

Habitat Conservation Plans  
and the  
Chatham Conservation Partnership

# Rare Plants and Animals of Chatham County

- Currently over 1,200 U.S. species and over 550 foreign species are listed as either threatened or endangered
- 2 Federally listed species occur in Chatham County
  - Cape Fear Shiner including Critical Habitat
  - Harparella
- 15 Federal Species of Concern occur in Chatham County

# Endangered Species Act

## (A brief overview)

- The Endangered Species Act (ESA), enacted in 1973, is the nation's primary tool for conserving imperiled plants and animals
- Listing:
  - Endangered species: In imminent risk of going extinct
  - Threatened species: In imminent risk of becoming endangered
  - Critical Habitat: essential for the conservation of the species
- Recovery Planning
- Prohibitions on “take” including actions to harm, harass, pursue, hunt, shoot, wound, trap, capture, collect, or kill a species
- A "take" also includes actions that significantly modify habitat in a manner that would lead to the injury or death of a listed species
- Cooperation with States
- Consultation with Federal Agencies
- Cooperation with private landowners

# Regulatory Provisions of the ESA

- Section 7: Federal agencies must consult with FWS to ensure actions do not “jeopardize” continued existence or “adversely modify” critical habitat
- Section 10: Non-federal individuals, companies, governments may seek authorization for activities that would result in “take”

# Endangered Species Act

- Regulatory Provisions of the Act traditionally thought of as a back-stop to prevent harming species and placing them in “jeopardy” of extinction
- “Recovery” was more often viewed as the domain of the non-regulatory provisions of the Act
- We now recognize the need to view all provisions of the Act as recovery tools
- We must also make better use of tools provided by the Act to keep species from being listed

# The ESA and Conservation Planning

- Section 10 Incidental Take Permits:
  - Private landowners, corporations, state or local governments, or other non-Federal landowners who wish to conduct activities on their land that might incidentally harm (or "take") wildlife that is listed as endangered or threatened must first obtain an incidental take permit from the U.S. Fish and Wildlife Service
- Habitat Conservation Plans
  - To obtain a permit, the applicant must develop a Habitat Conservation Plan (HCP), designed to offset any harmful effects the proposed activity might have on the species. The HCP process allows development to proceed while promoting listed species conservation
- FWS is working to use these provisions more proactively as conservation planning tool rather than reactively in response to individual projects

# Habitat Conservation Plans

## A brief overview

- HCPs identify anticipated adverse impacts to rare species
- HCPs are documents that outline the necessary steps that identify the mitigation efforts that will be used to offset the loss of species and/or habitat
- HCPs allow development to take place and take of species to happen legally
- HCPs can be developed and used for any landowner regardless of the size of property
- HCPs can be developed for towns, communities, counties and states
- HCPs take from 1 to 2 years to develop
- HCPs can cost money to develop and implement
- Funding is available to assist in developing HCPs and for habitat acquisition associated with implementing HCPs

# HCPs and the CCP

- The Chatham Conservation Partnership is trying to identify what's needed for long-term conservation of the County's natural resources
- Once developed, this plan could form the basis of an HCP that would spell out actions within the County that may adversely impact covered species, and actions to offset those effects

# HCPs and the CCP

- Why would an organization committed to conservation (like the CCP) support development of a HCP that would allow adverse impacts to rare species?
  - A good plan will acknowledge that development and other human activity will occur, resulting in adverse impacts. Recognizing this reality, a good plan will also identify proactive measures to offset those adverse effects, resulting in:
    - Improved conservation
    - More predictable development
    - Reduced conflict

# How Might a HCP Work?

- Identify species to be included and the actions needed for their conservation
- Identify types of activities that will adversely affect those species and measures to mitigate those effects
- Craft conservation actions and mitigation actions into a set of enforceable measures (such as land use plans and ordinances)
- Identify monitoring measures to ensure plan is working as intended

# What do you need to develop a HCP?

- A Plan
- An Applicant
- Time
- Money

Is a HCP Right for Chatham County?

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