

Thurston County Board Briefing

<u>Briefing Date/Time:</u>	June 18, 2018 2:00-2:30 P.M.
<u>Office/Department & Staff Contact:</u>	Community Planning - Community Planning and Economic Development Department Josh Cummings, Director ext. 4995 Cynthia Wilson, Community Planning Manager, ext. 5475 Christina Chaput, Associate Planner, ext. 5486 Andy Deffobis, Associate Planner, ext. 5467
<u>Topic:</u>	Habitat Conservation Plan – Revised Draft Review
<u>Purpose:</u> (check all that apply)	<input type="checkbox"/> Information only <input checked="" type="checkbox"/> Decision needed <input checked="" type="checkbox"/> Follow up from previous briefing
<u>Synopsis/Request/Recommendation:</u> <i>(One or two sentences identifying your primary objective for this session)</i>	
<p>The purpose of this briefing is to:</p> <ul style="list-style-type: none"> • Update the Board on the status of the Habitat Conservation Plan (HCP) process; • • Provide an overview of the revised draft • Request permission to submit the document to the U.S Fish and Wildlife Service (USFWS) for formal review. 	
<p><u>1. Recent Briefings</u></p> <p>Briefings have been conducted periodically for the HCP and associated processes from 2010 to the present. Recent past briefings on the HCP include (current briefing highlighted):</p> <ul style="list-style-type: none"> • July 18, 2018 – Review the revised HCP document • March 27, 2018 - Workshop • January 17, 2018 – Discuss mitigation acreage and 10 percent • October 24, 2017 – Scope of work and modifications of the HCP 	
<p><u>2. Background</u></p> <ol style="list-style-type: none"> 1. 2012-2014 - As a result of a lawsuit, USFWS listed four species as threatened or endangered that reside in Thurston County. 	

2. 2014 - Due to the listing by USFWS, Thurston County retained consultants (*the Institute for Applied Ecology and Willamette Partnership*) to draft a Habitat Conservation Plan (HCP) in accordance with the Endangered Species Act (ESA).
3. 2012-2017 - The County obtained several Endangered Species Act (ESA) Section 6 grants (*Section 6 of the ESA governs the USFWS's 'Cooperation with the States'*) and a direct grant from U.S. Fish and Wildlife Service (USFWS), totaling approximately \$1.8 million to fund both the interim permitting process, and HCP development.
4. May 2016 - A draft HCP was completed and submitted to the local branch of USFWS and WDFW for their technical review and comments.
5. County staff received comments from USFWS and WDFW staff and several technical meeting with USFWS were held to review the comments.
6. Fall 2017 and spring 2018 staff received direction from the Board to incorporate modifications to the HCP which includes the 10% mitigation methodology.
7. June 21, 2018 - Staff received a revised draft HCP from the consultants that incorporates comments from USFWS and the changes requested by the Board.
8. June 29, 2018 - Community Planning staff completed modifications of the revised draft HCP.

3. HCP Overview

An HCP is an economic development tool that forecasts, manages, and permits defined impacts to threatened and endangered species. An approved HCP provides regulatory assurances with “no surprises.” In light of the recent listings of several species the county has been working to develop a HCP. An initial draft HCP was completed in 2016 and has been recently updated. The changes completed to the document since include:

1. The requested modifications directed by the Board of County Commissions (Board)
 - On October 24, 2017:
 - Revised impact assumption from 2ac to 1ac for rural residential lots.
 - Reduced the residential and accessory structure impact footprint analysis.
 - Removed remaining mapped MPG habitat north of I-5
 - On March 27, 2018:
 - Implemented the 10% methodology to mitigate for the proposed impacts with up to 1,000 high quality acres.
2. Updates that incorporate the comments provided by U.S. Fish and Wildlife Service (USFWS) and Washington Department of Fish and Wildlife (WDFW) during their technical review of the initial draft dated May 2016.
3. Updated with new data from USFWS regarding the service area changes for the Mazama pocket gopher and the additional screening data from the 2016 and 2017 site reviews

The revised draft maintains the core components of the HCP as follows:

Permit Area:

The permit area for this HCP includes the unincorporated lands over which Thurston County has permitting authority and where the covered activities and resulting impacts will occur.

Summary of Covered Activities:

- A. New residential construction;

- B. Residential additions, accessory structures, or repair and maintenance of residences completed prior to issuance of the Incidental Take Permit (ITP);
- C. Commercial and industrial development;
- D. Construction of public service facilities;
- E. Capital Projects:
 1. Transportation capital projects;
 2. Transportation maintenance and work in rights-of-way
 3. Landfill and solid waste management;
 4. Water, Wastewater and Stormwater, and
 5. County parks, trails, and land management.

Covered Species:

The HCP includes 12 species—4 federally listed as threatened or endangered—and eight additional at-risk species residing in similar habitats that may become listed under the Endangered Species Act in the future (covering these species in the HCP now can eliminate the need for an additional HCP in the future).

Habitat	Common Name	Scientific Name	Status Federal	Status State*
Prairie – Oak	Mazama pocket gopher (3 subspecies)**	<i>Thomomys mazama</i> , including spp. <i>yelmensis</i> , <i>tumuli</i> , and <i>pugetensis</i>	Threatened	Threatened
	Streaked horned lark	<i>Eremophila alpestris strigata</i>	Threatened	Endangered
	Taylor’s checkerspot butterfly	<i>Euphydryas editha taylori</i>	Endangered	Endangered
	Oregon vesper sparrow	<i>Pooecetes gramineus</i>		Candidate
	Puget blue butterfly	<i>Plebejus icarioides blackmorei</i>		Candidate
	Hoary elfin	<i>Callophrys polios</i>		SCGN
	Oregon branded skipper	<i>Hesperia colorado oregonia</i>		SGCN
	Mardon skipper	<i>Polites mardon</i>		Endangered
	Valley silverspot butterfly	<i>Speyeria zerene</i>		Candidate
	Slender-billed white-breasted nuthatch	<i>Sitta carolinensis aculeata</i>		Candidate
	Western Gray Squirrel	<i>Sciurus griseus</i>		Threatened
Wetland/Riparian	Oregon spotted frog	<i>Rana pretiosa</i>	Threatened	Endangered

*SCGN: Species of Greatest Conservation Need (WDFW 2015)

2. Conservation Program:

County leadership have expressed the importance that working lands not be underutilized for conservation. The conservation strategy has been revised and will focus on both the acquisition of lands for preservation purposes, but also create a preservation network that includes working lands.

This will be accomplished through the protection of rare species by:

- Rewarding grazing and other commercial land management practices on private land that are compatible with and encourage ecosystem function and rare species protection
- Purchase conservation easements on private working lands to secure conservation grazing practices.

- Endow landowners to maintain the conservation easements on their land and the strategies.

The revised conservation program includes the following over the next 30 years:

- Establishing a network of permanently managed Conservation Lands to offset unavoidable natural resource impacts that result from ongoing development.
- Incentivize multiple use strategies that protect working lands that are a key part of the area’s rural character and economy.
- Expand on existing private, county, state, and federal efforts to provide wildlife, recreation, and open-space benefits, and will employ a range of options to achieve the Program’s conservation goals.
- Enhance and maintain important habitat areas on lands the County pursues through cooperative agreements (conservation easements) and acquisition (fee title) that contribute to the conservation of prairies, oak savannas and woodlands, and aquatic ecosystems.
- Focus on ensuring that working lands continue to support covered species by balancing management for native plants and wildlife with commercial production of food, forest products, and jobs in Thurston County.

4. HCP Funding Information

The Conservation Program is estimated to be \$1,828,767/years to implement. The analysis explored several existing funding sources for the HCP, which are described in Chapter 7 of the HCP. Plan funding is proposed to come from different sources.

Funding Source	Revenue from Existing County Sources
Fee in Lieu of Land Dedication (Mitigation Fee)	\$789,434
Conservation Futures	\$1,039,333
TOTALS	\$1,828,767

State and federal contributions to the Plan will be used to avoid impacts through the land conservation funded by those sources. State and federal contributions cannot be used to fund mitigation measures of the Plan unless mitigation is explicitly authorized by the state or federal funding source for the projects they fund (e.g., federal highway funds).

5. Permit Issuance Criteria and HCP Plan Summary

Issuance Criteria	Brief description and where the Issuance Criteria are addressed in the Draft HCP
Taking will be incidental	Covered activities are clearly defined (Chapter 3), and consist of otherwise lawful actions that may result in incidental take of listed species or impacts to their respective habitats.
Impacts of taking are minimized and mitigated to the maximum extent practicable	The Impact Analysis (Chapter 4) describes the potential causes and types of take by species, projects the amount of incidental take over the duration of the requested ITP, and analyzes the resulting impacts of the taking for each of the covered species over the 30-year duration of the requested permit.

	Minimization measures are defined (Chapter 5), incorporated into County permit reviews (Chapter 6), and mitigation is provided for all remaining impacts (Chapters 5 and 6).
Ensure adequate funding to implement the Conservation Program	The County is committed to funding the Conservation Program in full through sources currently under its control, or by implementing a countywide funding measure. The County has articulated and committed to implement remedial actions if unforeseen circumstances occur (Chapter 7).
Taking will not appreciably reduce the likelihood of survival and recovery of the species in the wild	The Conservation Program describes strategies for conserving covered species and their habitats through creation of a Conservation Lands System (Chapter 5) that will be permanently managed for the benefit of these species and contributes to their recovery (Chapter 7).
Other measures USFWS has required as necessary and appropriate will be provided	The County identified actions it will implement if changed or unforeseen circumstances occur over the duration of the requested permit (Chapter 7). Annual monitoring and reporting requirements are clearly described, and steps to modify or amend the permit are defined (Chapter 7). The County will address any additional requirements after USFWS review, including those generated during the NEPA public comment period.
The Service has received other assurances that the HCP will be implemented	Prior to issuance of the Incidental Take Permit, the County will adopt an Implementing Ordinance for the HCP that commits funding and implements the Conservation Program (Chapter 6).

An HCP is an economic development tool that forecasts, manages, and permits defined impacts to endangered species. An approved HCP provides regulatory assurances with “no surprises.”

An HCP is a planning document provided as part of an ITP application. It describes the anticipated effects of the proposed taking; how those impacts known as covered activities, will be minimized or mitigated and how the HCP is to be funded.

The HCP includes a predictable managed process for reviewing the permits submitted to the County and will demonstrate how the impacts from the permitted activity will not place the species in jeopardy of extinction.

Documents Attached:

- Attachment A: HCP Revised Draft

Summary & Financial Impact:

The intent of the HCP is to provide a predictable process that sustains economic growth in the County and protect habitat. It proposes to cover county capital construction activities and most permits issued by the county for the duration of 30 years.

The HCP, once approved, will replace the interim permitting process for the Mazama pocket gopher. The interim permitting process was implemented to minimize the County's liability while also continuing to facilitate development on parcels throughout the County.

In addition, the plan will create a regional conservation network of lands for the covered species, thereby eliminating the need for developers and the county to find individual mitigation on a case by case basis.

Affected Parties:

E.g. County residents, community organizations, other County offices/departments, etc.

All County residents may be affected in some way by the HCP because of the extent of the coverage for the Thurston County Habitat Conservation Plan.

Options with Pros & Cons:

Below ~ List all viable options. Begin with underlined option title, then add pros and cons, financial impact of each, as well as affected parties (e.g. County residents, community organizations, etc.)

Board Direction:

Next Steps/Timeframe:

Based on the Board's recommendation, describe the next steps required in order to bring this item to conclusion. Include the time frame for each step, and when the Board should expect to see this issue before them again.

July 2018 - Submit revised draft HCP to USFWS for review