

# Salinas River Habitat Conservation Plan

salinasrivermanagementprogram.org

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## Overview of the Salinas River Habitat Conservation Plan

The Monterey County Water Resources Agency (MCWRA) is developing the Salinas River Habitat Conservation Plan (HCP), building on the Long-Term Management Plan that was finalized in 2019.

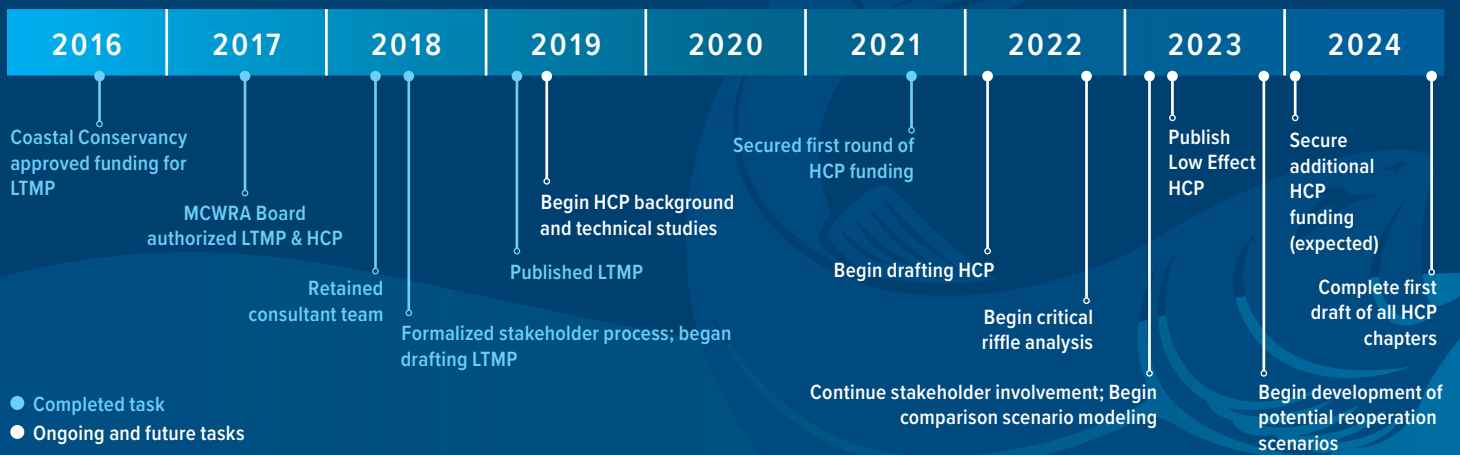
Activities associated with the agency's water operations and management including facility maintenance, water supply operations, floodwater management, and capital projects may result in incidental take<sup>1</sup> of threatened and endangered species under the Endangered Species Act (ESA). The HCP is a planning document for regulatory compliance and legal protection for the impact to federally listed species from the otherwise lawful activities carried out by MCWRA in the course of fulfilling its mission to *manage water resources sustainably while minimizing impacts from flooding for present and future generations*, including activities that are essential to the ongoing viability of Monterey County's agricultural and urban economies.

<sup>1</sup> Take, as defined by the federal Endangered Species Act, means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect any threatened or endangered species.

## SALINAS RIVER HCP KEY BENEFITS

- **Local Control:** The Salinas River HCP shifts management of ESA compliance for public and private activities from federal agencies to the local level. MCWRA will administer the permits with oversight from USFWS and NMFS.
- **Improved and increased species conservation:** The Salinas River HCP will provide a more efficient process for protecting natural resources by creating a watershed approach that will be larger in scale, more ecologically valuable, and easier to manage than individual mitigation sites typical of a project-by-project permitting approach. The HCP is applicant-driven, meaning MCWRA will have greater involvement in determining the feasible and appropriate mitigation required.
- **Streamlined permitting:** With increased local control of the ESA compliance process, permitting times will be reduced. In addition, the Salinas River HCP will provide a comprehensive road map for the avoidance, minimization, and mitigation of covered species effects, further reducing permitting times, creating certainty around project costs, and reducing litigation potential. Reduced permitting time and increased certainty around permitting requirements will provide an economic benefit to MCWRA and will facilitate critical infrastructure maintenance activities being completed without delays.

## TIMELINE of the SALINAS RIVER LONG-TERM MANAGEMENT PROGRAM



### Why prepare an HCP?

An HCP is required as part of the application for a Section 10(a)(1)(B) incidental take permit (ITP) under the ESA. An ITP is required to comply with the ESA when non-federal activities that are otherwise lawful are reasonably certain to result in incidental take of threatened or endangered species and it provides legal protection for the impacts that may occur. The purpose of the ITP is to authorize the incidental take of a listed species, not to authorize the activities that result in take. MCWRA's water operations and management activities including facility maintenance, water supply operations, floodwater management, and capital projects all have potential to result in take of federally listed species. For this reason, MCWRA is preparing the Salinas River HCP to comply with the ESA.

California has its own incidental take permitting process authorized under the California Endangered Species Act (CESA) and regulated under California Fish and Game Code (FGC) Section 2081(b).

### What regulatory agencies are involved and what are their roles and responsibilities?

U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) share responsibility for administration of the ESA. Personnel from these agencies provide detailed guidance and technical assistance to

MCWRA throughout the process of developing the HCP. These agencies must also ultimately approve the HCP and issue ITPs for the covered species.

California Department of Fish and Wildlife (CDFW) is responsible for administering CESA and will need to issue an ITP under FGC Section 2018(b) for impacts to state listed or state candidate species from MCWRA's activities. In addition, CDFW has regulatory authority over certain activities in streams and/or lakes that could substantially adversely affect fish or wildlife resources (FGC Section 1602) and regulates minimum flows below dams to maintain fish and other aquatic life in "good condition" (FGC Section 5937).

The State Water Resources Control Board and Central Coast Regional Water Quality Control Board are responsible for regulation of water quality, water resource allocation, and efficient use for both surface and groundwater under the federal Clean Water Act and the California Porter-Cologne Water Quality Control Act.

### Next steps

Both public and agency involvement is critical to the development of a successful HCP. MCWRA is initiating a stakeholder engagement process to solicit input and gather insights to ensure the HCP comprehensively considers the needs of all the major interests in the Salinas Valley.

### For More Information

Visit: [salinasrivermanagementprogram.org](http://salinasrivermanagementprogram.org)

Contact: For questions or additional information, please contact the project team at [SalinasRiverHCP@icf.com](mailto:SalinasRiverHCP@icf.com)

