



ECCC HCP/NCCP

Conserving Natural Lands and Sustaining Economic Development



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

An Introduction

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

November 2005

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 also home to some of the world's rarest 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 Draft 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 Draft East Contra Costa County HCP/NCCP, which covers over 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 draft documents, go to www.cocohep.org or contact staff (see back cover).

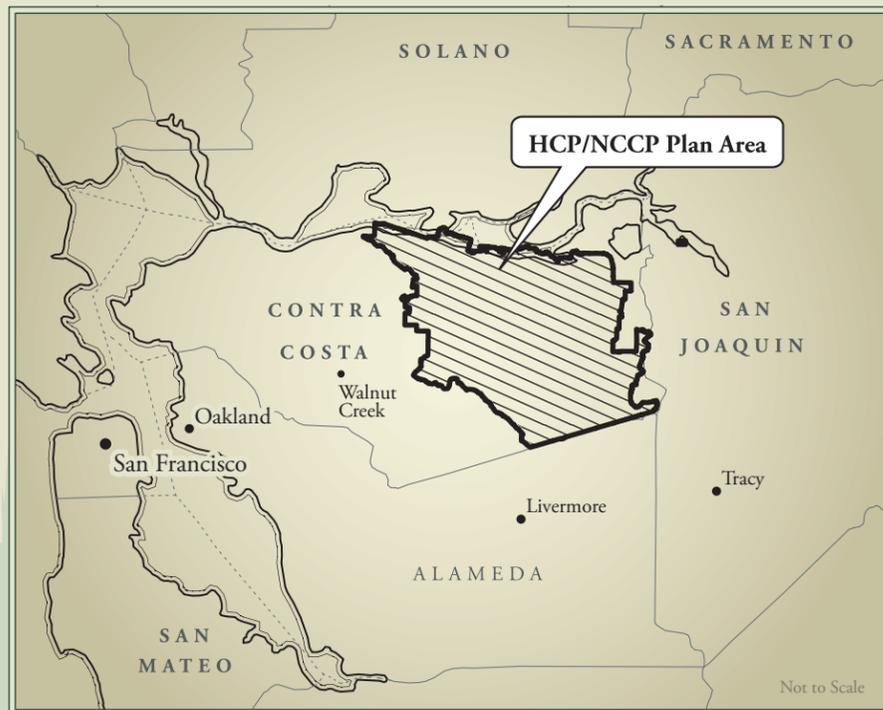
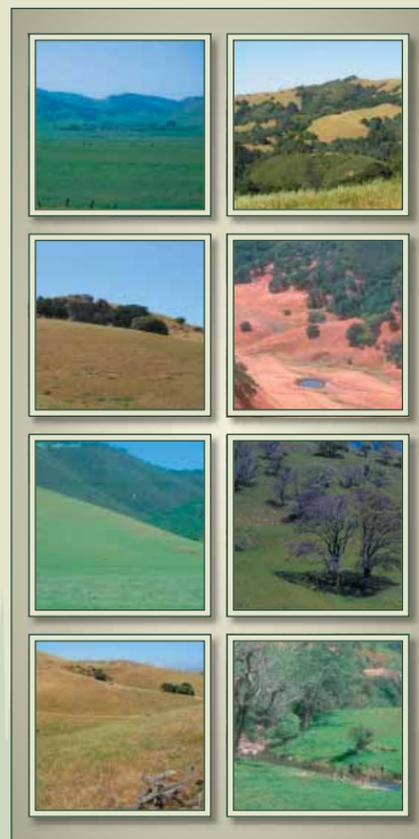


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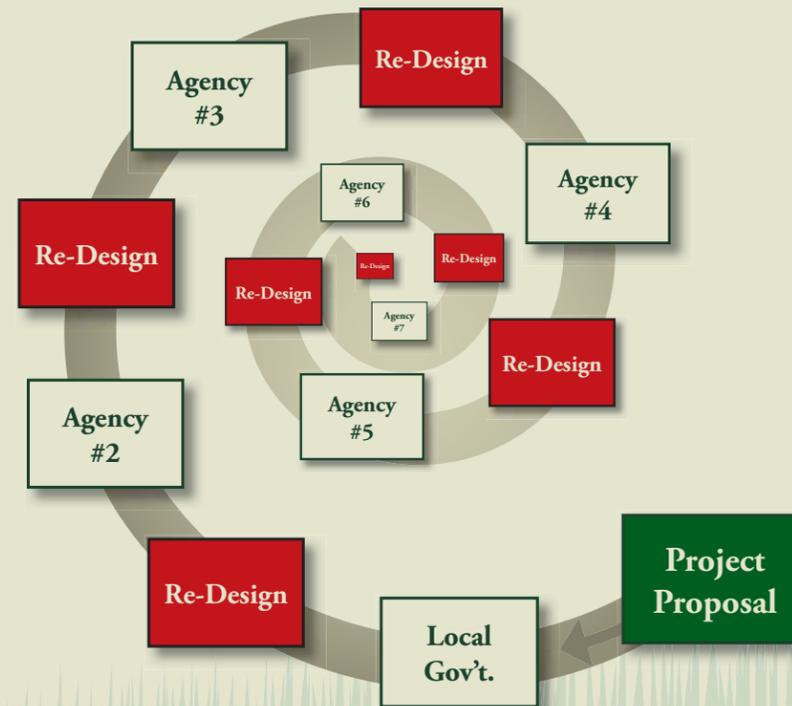
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The East Contra Costa County HCP/NCCP will preserve a mosaic of natural communities in East County, including grassland, oak woodland, chaparral, streams, and wetlands.

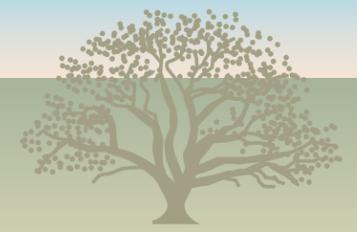
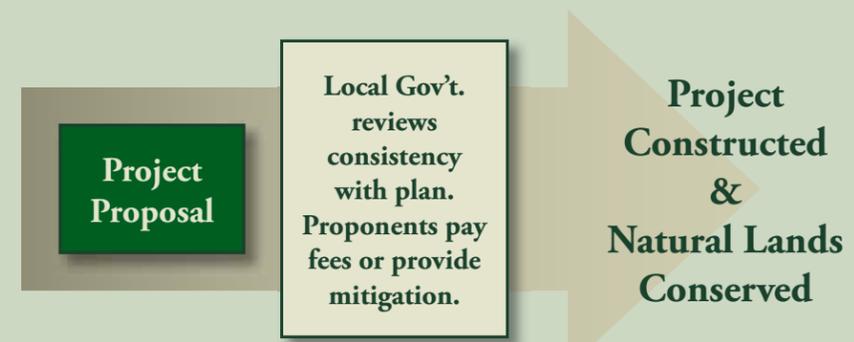
The Problem

The current process of getting development permits and performing 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 wetlands and species regulations is not always best for the resources, provoking a focus on species surveys while lacking a means to effectively coordinate the avoidance and mitigation requirements of distinct projects.



The Proposed Solution

The Draft 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.



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 20 to 30 thousand acres of open space to preserve species, habitats, and ecosystems.
- To Business/Development**
Streamlined endangered species and wetlands compliance; greater regulatory and economic certainty.
- To Rural Landowners**
Expands market for willing sellers of land in eastern Contra Costa County.
- To Local Governments**
More local control, permits for crucial infrastructure.



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

Goals of the Plan

Purchase, restore and permanently protect large, connected, 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 assure 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 are protected--not just individual wetlands and species.

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 and resource absence/presence, applicants' funds can be put to more constructive uses, such as acquiring land and restoring habitat and hydrologic functions.

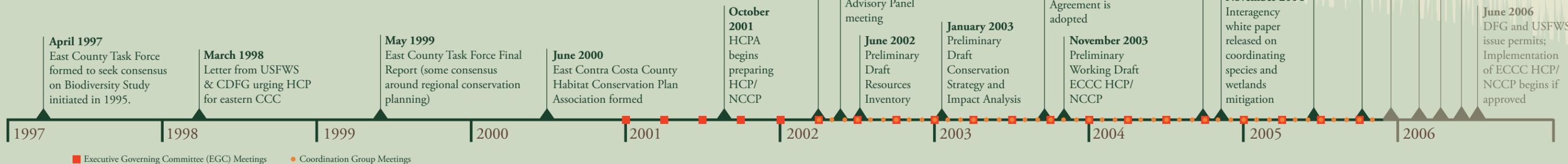
Improve regulatory certainty and improve permitting efficiency for regulators and applicants. The HCP/NCCP provides permits for 30 years. This gives the development community certainty about what will be required by federal, state, and local governments. At the same time, the HCP/NCCP will make the regulatory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

Provide adequate 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 County of Contra Costa and the cities of Brentwood, Clayton, Oakley, and Pittsburg are developing a plan that will provide regional conservation and development guidelines to protect natural resources while improving and streamlining the permit process for endangered species and wetlands regulations.

The plan was developed by a team of scientists and planners with input from independent panels of science reviewers and stakeholders. 175,000 acres of eastern Contra Costa County are studied in the plan. The plan will provide permits for between 8,900 and 13,200 acres of development and will permit impacts to an additional 1,300 acres from rural infrastructure projects. The preserve system created by the plan will include at least 23,500 acres of land (and up to 30,000 acres) 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 authority 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 to 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 to threatened and endangered species.

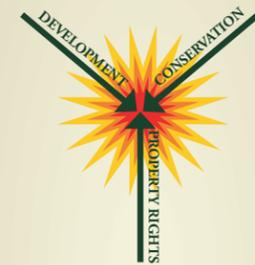
EIR/EIS - The Environmental Impact Report is prepared to satisfy the California Environmental Quality Act. The Environmental Impact Statement satisfies the National Environmental Policy Act.

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 County Pilot Study of the Alameda-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, 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.

The Draft HCP/NCCP attempts to reconcile existing tensions...



...and seeks consensus on moving forward with mutually beneficial solutions.



HCP/NCCP By the Numbers

- Size of Planning Area: 75,804 acres
- Number of Covered Species: 28
- Highest Point in Study Area: 3,849 feet (Mt. Diablo)
- Term of Regional Permits: 30 years
- Amount of Development Impact Permitted: 10 to 15 thousand acres
- Amount of Conservation Protected: 20 to 30 thousand acres
- Number of Pages: 1,818
- Weight of Documents: 11.1 lbs.
- Number of Meetings Held: 237

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 (December 1)

February 2006
Final HCP/NCCP and Final EIR/EIS to be released

March 2006
End of comment period on Final HCP/NCCP and Final EIR/EIS

May 2006
The EGC to consider adopting the EIR/EIS and recommending HCP/NCCP; City councils and Board of Supervisors to consider adopting HCP/NCCP

June 2006
DFG and USFWS issue permits; Implementation of ECCC HCP/NCCP begins if approved

Conservation

Objectives

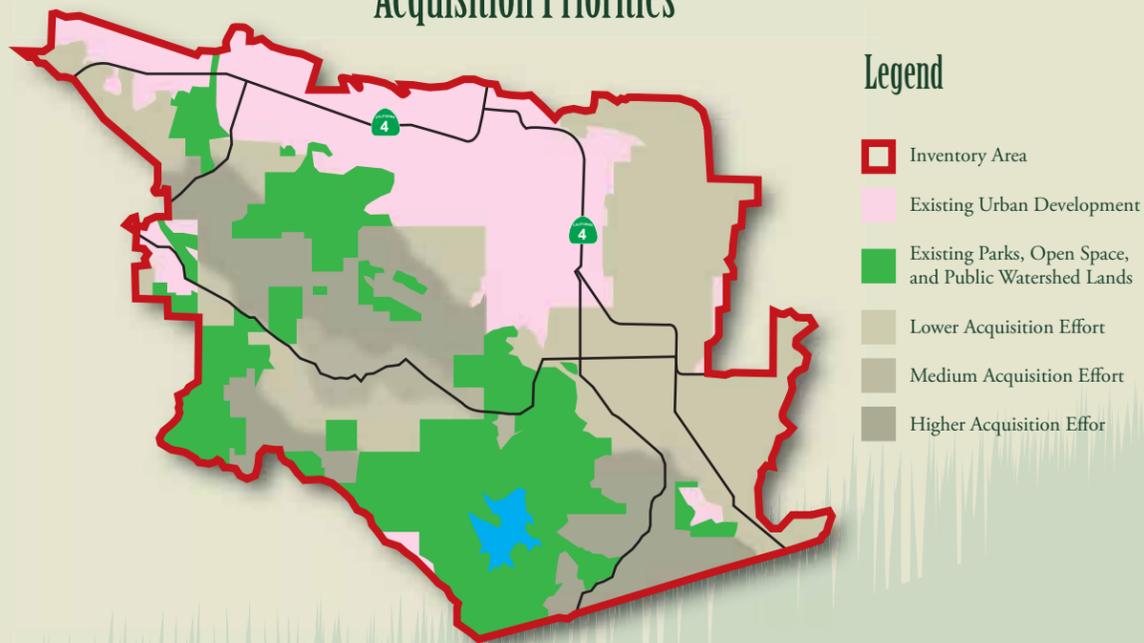


Conservation Objectives

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 connection of just such a movement corridor for the San Joaquin kit fox. In addition, numerous other plants and animals will be preserved and enhanced by the plan. For example, this plan protects species such as the Alameda whipsnake, a small snake with a significant portion of its range entirely within the plan area.

Assembling the preserve system will require land acquisition from willing sellers in areas that build on existing public land and that provide unique and 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 23,500 and 30,000 acres in size supporting vernal pools, native grasslands, oaks, streams, chaparral and other diverse landscapes.

Acquisition Priorities



Legend

- Inventory Area
- Existing Urban Development
- Existing Parks, Open Space, and Public Watershed Lands
- Lower Acquisition Effort
- Medium Acquisition Effort
- Higher Acquisition Effort



San Joaquin Kit Fox



Recurved Larkspur



Golden Eagle



San Joaquin Sparscale



California Red-Legged Frog



Vernal Pool Tadpole Shrimp



Brittlescale



Western Burrowing Owl



Western Pond Turtle



Diablo Helianthella



Townsend's Western Big-Eared Bat



Giant Garter Snake



Showy Madia



Foothill Yellow-Legged Frog



Mount Diablo Manzanita



Alameda Whipsnake



Swainson's Hawk



Big Tarplant

Preserve System

In addition to its primary role of protecting species and their habitats, the preserve system will also support activities such as recreation, livestock grazing, and to a lesser degree, cultivated agriculture. Recreation within the preserve system will include opportunities for hikers, cyclists, and equestrians. Land acquisition will build on 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. Pockets of restoration are planned along Marsh Creek and will be coordinated with local parks and the Marsh Creek trail. These activities will complement efforts at resource protection including the preservation of open space and viewsheds and the protection of the area's exceptional scenic values.

Conservation Biology 101

The science of conservation biology has important principles that were used to design the preserve system. Examples of these principles are:

	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.



Tri-Colored Blackbird



Vernal Pool Fairy Shrimp



Brewer's Dwarf Flax



California Tiger Salamander



Mount Diablo Fairy-Lantern



Silvery Legless Lizard

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. Local agencies are pursuing similar regional permits for wetlands impacts (see sidebar).

Development of New Homes and Businesses

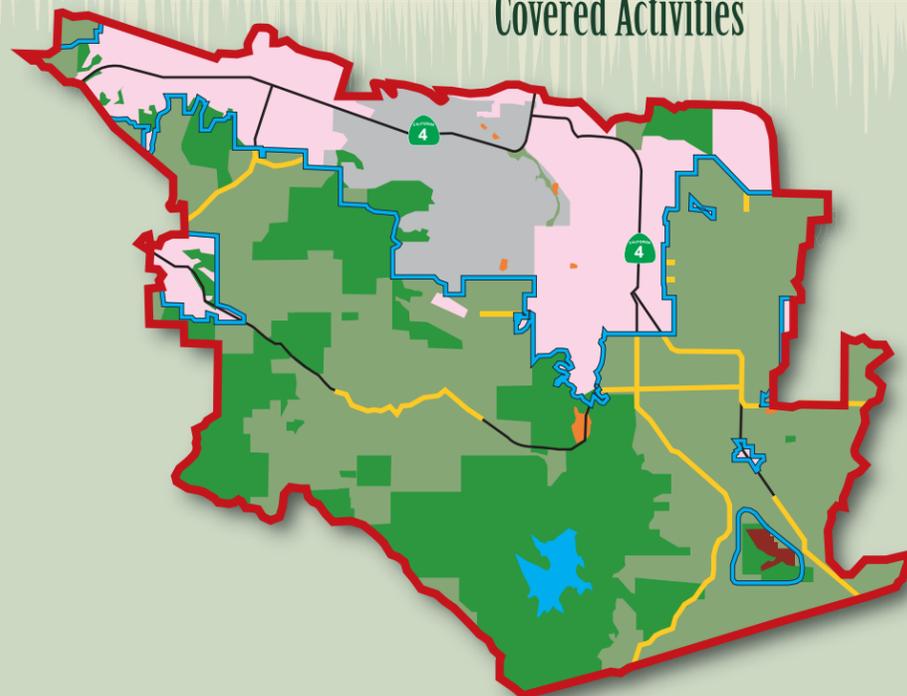
The Conservation Plan is designed primarily to streamline approvals for the future growth of the cities of Clayton, Pittsburg, Brentwood, Oakley, and unincorporated communities in the County such as Bay Point, and Byron. Up to 13,200 acres of new urban development can get their endangered species permits under the plan.

Public Infrastructure

A variety of public infrastructure projects will benefit from the Conservation Plan including roads, flood protection projects, schools, neighborhood parks, and recreational trails. Specific rural transportation projects would receive permits under the plan including 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
- Initial Urban Development Area
- Land Use Designations**
- Agricultural and Other Rural Land Uses
- Parks, Public Watershed Lands, and Protected Open Space
- City of Antioch - Not Covered
- Rural Infrastructure Projects**
- Detention Basins
- Byron Airport Expansion
- Covered Transportation Projects

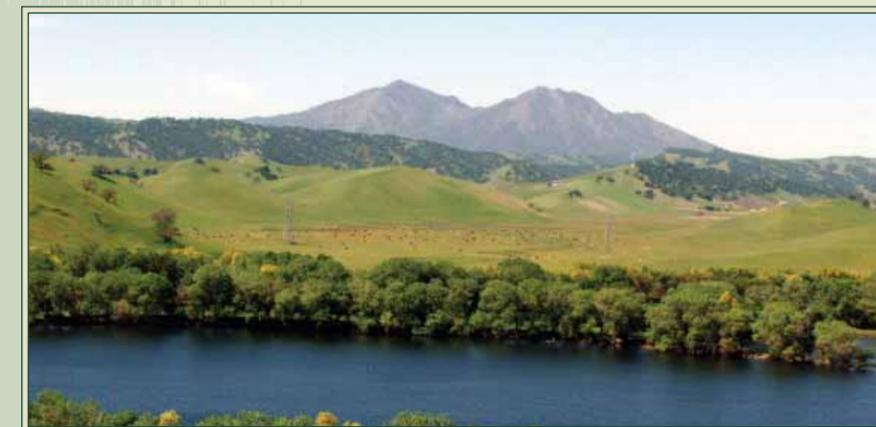
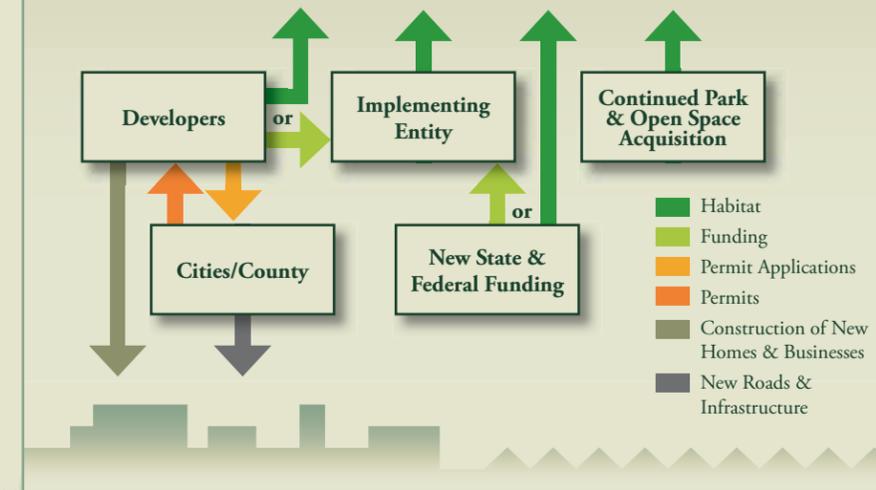
How the Plan Will Work

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), performing limited surveys, and adhering to limited protocols to avoid and minimize impacts during construction. The fees would be collected by the Implementing Entity of the plan, combined with grants and other funding sources, and used to purchase habitat lands or easements from willing sellers and to provide monitoring, habitat enhancement, and management for acquired lands.



Local agencies are pursuing wetlands permits to complement the HCP/NCCP.

The HCP/NCCP provides local permit control and coordinates habitat conservation from multiple sources.



The goal is to coordinate wetlands and species requirements so that fee payments and other conservation actions provide multiple permits.

Flexible Permit Area

The Conservation 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 Conservation 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 13,200 acres of urban development.

Wetlands 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. Discussions have been ongoing with the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, the U.S. EPA, and the California Department of Fish and Game. Coordinated and streamlined wetlands permits are expected in 2006.

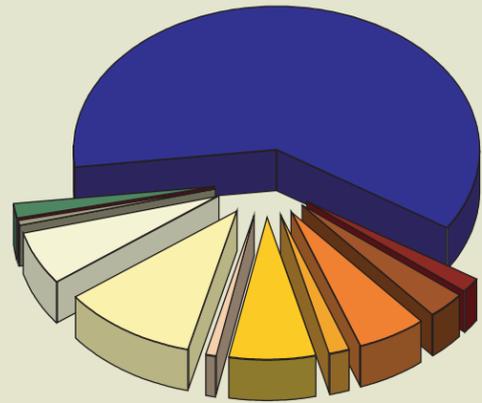
Cost and Funding

Costs of Implementing Plan

The cost of implementing the HCP/NCCP during the 30-year permit term is estimated at up to \$330 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 - 60%
- Site Improvements - 2%
- Land Acquisition Operation Costs (due diligence, surveys) - 3%
- Program Admin - 5%
- Planning & Design - 2%
- Habitat Restoration/Creation - 7%
- Environmental Compliance - 1%
- Preserve Management & Maintenance - 11%
- Monitoring, Research, and Adaptive Management - 6%
- Remedial Measures - 1%
- Contingency Fund - 2%

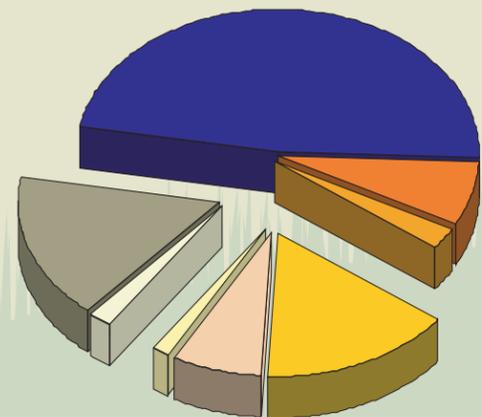


Funding to Implement Plan

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 - 47%
- 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 - 17%



Funding Principles

Make Best Use of Existing Resources.

The plan will rely on existing public funding sources and fees on 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 this 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 run by a Governing Board of representatives from each local agency and an Executive Director. The Implementing Entity will be advised by representatives of the wildlife agencies, local land management agencies, a pool of Science Advisors, and a public advisory committee. The Implementing Entity 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 after the HCP/NCCP is approved. The HCP/NCCP 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 HCP/NCCP Implementing Entity may contract with existing organizations or others to do 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 occurs on existing public lands in the area. The Implementing Entity will closely coordinate with these projects to ensure consistent techniques and to save money.



Key Implementation Components

Use Existing Experience.

The HCP/NCCP Implementing Entity will rely heavily on the experience of existing land management agencies in the study area such as East Bay Regional Park District, California Department of Parks and Recreation, and Contra Costa Water District.

Scientific Review.

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

Encourage Public Involvement.

If approved, 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 following individuals contributed to the development of this overview and to the Draft HCP/NCCP as participants in the Coordination Group of the East Contra Costa County Habitat Conservation Plan Association. The Coordination Group continues to meet to provide guidance on the preparation of the Final HCP/NCCP.

Seth Adams	<i>Save Mount Diablo</i>
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Paul Campos and Bob Glover	<i>Home Builders Association of Northern California</i>
Gloria Cannon	<i>Mt. Diablo Audubon</i>
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Kathy Leighton	<i>Byron MAC</i>
Suzanne Marr	<i>U.S. Environmental Protection Agency</i>
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Winston Rhodes	<i>City of Brentwood</i>
Cece Sellgren	<i>CCC Public Works Department</i>
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Mike Vukelich and Dee Munk	<i>Contra Costa County Farm Bureau</i>



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