



# NEWS

*from the U.S. Fish and Wildlife Service*

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**HABITAT CONSERVATION PLANNING IS STREAMLINED  
UNDER NEW GUIDELINES ANNOUNCED BY TWO AGENCIES**

New guidelines designed to streamline and expedite the habitat conservation plan permit process under the Endangered Species Act were announced today by the Interior Department's U.S. Fish and Wildlife Service and the Commerce Department's National Marine Fisheries Service.

Habitat conservation plans provide for conservation of endangered species during development on privately owned lands.

"These new guidelines will improve the habitat conservation planning process for small landowners and other participants," said John Rogers, acting director of the Fish and Wildlife Service.

"Habitat conservation plans not only provide protection for species but also certainty for landowners and local governments," said Rollie Schmitt, director of the National Marine Fisheries Service. "With recent listing actions for anadromous fish on the West Coast, HCPs will become an increasingly important tool for conservation and recovery efforts."

The HCP process allows for conservation of Federally listed, proposed, and candidate species as well as biological diversity while allowing economic development that will not "appreciably reduce the likelihood of the survival and recovery of the species in the wild."

The new HCP handbook establishes a new "low-effect" HCP category for small landowners and other low-impact projects, sets HCP application approval targets of from 3 to 10 months, and imposes clear standards to ensure consistent implementation throughout the United States.

Before HCPs were established, private landowners whose land was inhabited by endangered or threatened wildlife had no recourse if their land-use actions had potential to harm those species. In 1982, Congress addressed this issue by amending the Endangered Species Act to allow for "incidental take" of some individuals of listed species when developers are engaged in "otherwise lawful activity."

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An HCP may take many forms. Landowners may become involved in such actions as preservation (through acquisition or conservation easements) of existing habitat, enhancement or restoration of degraded or former habitat, creation of new habitats, establishment of buffer areas around existing habitats, or modifications of land use practices and restriction on access. For landowners and local governments, approved HCPs provide long-term assurances that their activities will be in compliance with the requirements of the Endangered Species Act. In general, the HCP process promotes negotiation and compromise and provides a strong alternative to conflict or litigation.

The handbook's "low-effect" HCP category will apply to those projects with relatively minor or negligible impacts on listed species or on other environmental resources. Such applications may involve a small landowner who wants to build a house on a single lot and lacks the resources to withstand long delays. Consequently, the new guidelines note that processing requirements for low-effect HCPs will be substantially simplified and the issuance of permits expedited "to the maximum extent practicable and allowable by law," with a target approval time for such applications of 3 months after the complete application package is received.

The new guidelines improve the HCP process by allowing greater flexibility in many procedural decisions, streamlining the process, and listing target approval deadlines so landowners are ensured a high level of certainty.

While little-used in earlier years, the HCP has now become one of the endangered species program's most important and innovative conservation tools. By 1992, 10 years after initial authorization of the HCP process, the Fish and Wildlife Service had issued 14 HCPs. As of September 1996, 197 had been approved, with another 200 in development.

By late 1995, most HCPs approved were for areas smaller than 1,000 acres. But by early 1996, approximately 25 exceeded 10,000 acres, 25 exceeded 100,000 acres, and 18 exceeded 500,000 acres. HCPs have now evolved from a process adopted primarily to address single developments to a broad-based landscape-level planning element used to achieve long-term biological goals.

Copies of the HCP handbook may be obtained by writing to the HCP Coordinator, Division of Endangered Species, U.S. Fish and Wildlife Service (ARLSQ 452), 1849 C St. NW., Washington, DC 20240.