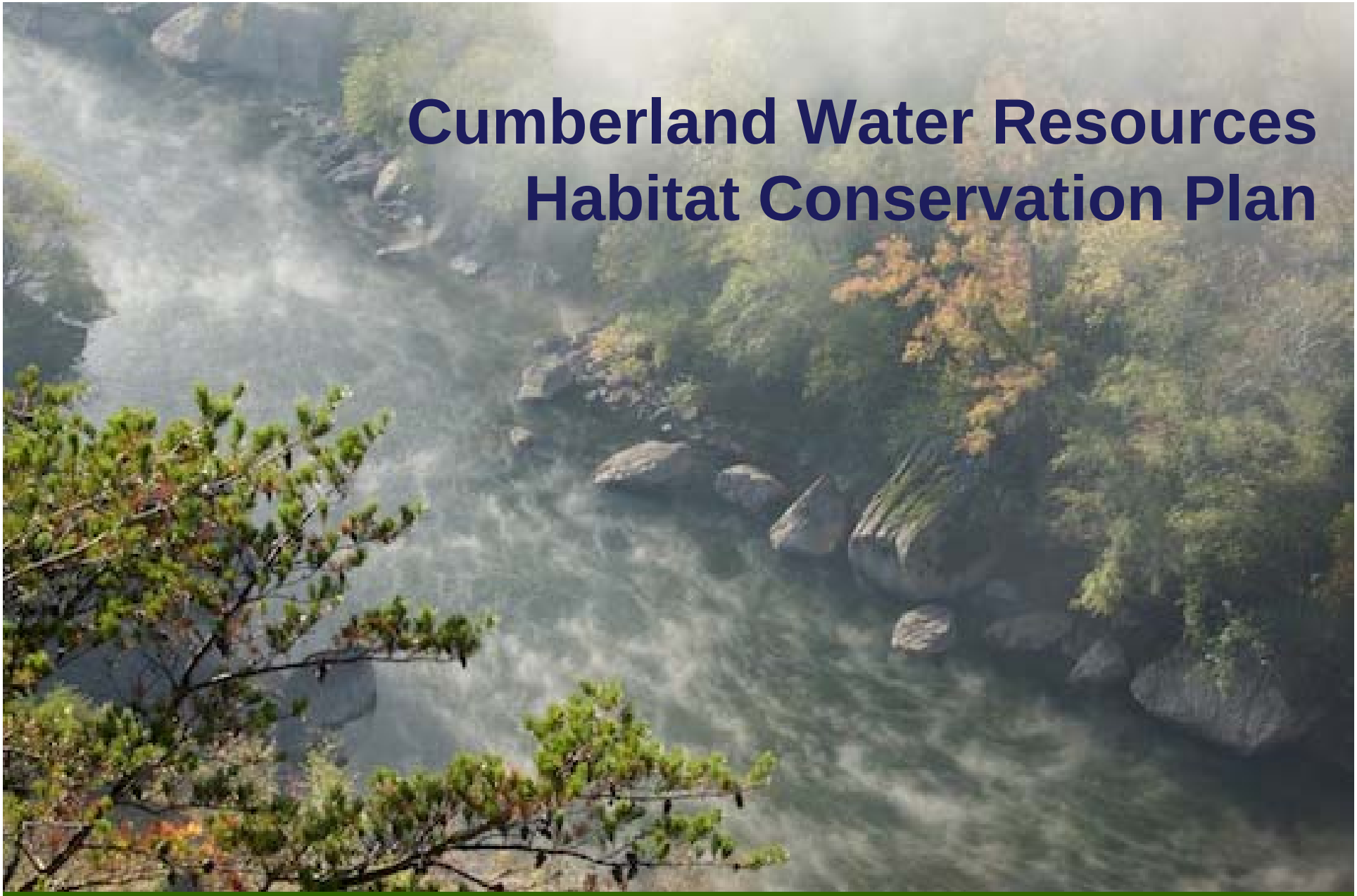


# Cumberland Water Resources Habitat Conservation Plan

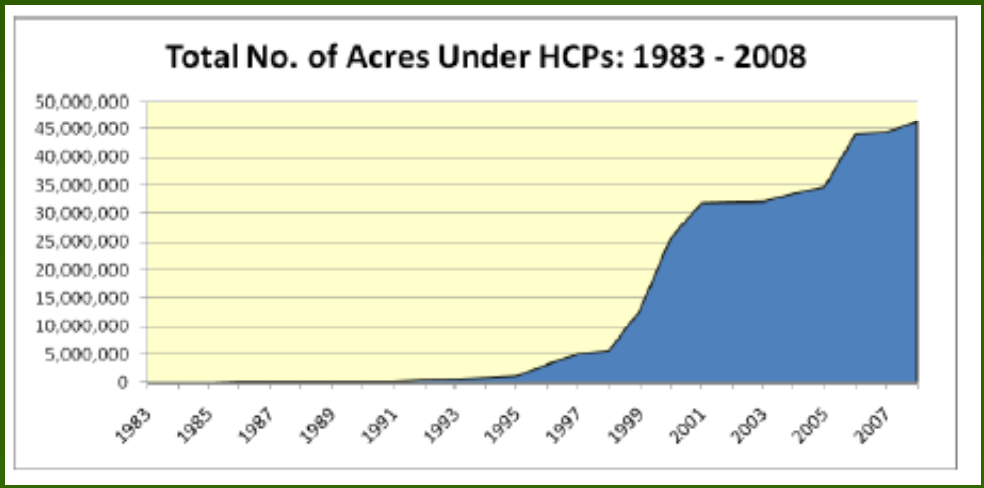
**Steering Committee Meeting**
**February 24, 2010**

# What is a Habitat Conservation Plan?

An HCP is a way to achieve balance between economic development and the long-term viability of rare wildlife and plants in the Cumberlands through implementation of affordable and sustainable measures.

# What is a Habitat Conservation Plan?

- A Habitat Conservation Plan (HCP) is a long-term agreement between a local entity and the USFWS.
- In exchange for following provisions in the HCP, the HCP holder is not liable for harm to a threatened/endangered species or its habitat.
- Over 650 approved HCPs in the U.S.
- HCPs are evolving from single projects to broad-based, landscape-level planning to achieve long-term biological and regulatory goals.




*http://ecos.fws.gov/conserv_plans/public.jsp; MSI 2009*

# How does an HCP work?

- A local entity develops an HCP and submits it to USFWS as part of an Incidental Take Permit (ITP) application.
- After review, USFWS issues an ITP to the applicant.  Permit terms are usually 20-40 yrs.
- ITP allows a permit holder to take a listed species when permit requirements are followed.
- The permit holder follows the provisions of the ITP.
- The HCP is revisited regularly and revised, if necessary.

Avoidance, minimization, & mitigation

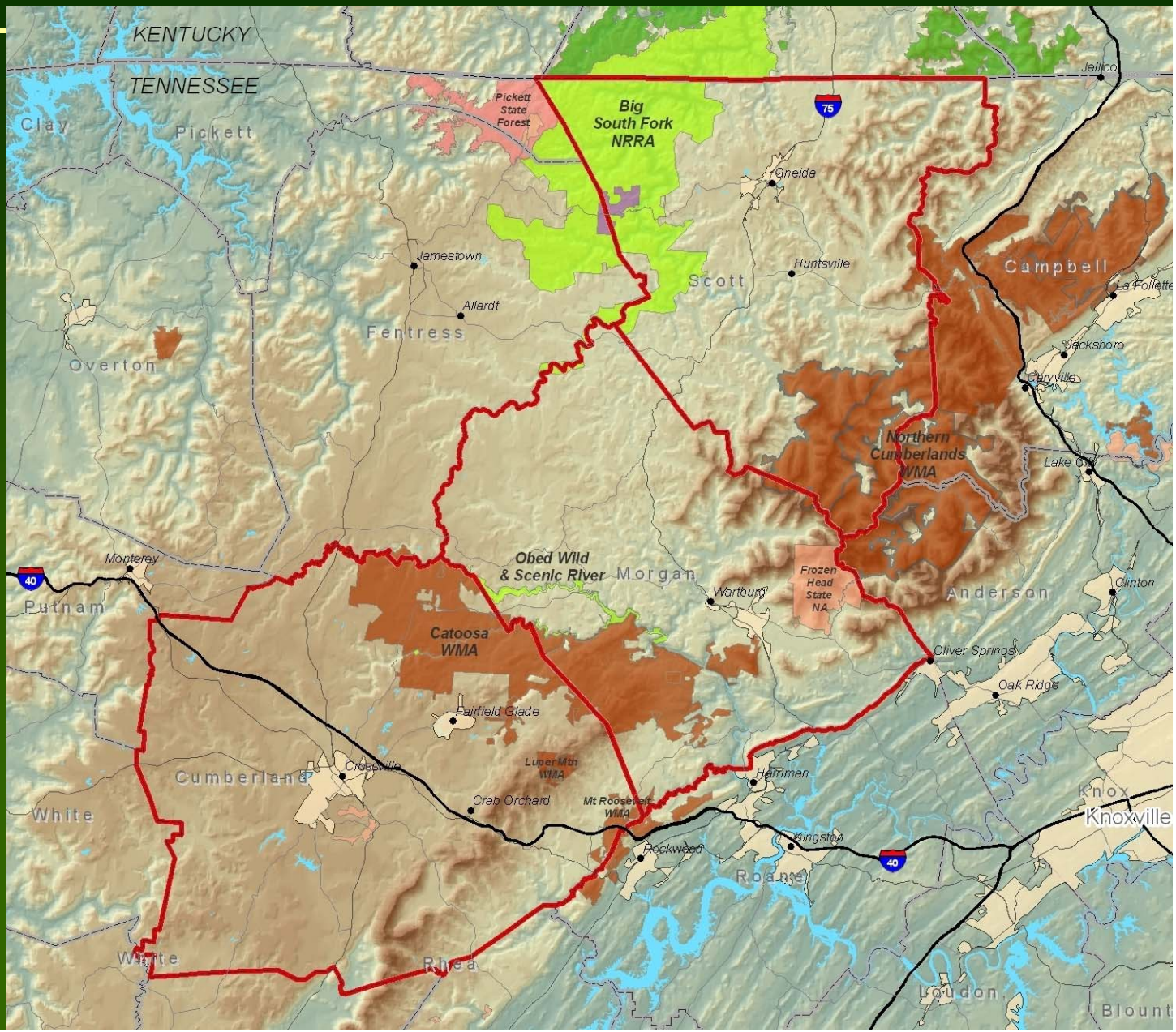
# Cumberland HCP Applicants

## Counties

- Cumberland
- Morgan
- Scott

## Cities

- Crossville
- Wartburg



# How will this affect private interests?

- Take liability associated with land development would be covered, provided that the HCP provisions are followed.
- The HCP will save private interests the time and expense associated with USFWS reviews and project delays.
- New local ordinances/regulations may be developed.

# The Water Resources HCP will...

- Encourage growth that is compatible with the needs of threatened and endangered species.
- Facilitate watershed-scale planning.
- Apply science to land development & management decisions

→ Improved Species Conservation

- Provide a predictable process through which landowners and local governments can address ESA issues.
- Increase local control in ESA issues.
- Protect economic interests, including private property rights.

→ "No Surprises"

# What does “no surprises” mean?

The USFWS will not require additional land, water, or financial resources or additional restrictions beyond the provisions agreed to in the HCP as long as the HCP is properly implemented.

*Certainty in project planning and implementation*

# The HCP "To Do" List

- Covered species
- Covered activities
- Links between activities and species impacts
- Biological goals and objectives
- Numeric estimate of take (modeling)
- Best management practices
- Implementation mechanisms (e.g. ordinances, permits)
- Monitoring and adaptive management strategy
- Funding strategy

# Selection of Covered Species

Has the species been documented in the planning area?

Yes

Is the species:

- Federally listed?
- State listed?
- Highly endemic?
- Likely to be listed?

Yes

Are the links between activities and species impacts scientifically defensible?

Yes

Do we have sufficient scientific knowledge to calculate take?

Yes

**Candidate for HCP Covered Species**

# Selection of Covered Activities

Could the activity occur within the planning area?

Yes

Does the applicant have legal control over the activity?

Yes

Could the activity cause take?

Yes

Is the activity occurring or expected to occur during the permit lifetime?

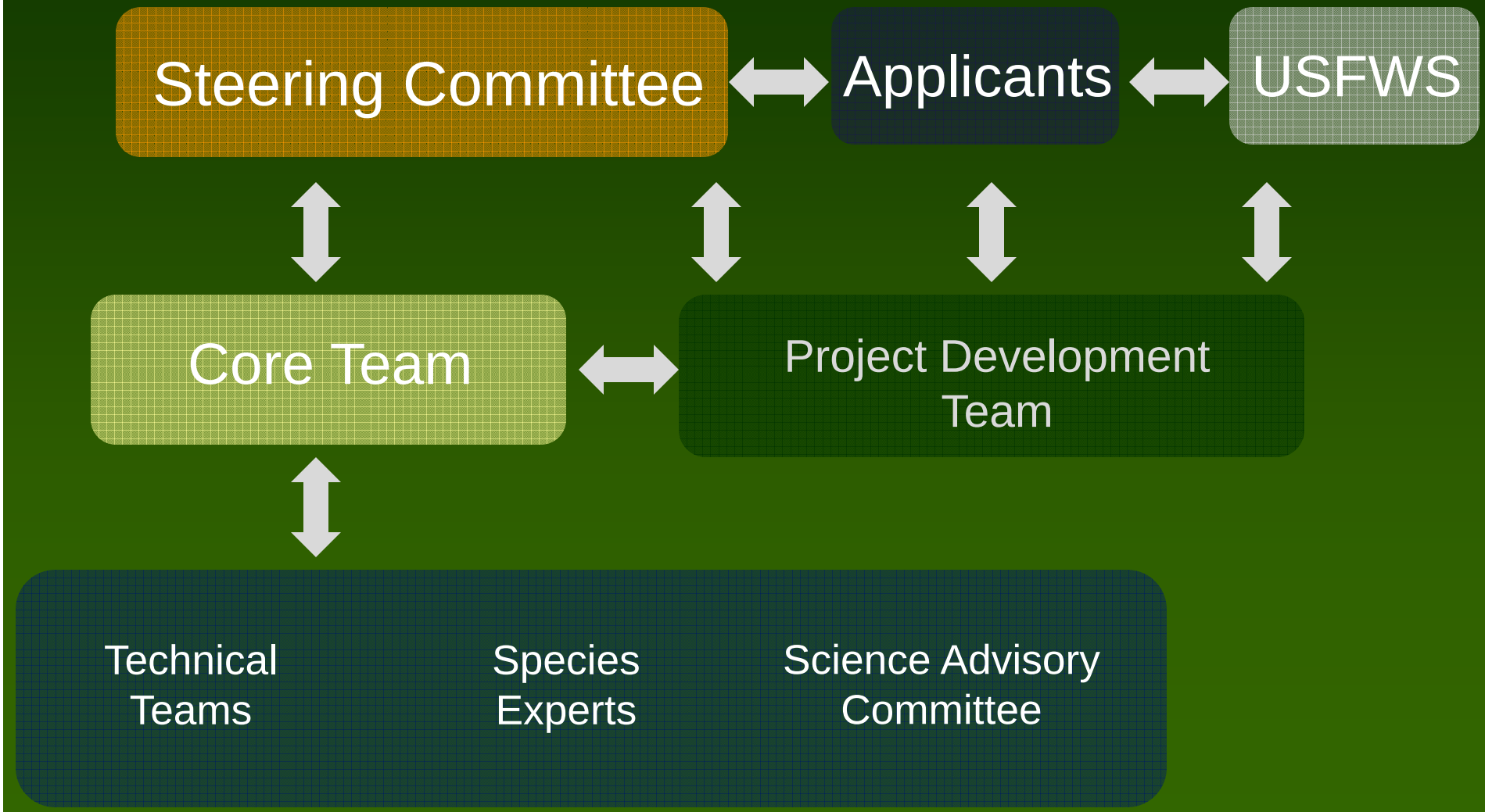
Yes → **Candidate for HCP Covered Activity**

*Agriculture, mining, & water supply projects will not be covered under the HCP.*

# Covered Activities, Cont.

**The Cumberland HCP**
**<u>will not</u>**
**include agriculture,**
**mining, or water**
**supply projects**
**as covered activities.**

# Project Organization



# Role of the Steering Committee

- Assist in the preparation of a financially, technically, and politically feasible HCP.
- Review, evaluate and discuss HCP topics.
- Make thoughtful recommendations to the permit applicants.
- Bring multiple perspectives to the table.

Permit applicants make the final decision whether or not to apply for an Incidental Take Permit.

The Core Team and HCP Staff are at the Committee's disposal.

# Steering Committee Membership

Applicants

- Crossville & Wartburg
- Cumberland, Morgan, & Scott Counties

Associates

- Citizens, Economic Interests, River Associations, NPS, Others

Ex Officio

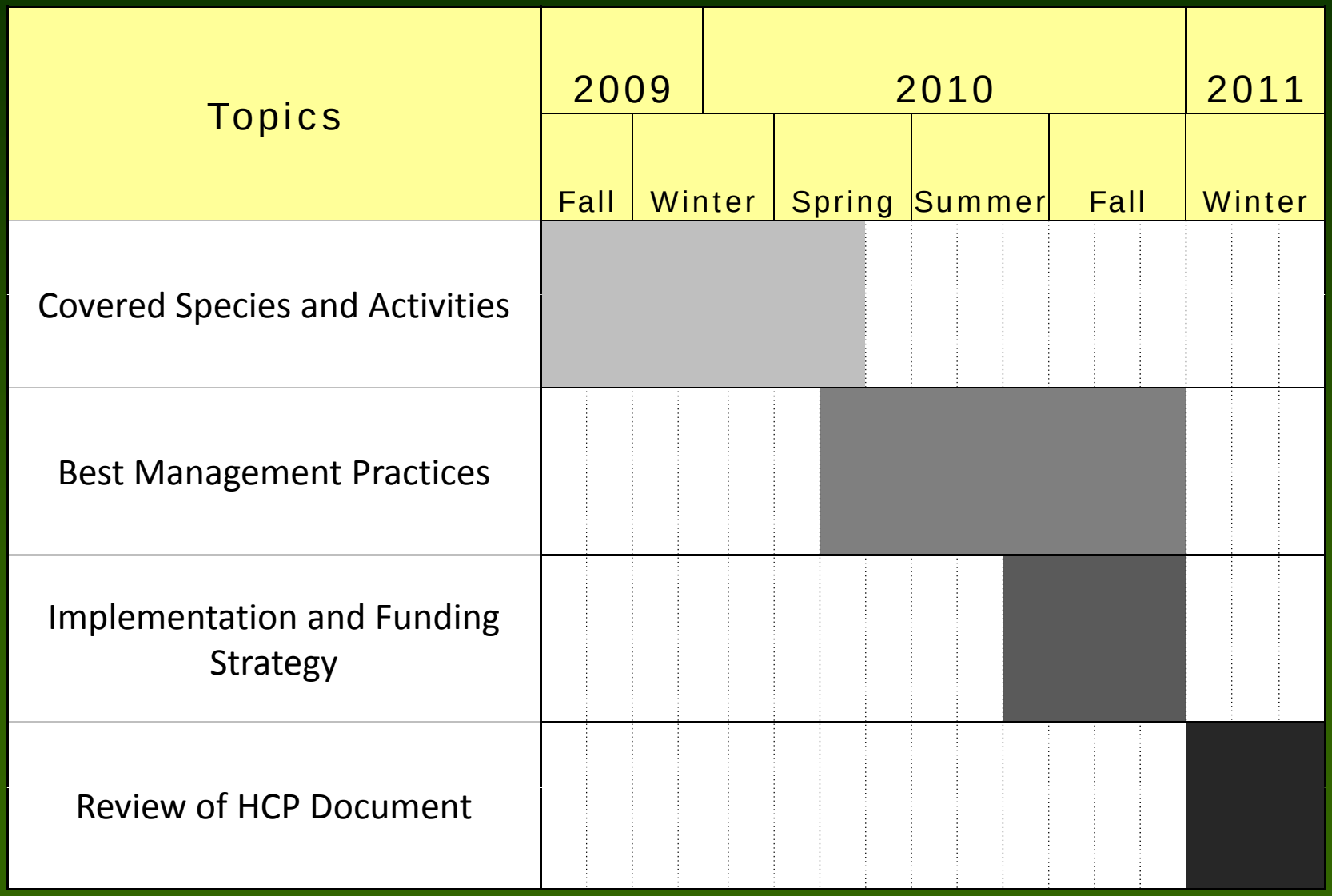
- State and Federal Agencies

# Steering Committee Topics

Provide recommendations to the applicants regarding:

- Covered species
- Covered activities
- Links between activities and species impacts
- Biological goals and objectives
- Take calculations
- Best management practices
- Implementation mechanisms
- Funding
- Monitoring and adaptive management strategy

# Project Timeline



# For more information…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