



Black-footed ferret. USFWS

Improving the HCP Process

Less than four years ago, the American landscape was dotted with only 14 HCPs, covering about 481,000 acres. Clearly, they were a conservation tool of little consequence. Since 1992, a quiet revolution has occurred and now there are more than 241 HCPs, covering 6.2 million acres, and HCPs are becoming a powerful tool for species conservation. But this did not happen by serendipity. Beginning in 1992, FWS and NMFS began a series of steps to streamline and strengthen the process and remove longstanding difficulties that kept landowners from using this process.

- A “No Surprises” rule provides certainty, effectively assuring a landowner that no additional future restrictions will be imposed for species covered by a properly implemented HCP.
- The HCP process has been streamlined with accelerated approval deadlines, a “low-effect” category for projects with minor or negligible impacts has been established, and clearer mitigation and monitoring requirements were put into place.
- Publication of an HCP handbook, providing standardized guidance to government biologists, State, Tribal, and local governments, businesses, environmental groups and landowners, and identifying measures to speed the permit process.

FWS and NMFS are also working with applicants to incorporate adaptive management strategies into HCPs. These provisions are especially useful for species whose biology is not fully understood when the HCP is developed, e.g., biological data gaps. They allow management changes within the HCP area if new information about a species indicates that it is needed to reach the HCP’s biological goals.



Red-legged frog. Marc P. Hayes/USFWS

Benefits for Wildlife and Communities

Before the revolution in habitat conservation planning, the needs of species were usually addressed on a piecemeal basis. Now, HCPs are offering the opportunity to address conservation issues on a landscape or ecosystem level, benefiting not only endangered and threatened species but other species that share the same habitat. They help conserve biological diversity and may even help keep some species off the endangered list by protecting their habitat and preventing their decline.

For communities, HCPs provide a way to plan economic development and to avoid having development stalled for years by costly court battles. They improve the overall environmental quality of a community and may even help attract new residents and business by creating a more healthy and beautiful community.

The Challenges of HCPs



Eastern prairie fringed orchid. John Schegman/USFWS

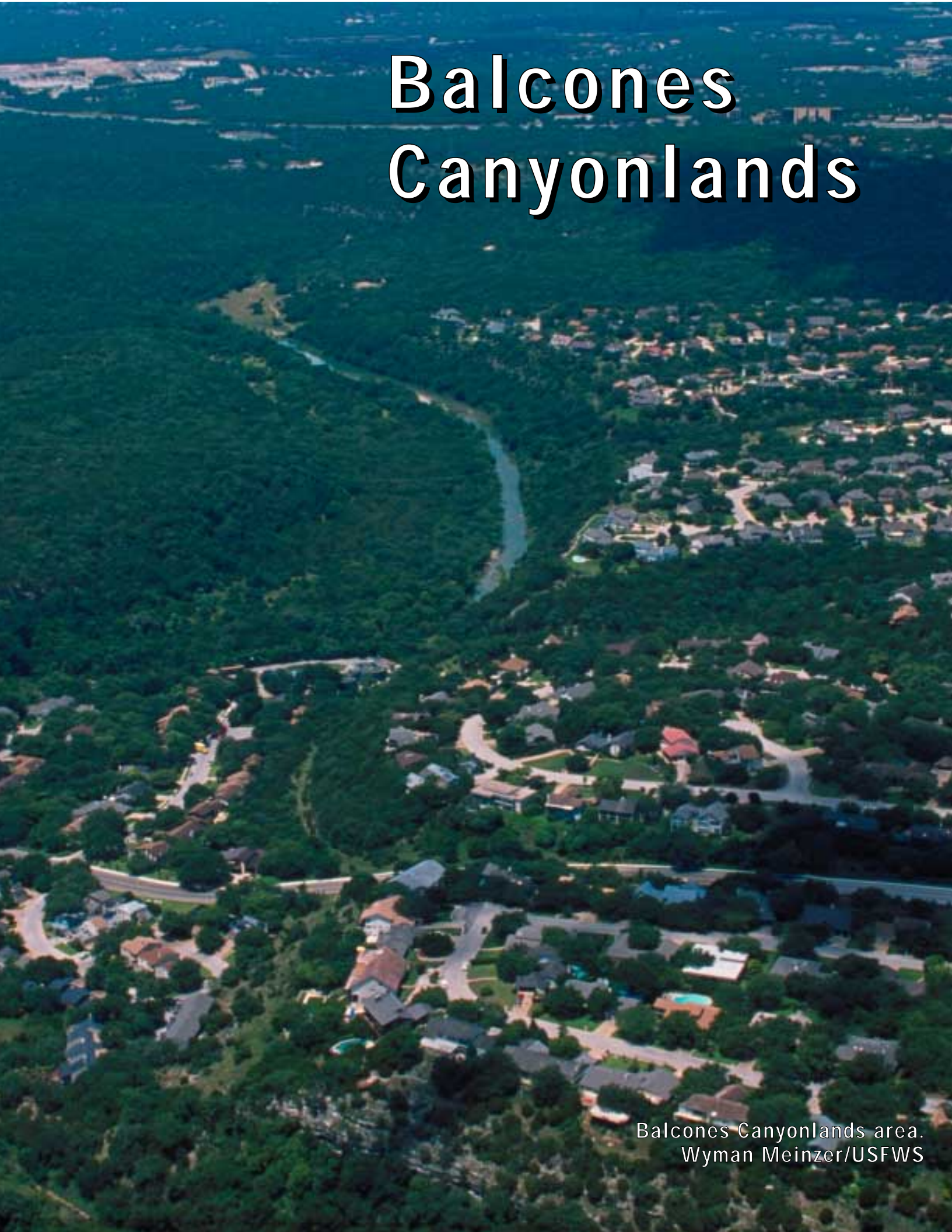
There's no doubt about it — HCPs are a new way of doing business. And not everybody is comfortable with the idea of compromise. Both landowners and environmentalists have concerns about the HCP process. Landowners want certainty about what they can and can't do over time. Environmentalists want to be sure species and habitats are truly conserved.

By creating the HCP process, Congress recognized the importance of both concerns — economic development and saving endangered species. The challenge is to make this process work — to ensure that economic development does not appreciably reduce the species' likelihood of survival and recovery. HCPs are a reasonable compromise in a field where there are few available alternatives — other than buying the land outright or engaging in long and costly legal battles.



Sea turtle. © PhotoDisc

Balcones Canyonlands

An aerial photograph showing a residential neighborhood with numerous houses and swimming pools, interspersed with dense green trees. A winding river or stream flows through the center of the area. The overall scene is a mix of urban development and natural landscape.

Balcones Canyonlands area.
Wyman Meinzer/USFWS



Golden-cheeked warbler.
©Steve Maslowski

Balcones Canyonlands

Location: Texas

Acreage: 111,428 acres

Species Covered: Listed species include the golden-cheeked warbler, black-capped vireo, and 6 cave invertebrates. Unlisted species covered by the HCP include 27 rare species.

Challenge: The Austin area is an extremely fast-growing metropolitan area, with businesses and homes rapidly expanding onto adjacent rural lands. The challenge was to allow development necessary for the expanding growth of the community to proceed while protecting the listed species. Additionally, the HCP puts mechanisms in place to conserve other rare species so that protection under the ESA in the future will be unnecessary.



Tooth Cave ground beetle. Wyman Meinzer/
USFWS

Benefits: The approved HCP is both economically and biologically sound. Under this plan, the important habitat for the golden-cheeked warbler and black-capped vireo will be protected through an acquisition and management program. Additionally, many other species will likewise benefit as the sensitive lands are identified and brought into public ownership. When fully implemented, the HCP should preclude the future need to list other species covered in the HCP. The public will gain a large preserve that will protect species and watersheds while providing outdoor open-space opportunities. Economic growth and land planning will be able to proceed without jeopardizing plants and animals, and decisions over endangered species issues return to local control. In addition, an economic impact study by the University of Texas predicts an overall economic savings for the public of \$291 million to \$756 million under the regional HCP permit versus the scenario of individual permits.



Black-capped vireo. Wyman Meinzer/USFWS

"The Balcones Canyonlands conservation plan represents seven years of community debate on how to best tailor a Habitat Conservation Plan to meet local needs. It is the product of an unprecedented level of successful cooperation between the development and environmental communities in Travis County, as well as a unique partnership between several local government entities, nonprofits and the private sector."

*Valarie Bristol, Commissioner
Travis County, Texas*



Plum Creek Timber Company

Mount Baker, Washington.
© PhotoDisc



Grizzly bears. © PhotoDisc

Plum Creek Timber Company

Location: Washington

Acreage: 170,000 acres

Species Covered: Listed species protected under this HCP include the northern spotted owl, marbled murrelet, grizzly bear, and gray wolf. The HCP also covers all other unlisted vertebrate species, including salmon, that occur within the plan area.

Challenge: Plum Creek Timber Company manages its lands for timber products, and in 1993, approached the FWS and stated its willingness to manage its extensive holdings in the I-90 corridor to benefit species as well. The company wanted to manage its lands to complement the Federal Northwest Forest Plan and enhance its lands for other species, if possible, without increasing its future regulatory obligations.

Benefits: Under the HCP, Plum Creek received assurances that if it manages its lands according to the mutually agreed-upon terms and conditions, no additional regulatory restrictions will be placed upon it for the species covered by the agreement. This legal certainty has allowed Plum Creek to manage its property on an ecosystem-wide basis, while protecting wildlife habitats in 23 watersheds within the planning area. The HCP will maintain current levels of old growth and ensure that all species will have adequate habitats within the planning area. The plan also provides for protection of riparian habitats and other special areas such as wetlands and caves. The HCP is designed to conserve all species that may occur in the habitats found on Plum Creek's lands, not just those currently listed under the ESA. This innovative plan will encourage conservation of numerous plant and animal species residing on Plum Creek lands and will assist the FWS in implementing recovery tasks for listed species.



Marbled murrelet. Gus van Vliet/USFWS



Northern spotted owl habitat, Oregon. John and Karen Hollingsworth/USFWS



Northern spotted owl. John and Karen Hollingsworth/USFWS

"Recognizing that the long term success of our business is inextricably tied to the vitality of the environment, we work according to a set of principles that reflects the latest thinking in forestry and timber practices . . . This plan will serve as an example of how to protect the diversity and the health of ecosystems while giving businesses that rely on natural resources the predictability they need to serve the important interests of their employees, communities, customers and shareholders."

*Rick Holley, President and CEO
Plum Creek Timber Company*