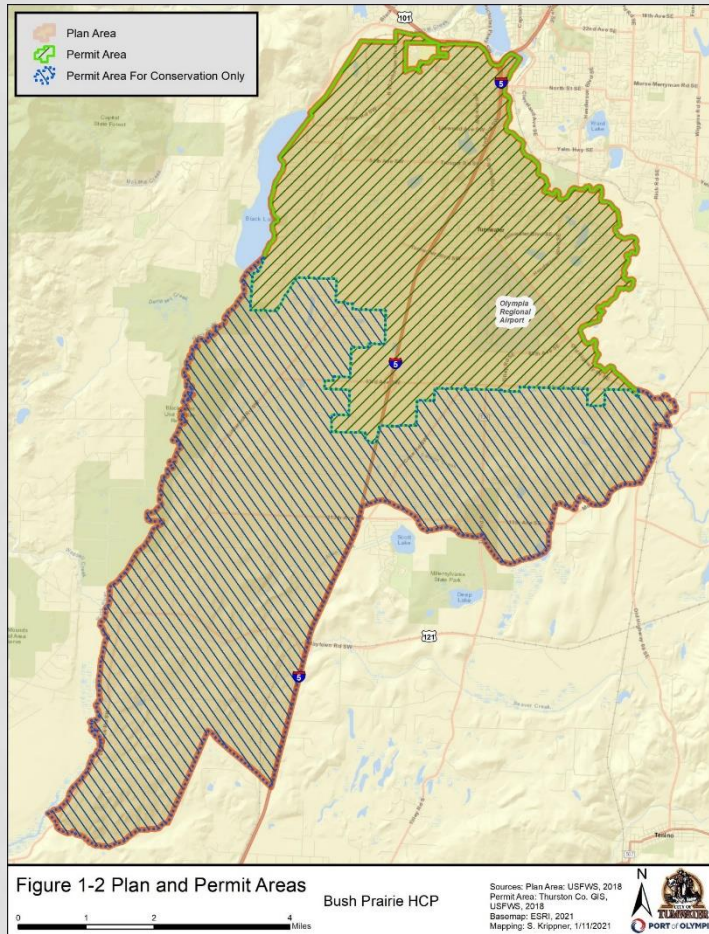


- **Permit Area**
 - Covers City and Port Controlled Lands
- **Term**
 - 30-year Term

**HCP – Permit
Area and Term**



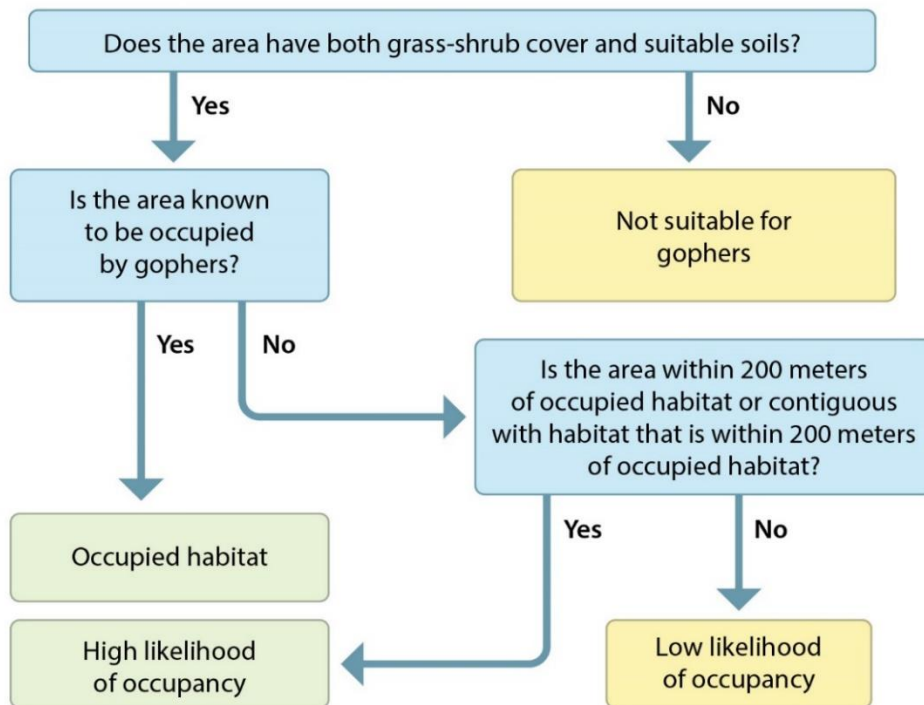
HCP – Permit & Plan Areas



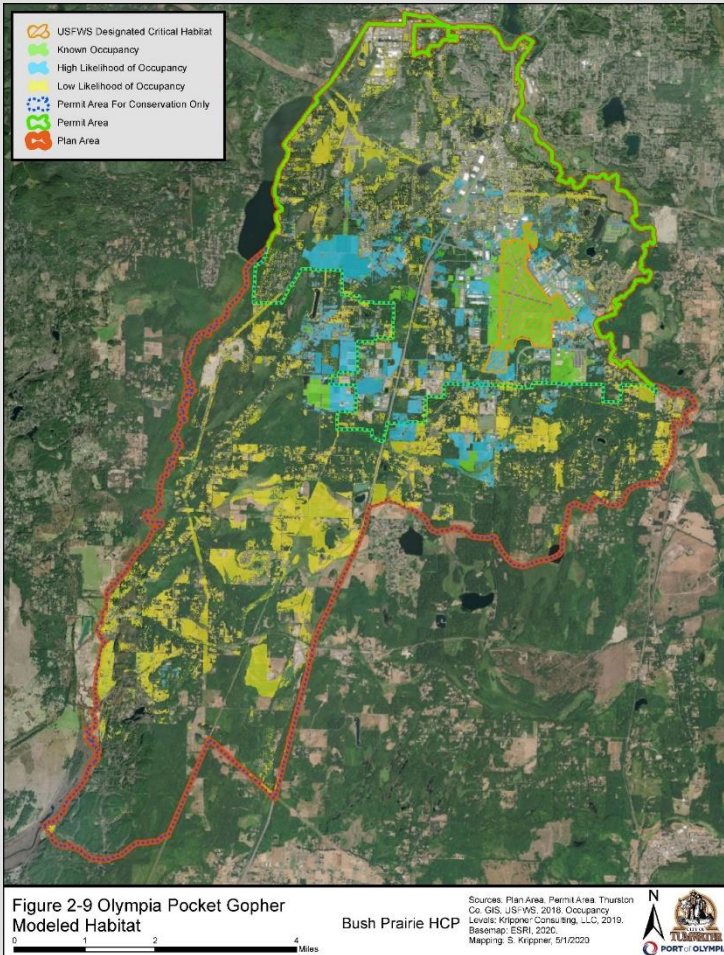
- **Permit Area**
City of Tumwater
urban growth
area, west of the
Deschutes River
- **Plan Area**
Olympia pocket
gopher range



■ Olympia Pocket Gopher Model



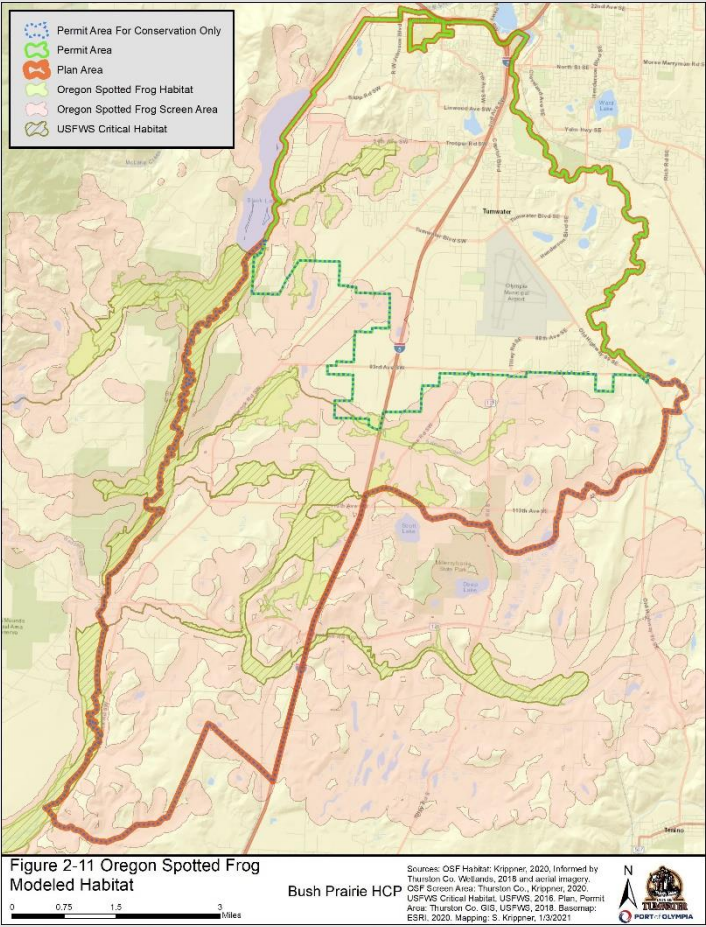
HCP –
Habitat
Models



HCP — Olympia Pocket Gopher Habitat

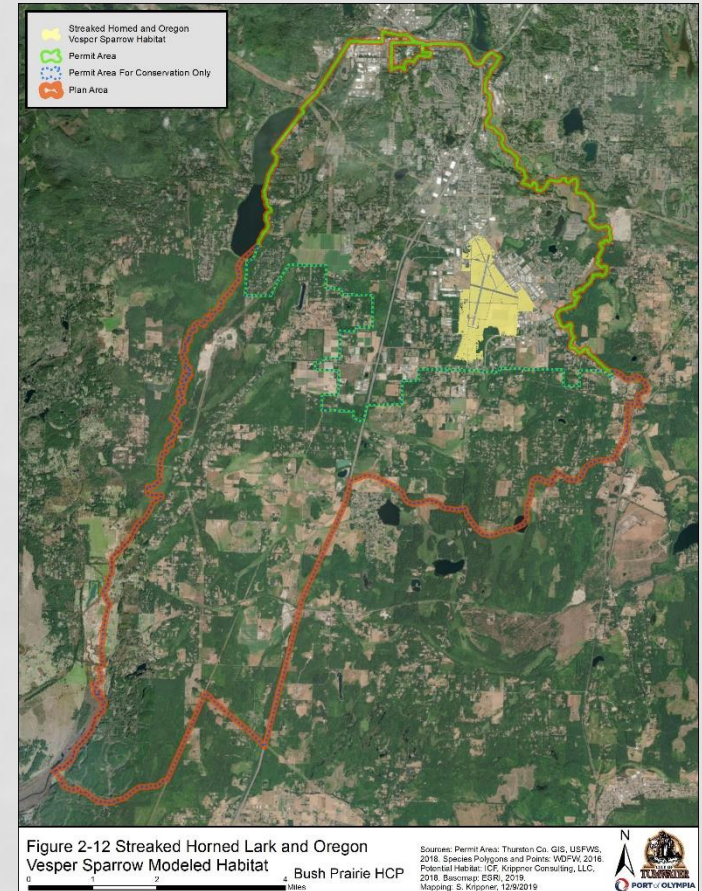


HCP – Oregon Spotted Frog Habitat





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



HCP – Lark and 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

Modeled Habitat Type	Total Amount of Modeled Habitat in Permit Area (acres)	Proportion of Habitat in Permit Area	Maximum Amount Removed by Covered Activities (acres)	Modeled Habitat Remaining in Permit Area Following Loss from Covered Activities (acres)	Percent Lost During Permit Term
Occupied	1,014	2%	277	737	27
Higher Likelihood of Occupancy	1,630	4%	635	995	39
Lower Likelihood of Occupancy	4,360	10%	597	3,763	14
Total	7,004	16%	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/Oregon
Vesper Sparrow**

Modeled Habitat Type	Total Amount of Modeled Habitat in Permit Area (acres)	Maximum Amount of Modeled Habitat Lost in Permit Area (acres) ^a	Amount of Modeled Habitat Remaining Following Habitat Loss under HCP (acres)	Percent of Habitat Lost During Permit Term
Suitable Habitat	814	345	469	42

*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



■ Conservation Strategy

Modeled Habitat	Total Maximum Permanent Impacts	Mitigation Ratio for Permanent Impacts	Estimated Protected Habitat for Permanent Impacts	Total Maximum Temporary Impacts	Mitigation Ratio for Temporary Impacts	Estimated Protected Habitat for Temporary Impacts	Total Permanently Protected Habitat if Maximum Impacts Occur
Olympia pocket gopher	1,509	1:1	1,509	191	0.5:1	96	1,351–1,605
Oregon spotted frog	20	1:1	20	20	1:1	20	40
Streaked horned lark	345	1:1	345	45	0.5:1	23	368
Oregon vesper sparrow	537	1:1	537	45	0.5:1	23	560

HCP – Conservation Strategy – Land Acquisition Goals



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 – Implementation

- **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 – Implementation

■ 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 Costs – Habitat Conversion Fee

	Average Annual Costs	Cumulative 30-Year Costs
Plan Administration	\$55,000	\$1,732,500
Conservation Land Acquisition	\$1,561,636	\$46,849,076
Land Management and Habitat Restoration	\$317,117	\$9,513,507
Monitoring and Adaptive Management	\$267,916	\$8,037,487
Olympia Pocket Gopher Research	\$20,000	\$200,000
Endowment	\$406,765	\$12,202,935
Total	\$2,615,100	\$78,535,505
<i>Total Acres Impacted</i>		<i>1,529</i>
<i>Cost Per Acre of Impact (Habitat Conversion Fee)</i>		<i>\$51,364</i>

HCP – Cost Centers



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



HCP – Habitat Conversion Fee

- **Habitat Conversion Fee – Examples**
 - Any project (residential, commercial, institutional, or industrial) disturbing 10 acres of habitat:

10 acres X \$51,364 (Habitat Conversion Fee) per acre =
\$513,640 in Habitat Conversion Fees



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 \$51,364 (Habitat Conversion Fee) per acre =
\$707.49 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**
 - Three full stakeholder meetings to date, several more planned
 - Numerous meetings with small groups of stakeholders
 - Special coordination with WDFW and FAA

- **Community Meetings**
 - November 14, 2019
 - Second Meeting planned for 2022



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 2021

- **2021 HCP Activities**
 - **January 15, 2021:** Submitted first Administrative Draft HCP to USFWS
 - **July 12, 2021:** Held workshop with USFWS
 - **November 12, 2021:** Submitted second Administrative Draft HCP to USFWS and WDFW
 - Held ten USFWS meetings and one WDFW meeting during the year



- **2022-23 HCP Activities**
 - **Complete HCP:** Public Draft expected late summer 2022, Final HCP and approvals 2023
 - **Prepare EIS:** Scoping meeting in spring 2022 with draft EIS expected in 2022 and completed in 2023

**HCP –
Timeline
2022/23**



■ What's Next

- USFWS and WDFW completes review of Administrative Draft of the HCP
- HCP Administrative Draft made available to the public
- Next stakeholder meeting early-2022
- Start of the NEPA/SEPA scoping and review process

What's Next



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

Questions