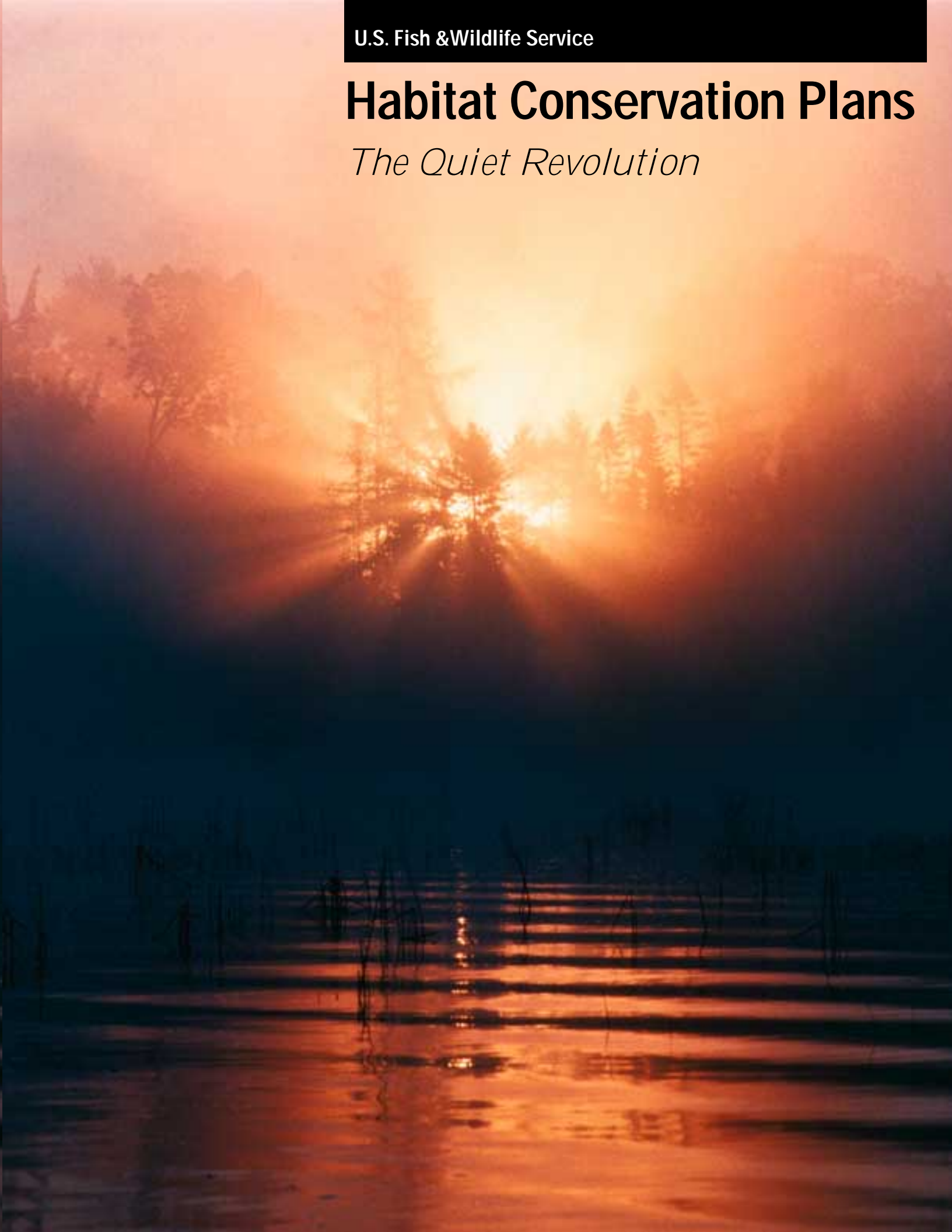


U.S. Fish & Wildlife Service

# Habitat Conservation Plans

*The Quiet Revolution*



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*Bruce Babbitt, Secretary of the Interior.  
Tami A. Heilemann/DOI*

Someone sent me a bumper sticker not long ago, produced by a religious organization in California. Like most bumper stickers, it was pretty direct: "God Made It. We Tend It. That Settles It."

Tough to argue with, I might add.

The sentiment expressed in that bumper sticker struck me in a couple of ways. First, I believe we do have an obligation to tend creation, and part of that obligation is tending it in a way that affirms that people are part of the mix. Second, tending a healthy environment is tending our own health and safety.

There is plenty of space in our communities to have robust development, to create jobs, and to protect wild areas. In the long run, many communities have found that a beautiful, healthy environment is even more attractive to new businesses. People have found that Habitat Conservation Plans (HCPs) help them preserve a "sense of place." They are not an I-win-at-your-expense sort of thing. With HCPs, everybody wins.

What we're really talking about here is common sense. Someone has a plan to make some money, create some jobs, to develop something people and our country really need. Fair enough. Let's sit down and see if we can work out a plan that enables the project to go ahead in a way that also protects some animals that may be in trouble. I'll even acknowledge that in the process, individual animals and plants may be lost. But far more will be protected.

When this Administration took office in 1992, we had only 14 HCPs in place. Today, we have more than 241 with 200 more on the drawing board. We are finding workable solutions that resolve conflict -- and keep us out of the courthouse.

That's the essence of a Habitat Conservation Plan, one of the most effective examples of the flexibility that's a part of the endangered species program -- and under this Administration, one of the vanguards of a Quiet Revolution in American conservation.

HCPs resolve disputes over development of land that is home to endangered and threatened species. Land owners come up with their own conservation outline, while the Fish and Wildlife Service stands ready to help.

I know these plans work. Businesses know they work. Individual citizens know they work. That's a big part of what tending the land means. And I want to keep looking for ways to tend it better still.

A handwritten signature in black ink, appearing to read "Bruce Babbitt". The signature is stylized and cursive.

Bruce Babbitt, Secretary of the Interior





Attwater's greater prairie-chicken.  
Gary P. Montoya/USFWS



Gray wolf. ©Tracy Brooks/Mission Wolf



Mission blue butterfly. Edward S. Ross/  
USFWS



San Joaquin kit fox. ©B. Moose Peterson/  
Wildlife Research Photography

# Overview

Can the United States save its endangered species and still have healthy economic growth? Or must Americans choose either economic development or wildlife conservation?

In recent years, this tough issue has been the topic of an intense national debate. But while the media have focused on perceived conflicts between economic development and saving endangered species, something new and different has been happening all across America.

Astonishingly diverse groups of people have been coming together to resolve problems before they become conflicts, through cooperative, creative, and innovative partnerships known as Habitat Conservation Plans--HCPs. These HCPs have been called the Quiet Revolution in conservation. Without much fanfare, they are changing the way Americans conserve wildlife and natural areas. HCPs are conservation plans that are drawn up by people at the local level, working with either the U.S. Fish and Wildlife Service (FWS) or the National Marine Fisheries Service (NMFS), depending on the species involved. Although this tool has been around since 1982, it was little used before 1992. Rediscovered and overhauled, HCPs are now an important tool in the nation's effort to conserve its wild heritage for the future.

## A Problem -- A Solution

The need for HCPs arises out of a simple fact: endangered and threatened species live and roam wherever they find suitable habitat, without regard to who owns it. And when the place they live is private land destined to become a shopping mall or a managed pine plantation -- well, that's when the need for innovative solutions emerges.

The Endangered Species Act (ESA) protects species officially listed on the Federal List of Endangered and Threatened Wildlife and Plants. Essentially, you cannot "take" species, which means you cannot harm them or kill them, or attempt to do so.

Before the creation of the HCP process, people planning to develop private land occupied by endangered or threatened species ran a risk of breaking the law. Even if they wanted to protect listed species while developing their land, there was no mechanism to help them do so. Although few such cases ended up in court, landowners expressed concerns that they could be denied the use of their land because of the national interest in conserving rare species.

Congress recognized this dilemma in 1982, and amended the ESA to allow for the creation of HCPs. Congress intended that the HCP process would be used to reduce conflicts between listed species and economic development and foresaw the development of "creative partnerships" in the interest of endangered and threatened species conservation.



Utah prairie dog. Mike Coffeen/USFWS

## How HCPs Work

By amending the ESA to include HCPs, Congress affirmed its desire to conserve the Nation's endangered and threatened species and a strong economic future. In creating HCPs, Congress for the first time gave government agencies, private landowners and developers a workable approach at compromise, providing for economic expansion and growth while protecting endangered and threatened species and their habitats.

The HCP process allows some individuals of a species to be harmed or "taken" under an "incidental take permit" as long as the activity will not appreciably reduce the chances of survival and recovery of species in the wild. Additionally this "incidental take" can occur only during "the course of otherwise lawful activities."

In brief, the process works like this: the developer designs a plan or an HCP, and applies for an incidental take permit. NMFS and FWS provide technical assistance and carry out their own responsibilities.

If the plan meets the ESA's Section 10 conservation requirements, provides for public input and thoroughly describes the proposed project, FWS or NMFS may issue the incidental take permit. This permit signifies that the project has complied with the requirements of the ESA, and can continue as long as the project is conducted according to the terms of the HCP.

Although an incidental take permit is required only for listed species, many HCPs provide conservation measures for proposed and candidate species under the ESA, as well as other rare or vulnerable species that live in the plan area. By adequately covering such unlisted species, developers and landowners can help prevent their decline and avoid having to add new conservation measures during the length of the permit.

In 1993, the Clinton Administration saw the potential of HCPs for bringing people together to resolve conflicts, and there was a marked increase in their use. In the first 10 years after the HCP process was established in 1982, only 14 permits were issued. But between 1992 and 1998, the number soared to more than 241, and another 200 are under development.



Alabama beach mouse habitat. Nicholas R. Holler/USGS



*Blunt-nosed leopard lizard. Steve Busack/  
USFWS*

## *Flexibility and Creativity: Keys to Successful HCPs*

One of the great strengths of the HCP process is the flexibility provided by the ESA. HCPs can be adapted to a wide range of biological, geographic, and development situations. HCPs have varied enormously in size and scope and in the activities they address — from half-acres to millions of acres, from forestry or agricultural activities to beach development, or housing projects, from a single species to dozens of species. Some HCPs involve a single landowner, while others include many partners.

Another key is creativity. HCP participants come up with creative solutions that allow them to proceed with their planned activities and to contribute to species conservation.

As a result, the HCP program has begun to produce remarkable results. While the first HCPs primarily addressed single developments with one listed species, they are now evolving into broad-based, landscape-level planning tools. These HCPs often conserve numerous species, addressing projects by multiple developers.

Another great strength of the HCP process is its ability to bring together Federal, State, Tribal and local government agencies and private interests, which expands options for conserving species and facilitates economic development.



*Peregrine falcon. Ted Swem/USFWS*