



ECCC HCP/NCCP

Conserving Natural Lands and Sustaining Economic Development



▶▶▶ The Final East Contra Costa County Habitat Conservation Plan/ Natural Community Conservation Plan

An Introduction

East Contra Costa County Habitat Conservation Plan Association

City of Brentwood · City of Clayton · City of Oakley · City of Pittsburg
Contra Costa County · Contra Costa Water District · East Bay Regional Park District

October 2006

Introduction

Eastern Contra Costa County is a unique region where the Bay Area, Delta, and Central Valley meet. This part of the county is characterized by open space and beautiful vistas. The area retains a rural lifestyle while providing houses, jobs, farms, and ranches for future generations. It features a rich landscape that is home to a number of rare plants and animals. Over 150 rare species occur in the East County area, including the San Joaquin kit fox, California red-legged frog, Alameda whipsnake, western burrowing owl, vernal pool fairy shrimp, and Diablo helianthella.

Located east of San Francisco, the area's convenient location, natural beauty, and mild climate have led to rapid population growth. Contra Costa County's population is predicted to grow by 127,000 people by 2025, providing important new housing for the Bay Area's growing workforce. A significant portion of this growth will occur in East County in habitat for endangered species, setting up a potential conflict between conservation and economic development. The Final East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) seeks to avoid such conflict, providing an opportunity to preserve these diverse ecosystems, unique species, and scenic landscapes while clearing regulatory obstacles to continued economic development and growth.

This booklet provides an introduction to the Final East Contra Costa County HCP/NCCP, which covers about 175,000 acres in the East County (see map below). For more information on this complex and ambitious plan, including the full text of the plan documents, go to www.cocohcp.org or contact staff (see back cover).

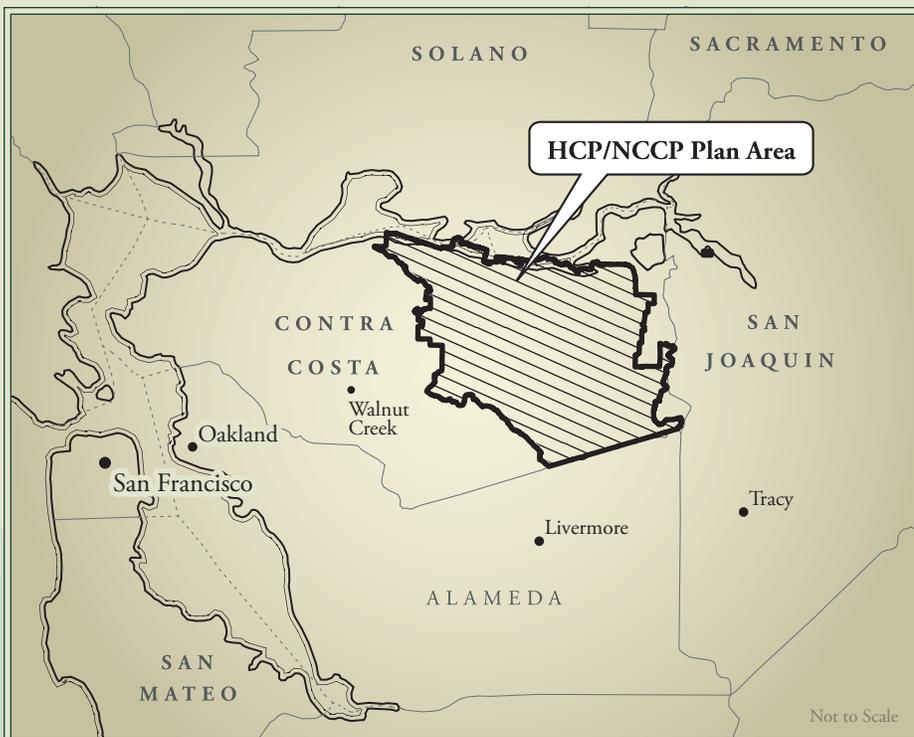
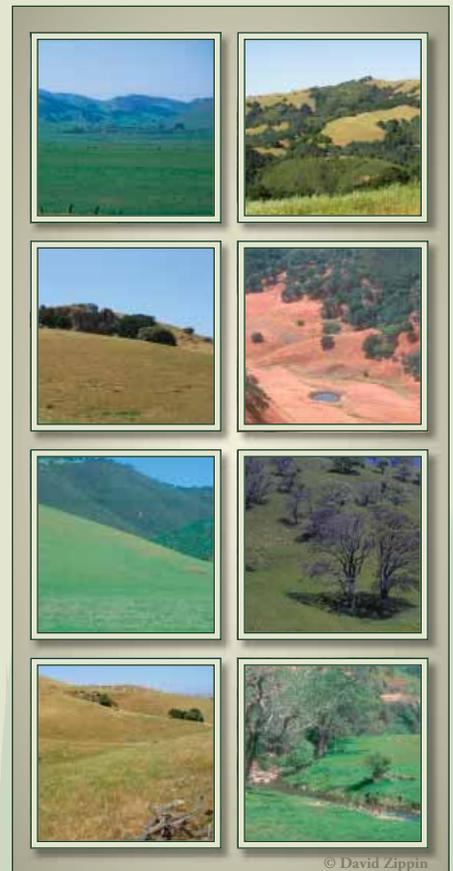


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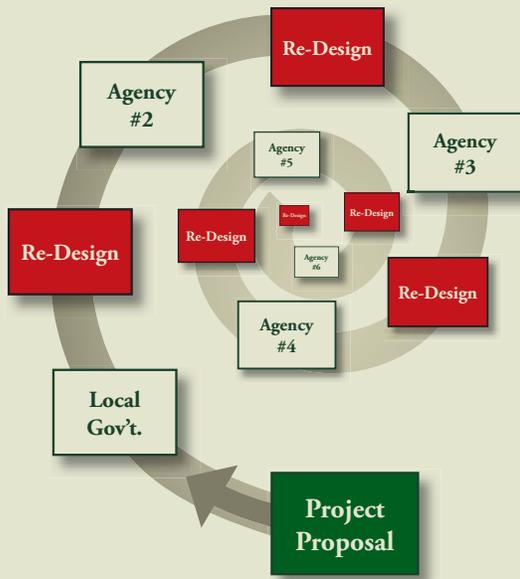
The East Contra Costa County HCP/NCCP proposes to acquire and preserve a mosaic of natural communities in East County, including grassland, oak woodland, chaparral, streams, and wetlands.



The Problem

The current process of obtaining development permits and implementing habitat mitigation is inefficient and can be ineffective. Project proponents need approvals from many agencies, resulting in major delays, uncertainty, and significant costs. Some projects spiral out of control (see diagram below). Project-by-project compliance with wetland and species regulations is not always best for the resources, emphasizing species surveys while lacking a means to effectively coordinate the avoidance and mitigation requirements of distinct projects.

Inefficient Permitting



Long and Uncertain Process

Ineffective Mitigation



Uncoordinated and Small-Scale Mitigation

Expected Benefits of the HCP/NCCP

To Residents

Protection of open space, enhancement of recreational opportunities, preservation of scenic landscapes and natural heritage.

To the Environment

Protection and enhancement of 23,800 to 30,300 acres of open space to preserve species, habitats, and natural systems.

To Business/Development

Streamlined endangered species and wetland compliance; greater regulatory and economic certainty.

To Rural Landowners

Expanded market for willing sellers of land in eastern Contra Costa County.

To Local Governments

More local control; permits for crucial infrastructure.

The Proposed Solution

The Final HCP/NCCP proposes a coordinated, regional approach to conservation and regulation. It would replace the current process of project-by-project permitting and fragmented mitigation, and would benefit conservation, agencies, and project proponents alike.



Mt. Diablo Buckwheat was thought to be extinct since 1936. It was rediscovered on Mt. Diablo in 2005.

© Scott Hein

Goals of the Plan

Purchase, restore, and permanently protect large, interconnected and biologically rich blocks of habitat. The HCP/NCCP will pool public and private funding to acquire land and restore natural resources. The plan will also help to ensure that conservation acquisitions are guided by sound science, development avoids the best resources in the area, habitat connectivity and wildlife corridors are maintained, and watershed and ecosystem functions (not just individual wetlands and species) are protected.

Redirect money away from the process of permitting and toward the protection of resources. Rather than spending limited funds to incrementally assess, negotiate, and argue mitigation requirements, applicants' funds can be put to more constructive uses, such as acquiring land and restoring habitat and hydrologic functions.

Improve regulatory certainty and permitting efficiency for regulators and applicants. The HCP/NCCP provides permits for 30 years. This gives the development community certainty about what will be required by federal, state, and local governments. At the same time, the HCP/NCCP will make the regulatory process more efficient for project proponents and regulatory agencies.

Provide fair compensation to willing landowners for permanent protection of resources on their land. The HCP/NCCP will buy fee title or conservation easements from willing sellers to create the preserve system. This expands the market for rural land and provides landowners with more economic options.

Plan Overview

The East Contra Costa County Habitat Conservation Plan Association has developed an HCP/NCCP (Plan) that will provide regional conservation and development guidelines to protect natural resources while improving and streamlining the permit process for endangered species and wetland regulations.

The Plan was developed by a team of scientists and planners with input from independent panels of science reviewers and stakeholders. Within the 174,018 acre inventory area, the Plan will provide permits for between 8,670 and 11,853 acres of development and will permit impacts on an additional 1,126 acres from rural infrastructure projects. The Preserve System to be acquired under the Plan will encompass 23,800 to 30,300 acres of land that will be managed for the benefit of 28 species as well as the natural communities that they, and hundreds of other species, depend upon. By proactively addressing the long-term conservation needs, the Plan strengthens local control over land use and provides greater flexibility in meeting other needs such as housing, transportation, and economic growth in the area.

Definitions

HCP - A Habitat Conservation Plan is prepared to satisfy the federal Endangered Species Act and to receive a permit from the U.S. Fish and Wildlife Service authorizing impacts on threatened and endangered species.

NCCP - A Natural Community Conservation Plan is prepared to satisfy the state Natural Community Conservation Planning Act and to receive a permit from the California Department of Fish and Game authorizing impacts on threatened and endangered species.

EIR/EIS - The Environmental Impact Report is prepared to satisfy the California Environmental Quality Act. The Environmental Impact Statement satisfies the National Environmental Policy Act.

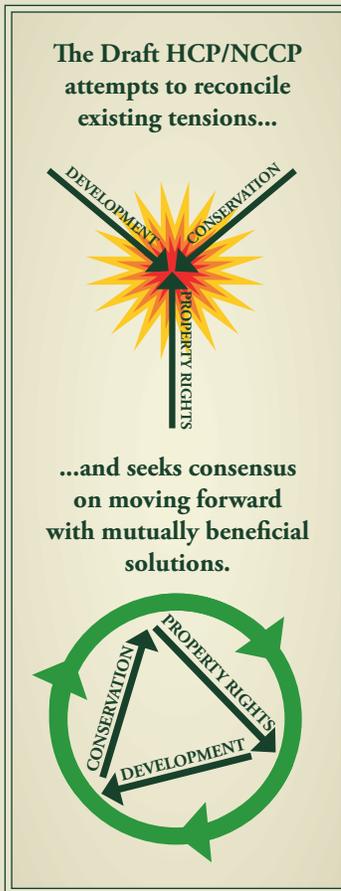




Planning Process

Preparation of the HCP/NCCP began in October 2001. However, a significant amount of prior work laid the foundation for the planning process. The East Contra Costa Pilot Study of the Alameda–Contra Costa Biodiversity Working Group led to a stakeholder consensus process in 1997 on conservation planning. Soon thereafter, the U.S Fish and Wildlife Service and California Department of Fish and Game (wildlife agencies) began meeting with the local agencies to discuss the possibility of a regional conservation plan for eastern Contra Costa County to address species-development conflicts and as a condition of future water deliveries. In 2000, the East Contra Costa County Habitat Conservation Plan Association (HCPA) was formed. It includes the Cities of Brentwood, Clayton, Oakley, and Pittsburg; the Contra Costa Water District; the East Bay Regional Park District (EBRPD); and the County.

The Plan is being prepared with the active participation of landowners; agriculturalists; homebuilders; local, state, and federal governments; environmental groups; and business interests. These interests help guide the planning process through a committee called the Coordination Group. Since its beginning in 2002, the group has pursued consensus as a critical component of developing a Plan that can be approved and implemented. The Plan attempts to unite often competing interests around a more effective and efficient approach to regulating and conserving natural resources.



HCP/NCCP By the Numbers

- Size of Planning Area:** 174,018 acres
- Number of Covered Species:** 28
- Highest Point in Study Area:** 3,849 feet (Mt. Diablo)
- Term of Regional Permits:** 30 years
- Permit Holders:** 7 (Cities of Brentwood, Clayton, Oakley, and Pittsburg; Contra Costa County Flood Control and Water Conservation District; EBRPD; and the County)
- Amount of Development Impact Permitted:** 9,796–13,029 acres
- Amount of Land to be Protected:** 23,800–30,300 acres
- Number of Pages:** 2,125
- Weight of Documents:** 14.3 lbs.
- Number of Meetings Held:** 255

June 2005

Draft HCP/NCCP and Draft EIR/EIS released

October 2005

Public meetings on Draft HCP/NCCP & Draft EIR/EIS

December 2005

Comment deadline for Draft documents

October 2006

Final HCP/NCCP and Final EIR/EIS released

Nov/Dec 2006

The HCPA to consider adopting the EIR/EIS and recommending HCP/NCCP; city councils, County Board of Supervisors and EBRPD Board to consider adopting HCP/NCCP

Early 2007

DFG and USFWS issue permits; implementation of ECCC HCP/NCCP begins if approved

April 2002

1st monthly meeting of HCPA Coordination Group (stakeholders)

May 2002

1st of 4 Science Advisory Panel meetings

June 2002

Preliminary Draft Resources Inventory

January 2003

Preliminary Draft Conservation Strategy and Impact Analysis

October 2003

NCCP Planning Agreement is adopted

November 2003

Preliminary Working Draft HCP/NCCP

October 2004

Draft Aquatic Resources Inventory, Draft Regional Permit Program for Impacts on Aquatic Resources

November 2004

Interagency white paper released on coordinating species and wetland mitigation

Conservation

Conservation Objectives

East Contra Costa County supports numerous rare and sensitive species and the natural habitats in which they live. Under the HCP/NCCP, conservation acquisitions will focus on preserving links between existing public lands and protecting wildlife corridors. One objective of the plan will be the protection of a movement corridor for San Joaquin kit fox. In addition, numerous other plants and animals will be preserved and enhanced by the Plan. For example, this plan would protect species such as Alamada whipsnake, a snake with a significant portion of its range within the plan area.

Assembling the Preserve System will require land acquisition from willing sellers in areas that will complement existing public land and that provide important habitat values. As the Preserve System grows it will be managed comprehensively for the benefit of species with a focus on restoration and enhancement of natural communities. The end result will be a Preserve System of between 23,800 and 30,300 acres supporting vernal pools, native grasslands, oak woodland and savanna, streams, chaparral, and other diverse landscapes.



San Joaquin Kit Fox



Recurved Larkspur

© Dan Wm. Taylor



Golden Eagle

© Gerald and Huff Corsi



San Joaquin Sparscale

© Robert E. Preston, Ph.D.



California Red-Legged Frog



Vernal Pool Tadpole Shrimp



Brittlescale

© Robert E. Preston, Ph.D.



Western Burrowing Owl

© Brad Widdowson



Western Pond Turtle

© Pierre Fidena



Diablo Helianthella

© Charles Webber

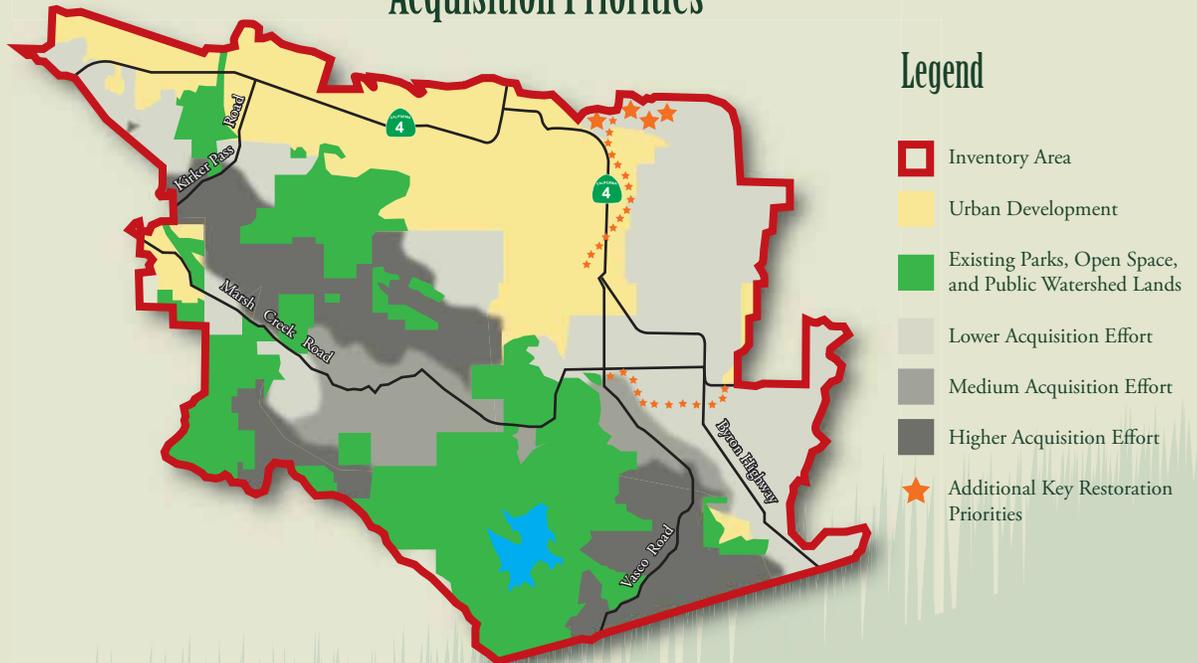


Townsend's Western Big-Eared Bat



Giant Garter Snake

Acquisition Priorities



Objectives



Preserve System

In addition to its primary role of protecting species and their habitats, the Preserve System would also support activities such as recreation, livestock grazing and, to a lesser degree, cultivated agriculture. Recreation within the Preserve System would include opportunities for hikers, cyclists, and equestrians. Land acquisition will expand and complement existing protected areas and connect to existing parks such as Mt. Diablo State Park, Black Diamond Mines Regional Preserve, and Morgan Territory Regional Preserve.

Natural habitats will be improved through restoration. Native grasses, chaparral, and riparian areas will be enhanced. Restoration projects are planned along Marsh Creek and will be coordinated with local parks and the Marsh Creek Trail. These activities will complement other resource conservation efforts including the protection of open space, viewsheds, water quality, and the natural beauty of the East County landscape.



Tricolored Blackbird

© James Callagher



Vernal Pool Fairy Shrimp



Brewer's Dwarf Flax



California Tiger Salamander



Mount Diablo Fairy-Lantern

© Robert Potts



Silvery Legless Lizard

© William Flaxington

Conservation Biology 101

The science of conservation biology has important principles that were used to design the proposed HCP/NCCP preserve system. Examples of these principles are represented below.

	Larger is Better	Connectivity	Minimize Edge	Fewer, Larger
Better				
Worse				

Monitoring, Research, and Management

The HCP/NCCP contains detailed guidelines and recommendations for management, enhancement, and restoration of habitats and landscapes throughout East County. The Plan also contains a framework and guidelines to develop a detailed monitoring and adaptive management program during the early years of implementation. This “knowledge-based” management is critical to the success of the Plan and to maintaining and enhancing the species it is trying to preserve.

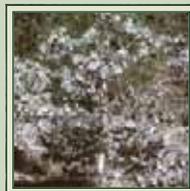


Showy Madia

© Dawn Wm. Taylor



Foothill Yellow-Legged Frog



Mount Diablo Manzanita

© California Native Plant Society



Alameda Whipsnake

© Gary Nafis



Swainson's Hawk



Big Tarplant

© John Game

Project Approvals

The HCP/NCCP will provide streamlined permits from the U.S. Fish and Wildlife Service and California Department of Fish and Game that will allow project proponents to get their endangered species approvals at the local planning counter. The same permits can also be used for public infrastructure projects throughout eastern Contra Costa County. These permits will facilitate construction of new homes and businesses in Contra Costa County as well as needed road projects and other public infrastructure. Local agencies are pursuing similar regional permits for wetland impacts (see sidebar).

Development of New Homes and Businesses

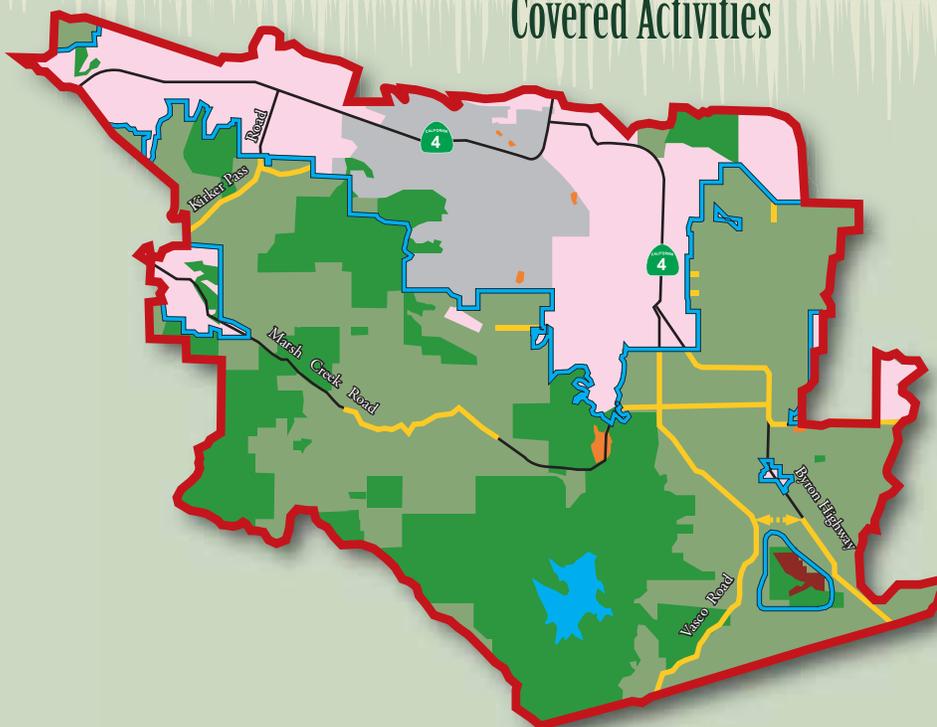
The Plan is designed primarily to streamline approvals for the future growth of the cities of Clayton, Pittsburg, Brentwood and Oakley, and unincorporated communities in the County such as Bay Point and Byron. Up to 11,853 acres of new urban development projects can obtain their endangered species permits under the Plan.

Public Infrastructure

A variety of public infrastructure projects would benefit from the Plan; these include roads, flood protection projects, schools, neighborhood parks, and recreational trails (up to 1,126 acres in total). Specific rural transportation projects would receive permits under the Plan: the Buchanan Bypass, Byron Highway widening, and Vasco Road widening. Providing streamlined endangered species approvals for these needed projects would help accelerate congestion relief and support the continued economic development of the region.



Covered Activities



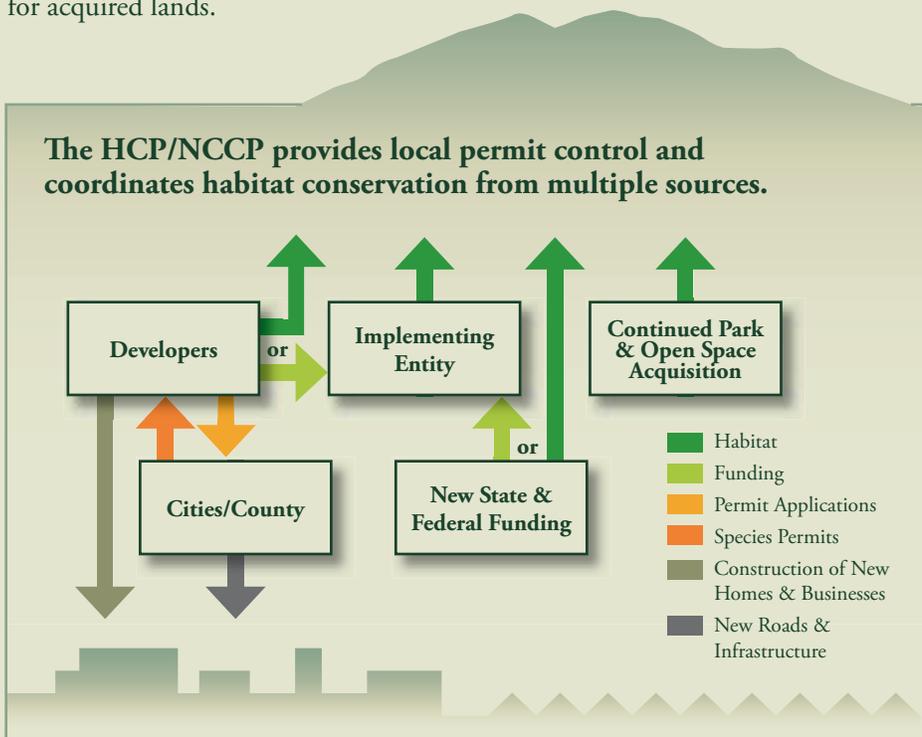
Legend

- ▬ Inventory Area
- ▬ Urban Limit Line
- Covered Activities**
- Initial Urban Development Area
- Detention Basins
- Byron Airport Expansion
- ▬ Covered Transportation Projects
- Land Use Designations**
- Agricultural and Other Rural Land Uses
- Parks, Public Watershed Lands, and Protected Open Space
- City of Antioch - Not Covered



How the Plan Will Work

By developing a plan that addresses natural resource issues comprehensively and proactively, local agencies would increase their control over local land use issues and benefit species and project proponents alike. Rather than individually surveying, negotiating, and securing mitigation, project proponents will receive their endangered species permits by paying a single fee (and/or dedicating land), conducting limited surveys, and adhering to limited protocols to avoid and minimize impacts during construction. The fees would be collected by the Plan's Implementing Entity, combined with grants and other funding sources, and used to purchase habitat lands or easements from willing sellers. These funding sources would also pay for monitoring, habitat enhancement, and management for acquired lands.



Flexible Permit Area

The Plan was developed to be flexible and to respond to future development plans of local governments. The plan initially covers 8,900 acres of development within the current Urban Limit Line (ULL) and city limits. If the ULL or city limits shrink or grow, the Plan will provide permits for that growth as long as it does not conflict with the conservation strategy. The plan provides permits for up to 11,853 acres of new urban development.

Wetland Permitting

The local agencies developing this HCP/NCCP are also pursuing similar regional permits for wetland impacts under the federal Clean Water Act and state wetland and stream regulations. The goal is to coordinate wetland and species requirements so that fee payments and other conservation actions provide multiple permits. Discussions have been ongoing with the U.S. Army Corps of Engineers, the State and Regional Water Boards, the U.S. Environmental Protection Agency, and the California Department of Fish and Game. Coordinated and streamlined wetland permits and permit programs are expected in 2007.



© Scott Hein

A goal of the HCPA's planning efforts is to coordinate wetland and species conservation so that fee payments and other conservation actions provide multiple permits.

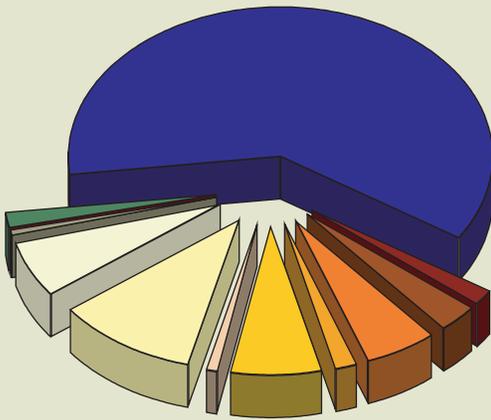
Cost and Funding

Costs of Implementing Plan

The cost of implementing the HCP/NCCP during the 30-year permit term is estimated at up to \$350 million. This includes the cost of land acquisition (about 2/3 of Plan costs), Plan administration, habitat management, habitat restoration, biological monitoring, and remedial measures during the permit term. The proportion of costs are shown below.

Legend

- Land Costs - 63%
- Site Improvements - 2%
- Land Acquisition Operation Costs (due diligence, surveys) - 3%
- Program Administration - 5%
- Planning and Design - 2%
- Habitat Restoration/Creation - 7%
- Environmental Compliance - 1%
- Preserve Management & Maintenance - 10%
- Monitoring, Research, and Adaptive Management - 6%
- Remedial Measures - 1%
- Contingency Fund - 2%

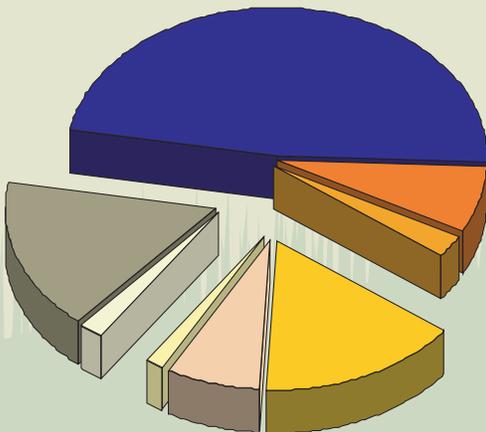


Funding to Implement Plan

Funding to implement the Plan will come from a variety of public and private sources. An important source of funding will be fees on private development and public infrastructure projects that receive permit coverage under the Plan. Non-fee public funding will either come from continued investment by local, state, and federal programs already funding conservation in this area, or from existing state and federal sources reserved for areas with an approved HCP/NCCP. The Plan will not increase local taxes and will allow local agencies to receive state and federal funding that would otherwise pass the area by.

Legend

- Fees on New Development in Urban Development Area - 48%
- Wetland Impact Fees - 7%
- Fees on Rural Infrastructure - 3%
- Maintenance of Existing Conservation Effort (Local) - 16%
- Maintenance of Existing Conservation Effort (State) - 7%
- Maintenance of Existing Conservation Effort (Federal) - 1%
- Byron Airport Clear Zone Acquisitions (Federal) - 2%
- New Wildlife Agency Funds - 16%



Funding Principles

Make Best Use of Existing Resources. The Plan will rely on existing public funding sources and will coordinate the mitigation expenditures of new development and infrastructure.

Developers Pay Their Fair Share. The costs of implementing the Plan were allocated between future development and the public based on the premise that the costs to future development should be in proportion to the impacts caused by future development.

Access New State and Federal Funds. New sources of funding earmarked specifically for approved HCPs and NCCPs could be available once the Plan is approved.

Cost-Share with State and Federal Government. State and federal agencies will be contributing approximately \$55 million of new funds to help implement the Plan and make it successful.



Implementation

A new organization would be created to oversee assembly and operation of the HCP/NCCP Preserve System and ensure compliance with all terms of the HCP/NCCP, permits, and Implementing Agreement. This Implementing Entity will be called the East Contra Costa County Habitat Conservancy (Conservancy) and will be run by a Governing Board of representatives from the cities and the County and an Executive Director. The Conservancy will be advised by representatives of the wildlife agencies, local land management agencies, a pool of Science Advisors, and a public advisory committee. The Conservancy may partner with existing agencies and organizations to conduct a significant portion of its responsibilities.

Partnerships

Partnerships with other organizations and agencies will be critical to the success of the HCP/NCCP during implementation. For example, groups such as East Bay Regional Park District and land trusts already acquire conservation land in the area, and are expected to continue to do so in the future. The Conservancy will partner with these groups to purchase additional land from willing sellers to assemble the HCP/NCCP Preserve System. Partnerships will also be important for land management and monitoring. The Conservancy may contract with existing organizations or others to undertake land management tasks such as fence repair, overseeing livestock grazing, and road maintenance. Highly technical tasks such as species monitoring may also be contracted out. Land management and monitoring already take place on existing public lands in the area. The Conservancy will closely coordinate with these projects to ensure consistent techniques and to save money.



© Richard Fateman

Key Implementation Components

Use Existing Experience.

The Conservancy will rely heavily on the experience of existing land management organizations in the study area such as East Bay Regional Park District, California Department of Parks and Recreation, Contra Costa Water District, and local land trusts.

Scientific Review.

A pool of Scientific Advisors will be assembled to assist the Conservancy design monitoring protocols, develop management prescriptions, and review monitoring data. These advisors will help ensure that the Plan is implemented using the best available scientific data and techniques.

Encourage Public Involvement.

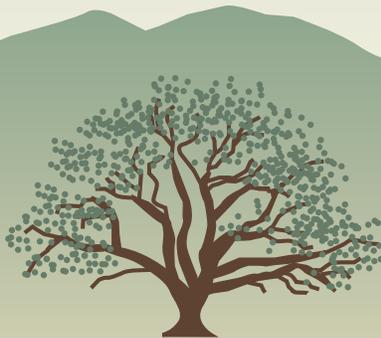
The public will be instrumental in making this HCP/NCCP a success during implementation. There will be opportunities to participate through periodic public meetings, a public advisory committee, and volunteering within the HCP/NCCP preserves.

The development of the HCP/NCCP has been overseen by an Executive Governing Committee consisting of the following individuals:

Elizabeth Anello	<i>Contra Costa Water District Board of Directors</i>
Bette Boatman	<i>Contra Costa Water District Board of Directors</i>
Will Casey	<i>City of Pittsburg City Council</i>
Bruce Connelley	<i>City of Oakley City Council</i>
Federal Glover	<i>Contra Costa County Board of Supervisors</i>
Ana Gutierrez	<i>City of Brentwood City Council (Vice Chair)</i>
Ben Johnson	<i>City of Pittsburg City Council</i>
Beverly Lane	<i>East Bay Regional Park District Board of Directors</i>
Gregg Manning	<i>City of Clayton City Council (Chair)</i>
Mary Piepho	<i>Contra Costa County Board of Supervisors (Secretary)</i>
Ted Radke	<i>East Bay Regional Park District Board of Directors</i>
David Shuey	<i>City of Clayton City Council</i>

The following individuals contributed to the development of this overview and to the Final HCP/NCCP as participants in the Coordination Group of the East Contra Costa County Habitat Conservation Plan Association:

Seth Adams	<i>Save Mount Diablo</i>
Chris Barton	<i>City of Pittsburg</i>
Tom Bloomfield and Carol Arnold	<i>Contra Costa Resource Conservation District</i>
Paul Campos and Bob Glover	<i>Home Builders Association of Northern California</i>
Gloria Cannon	<i>Mt. Diablo Audubon</i>
Mike Daley	<i>Sierra Club Bay Chapter</i>
Abigail Fateman and John Kopchik	<i>CCC Community Development Department</i>
Janice Gan and Carl Wilcox	<i>California Dept of Fish & Game</i>
Fran Garland	<i>Contra Costa Water District</i>
Rebecca Willis	<i>City of Oakley</i>
Jeremy Graves	<i>City of Clayton</i>
Jim Gwerder and Donna Vingo	<i>CCC Citizens Land Alliance</i>
Sheila Larsen	<i>U.S. Fish & Wildlife Service</i>
Kathy Leighton	<i>Byron MAC</i>
Suzanne Marr	<i>U.S. Environmental Protection Agency</i>
Brad Olson and Beth Stone	<i>East Bay Regional Park District</i>
David Reid	<i>Greenbelt Alliance</i>
Winston Rhodes	<i>City of Brentwood</i>
Cece Sellgren	<i>CCC Public Works Department</i>
Ethan Veneklasen, Bradley Brownlow, and Clark Morrison	<i>Contra Costa Council</i>
Dick Vrmeer, Jessica Olson, and Lech Naumovich	<i>California Native Plant Society</i>
Mike Vukelich and Dee Munk	<i>Contra Costa County Farm Bureau</i>



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