

# SAN LUIS VALLEY REGIONAL HABITAT CONSERVATION PLAN

## PROJECT OVERVIEW

The San Luis Valley Regional HCP is a community-based effort to provide landowners and local units of government with a self-governing process for compliance with Endangered Species Act regulations through the voluntary conservation and enhancement of riparian habitat.

### Background

- Three bird species protected by federal law are found along major rivers in the San Luis Valley – southwestern willow flycatcher, bald eagle, and yellow-billed cuckoo.
- Impacts to the birds or *their habitat* (defined as “take”) are subject to regulation under the Endangered Species Act and other federal laws.
- Individual landowners and local governments in the San Luis Valley are potentially liable for “take” of these species as they conduct otherwise lawful activities.
- The HCP provides a community-driven mechanism to protect landowners and local governments from regulation due to take, provided adequate habitat conservation measures are achieved.

### San Luis Valley Regional HCP

- In 2005, the five counties of the San Luis Valley floor (Alamosa, Conejos, Costilla, Rio Grande, Saguache) agreed to partner with the Rio Grande Water Conservation District (RGWCD) and the State of Colorado to develop an HCP for the Valley.
- An HCP is a community-based plan to conserve endangered species habitat while allowing private land use and management to continue.
- A completed HCP is necessary to receive an Incidental Take Permit, which authorizes the incidental take of ESA-listed species, provided certain conditions and assurances are met.
- In 2005, the U.S. Fish and Wildlife Service did not designate Critical Habitat in the Valley, citing the progress towards a community-based HCP.
- The HCP process is almost entirely funded through state and federal grant programs. The process was suspended from June '08 to Nov. '09 while ongoing funds were secured. We intend to complete a draft and final HCP in 2010.

### Key Elements for Approval

- County Commissioners will need to adopt the final HCP and sign the Implementing Agreement.
- A land use ordinance will need to be adopted in each county to enable HCP implementation, outline legal coverage, and establish procedures.
- State officials will also sign the Implementing Agreement.

*See next page for a brief summary of how the HCP works.*

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## - How it Works -

### HCP Coverage

- Provides incidental take coverage for a specific list of “typical and routine” agricultural, infrastructure, and conservation activities.
- Does not cover subdivision, commercial, or energy development, or major water projects.
- Does not provide coverage for federal agencies.
- Provides incidental take coverage for 50 years.

### Habitat Impacts and Mitigation

- The HCP estimates the total temporary and permanent impacts of all covered activities (i.e., ditch clearing, grazing, road maintenance, stream restoration).
- Impacts of covered activities must be mitigated by habitat conservation or enhancement.
- The HCP must maintain enough mitigation acres to offset the impact acres.

### Mitigation Options

- Efforts to improve and/or protect riparian habitat will count towards HCP mitigation; including conservation easements, habitat restoration and enhancement, and management agreements.
- Landowners will participate on a voluntary basis through a Cooperative Agreement with the RGWCD – those acres are enrolled in the HCP mitigation pool.
- Mitigation lands will be monitored to ensure that habitat quality is maintained.

### HCP Administration

- HCP will be coordinated by the RGWCD
- The RGWCD will staff and fund an HCP Administrator
- A Steering Committee consisting of representatives from local governments, state and federal agencies, and community organizations will oversee the HCP.
- Other elements include education and outreach, species surveys, and long-term coordination.

### HCP Requirements (Summary)

- RGWCD: HCP staffing, administration, education, monitoring.
- State of Colorado: Species surveys, SWA management, monitoring.
- Counties: Land use ordinance, reporting, landowner contact.
- Landowners: No requirements.