



PLANNING & BUILDING
COUNTY OF SAN LUIS OBISPO

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Los Osos Community-Wide Habitat Conservation Plan

CEQA/NEPA Public Scoping Meeting



Introductions

- John McKenzie, County of San Luis Obispo
- Trevor Keith, County of San Luis Obispo
- Jennifer Haddow, Rincon Consultants



Meeting Purpose

- Gather public comment/information on the scope of the CEQA/NEPA document
 - Issues to be analyzed
 - Alternatives to be considered
 - Local knowledge
 - Other relevant information
- Inform the community about future opportunities for input



Background and History of Habitat Conservation Planning

- The habitat conservation planning process under the Endangered Species Act was established in 1982 by Congress
- Habitat Conservation Plans (HCPs) provide a means to authorize the taking of a listed species incidentally to an otherwise lawful activity with the issuance of an incidental take permit (Section 10(a)(1)(B) of the ESA) by the U.S. Fish and Wildlife Service.



What is Take?

- The term “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or to attempt to engage in any such conduct
- “Harass” means an intentional or negligent action that creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding, or sheltering.
- “Harm” means significant habitat modification or degradation which actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering.



Mandatory Elements of a Habitat Conservation Plan

Section 10(a) of ESA specifies:

- Determination of impacts to listed species likely to result from proposed covered activities
- Measures the applicant will undertake to monitor, minimize, mitigate, fund and address unforeseen activities
- Description of alternative actions considered, and reasons why they were not adopted
- Additional measures FWS/NOAA may require as necessary or appropriate for plan purposes



Statutory and Regulatory Issuance Criteria ESA Section 10 (a)(1)(B) and 50 CFR 17.22

- The taking will be incidental
- The applicant will minimize and mitigate the taking to the maximum extent practicable
- The applicant will ensure adequate funding for the plan and provide procedures to deal with unforeseen circumstances
- The taking will not appreciably reduce the likelihood of survival and recovery of the covered species in the wild (no jeopardy)
- The applicant will ensure that other measures that the FWS may require will be followed or implemented
- FWS has received assurances that the HCP will be implemented

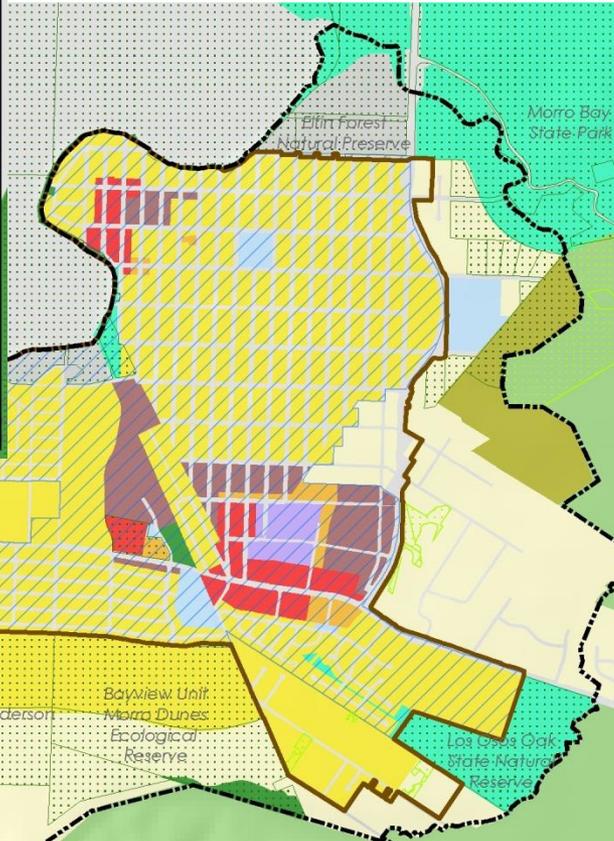


Overview of Proposed Project

LEGEND

Estero Area Plan Land Use Category

	Agriculture
	Commercial Retail
	Commercial Service
	Industrial
	Office Professional
	Open Space
	Public Facility
	Recreation
	Rural Lands
	Residential Multi Family
	Residential Rural
	Residential Suburban
	Residential Single Family
	White Holed
	Protected (Fee Title)
	Protected (Easement)
	Urban Services Line
	Wastewater Treatment Service Area
	Los Osos HCP Area



HCP is part of County application for **Programmatic Incidental Take Permit**

- U.S. Fish and Wildlife Service - FESA
- CA Dept. of Fish and Wildlife - CESA

As the permittee, the County can issue **Certificates of Inclusion** to:

- Landowners
- Other project proponents

Will confer **incidental take** coverage for:

- Covered activities
- Covered species

Draft – subject to change



Purpose of the Proposed HCP

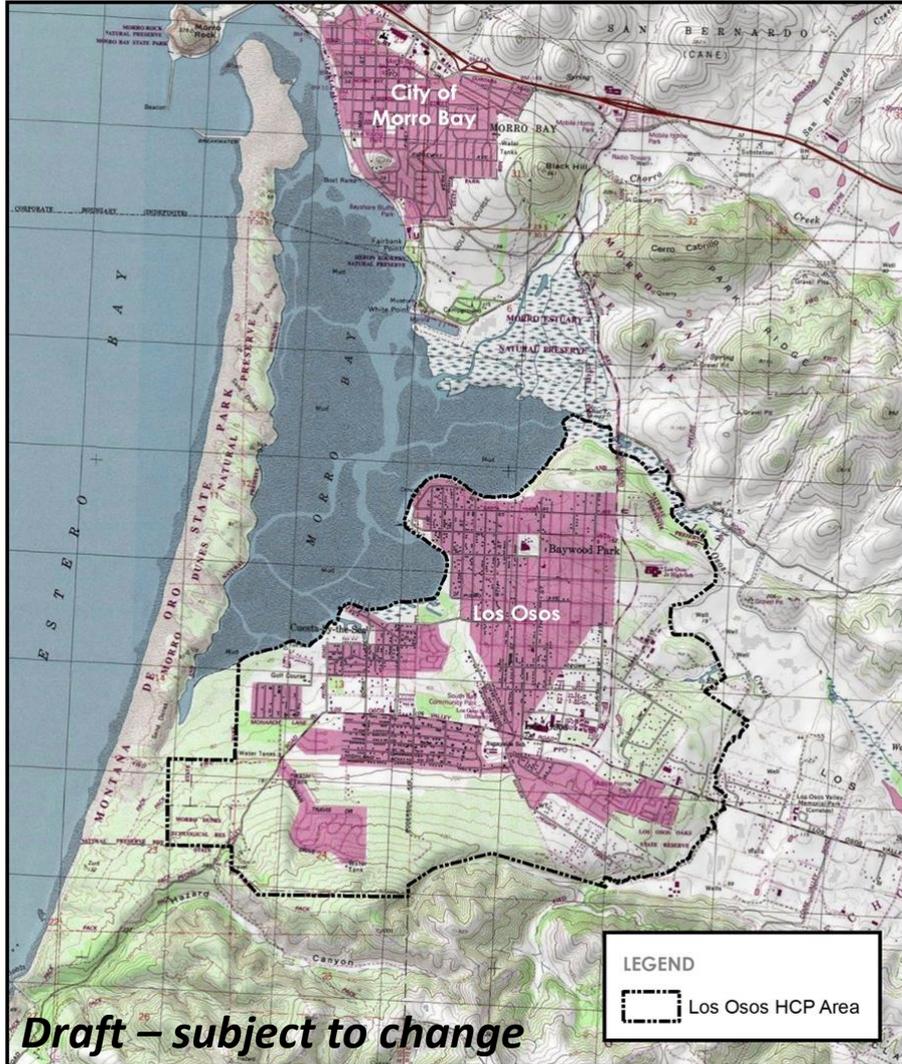
- Currently individual Incidental Take Permits required for all projects with:
 - Potential impacts under FESA
 - Potential impacts under CESA
- No cohesive conservation plan in place now
- Adoption will:
 - Facilitate streamlined permitting process
 - Provide conservation strategy managed by one entity with a single funding source



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Overview of Proposed Project



HCP identifies measures to:

- **Avoid**
- **Minimize**
- **Mitigate**

Impacts of Covered Activities on Covered Species

Known as the *Conservation Strategy*

- Establish Conservation Areas
- Habitat Management
- Monitoring



Overview of Proposed Project



FOUR COVERED SPECIES

- **Morro shoulderband snail**
 - Endangered/None
 - (Federal/State)
- **Morro manzanita**
 - Threatened/None
 - (Federal/State)
- **Morro Bay kangaroo rat**
 - Endangered/Endangered
 - (Federal/State)
- **Indian Knob mountain balm**
 - Endangered/Endangered
 - (Federal/State)



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Overview of Proposed Project

LEGEND

Parcel Status

- Developed
- Undeveloped
- Protected
- Easements
- Urban Services Line
- Los Osos HCP Area



Draft – subject to change

COVERED ACTIVITIES

- Private Development
- Capital Projects
- Facilities Operations & Maintenance
- Conservation Strategy Implementation



National Environmental Policy Act

- NEPA
- Purpose:
 - Ensure Federal agencies examine Environmental Impacts of their actions and assess alternatives
 - Solicit Public Input on analysis
- Issuance of ITP under FESA (Section 10) is an *Action*
 - Triggers NEPA requirement



California Environmental Quality Act

- CEQA
- Purpose:
 - Disclose significant environmental effects of proposed projects
 - Identify ways to avoid/reduce environmental damage
 - Consider feasible alternatives
 - Enhance public participation
- Adoption of HCP by County is a project
 - Triggers CEQA requirement



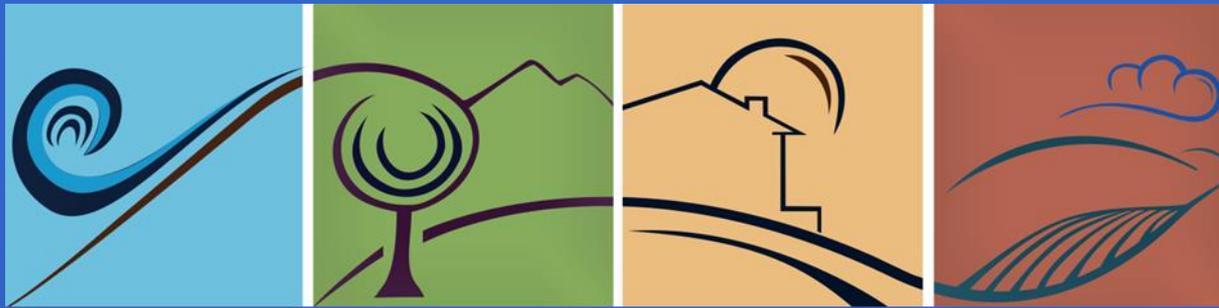
Issues to be Examined

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Zoning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Socioeconomic and Environmental Justice
- Transportation and Circulation
- Utilities and Service Systems



Opportunities for Engagement

- Comments on CEQA/NEPA scope due by November 20, 2013
- Further opportunity to comment when DRAFT documents published
 - Expected in September 2014
 - Draft CEQA/NEPA document and Draft HCP all to be published concurrently for review by public
 - Public input also encouraged at that stage



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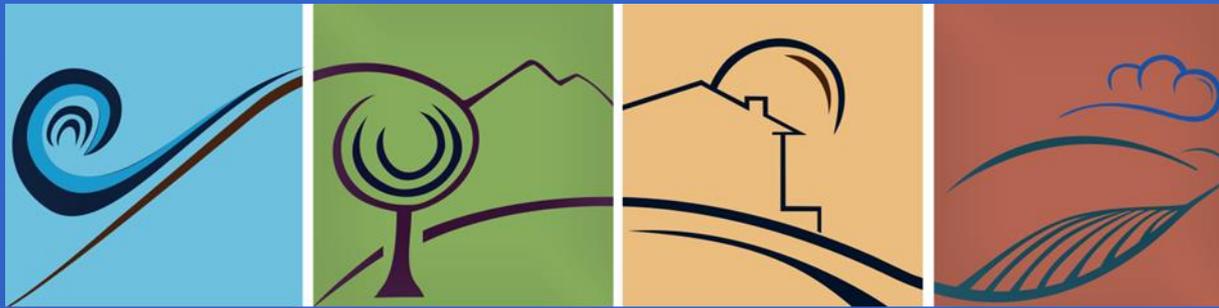
We welcome your comments!

Please provide comments and tell us what potential environmental issues, impacts or alternatives the analysis should examine.

Comment form available

Summary to be placed on website

Sign-in list available – to be added to interested party list



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Conclusion

– **Thank you** for participating!

Contact Information: John McKenzie 781.5452
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• To keep up on the status of the Project go to:

[http://www.slocounty.ca.gov/planning/environmental/
EnvironmentalNotices/LOCHCP.htm](http://www.slocounty.ca.gov/planning/environmental/EnvironmentalNotices/LOCHCP.htm)

Comments due by November 20, 2013