Panel 4: Habitat Conservation Plans

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Listed Species Examples

**American Burying Beetle**
- Mid-West US
- Status: Endangered
- Facts: A carrion beetle; both parents care for offspring (unusual).

**Northern Long Eared Bat**
- Eastern & North Central US

**Lesser Prairie Chicken**
- KS, TX, OK, NM, CO
- Status: Delisted but recently under consideration for relisting

- Status: Threatened / 4(d)
- Facts: Several species of bat are listed as endangered or threatened throughout the US and have varied roosting and breeding habitats
Other Species Examples

**Monarch Butterfly**
- Found Nationwide
- Important Pollinator

**Tricolored Bat**
- Found in the Eastern US

**Rusty Patch Bumble Bee**
- Found Nationwide
- Important Pollinator
# Options for ESA Compliance

<table>
<thead>
<tr>
<th>Avoidance</th>
<th>Programmatic Consultations</th>
<th>Candidate Conservation Agreements (Assurances)</th>
<th>Safe Harbor Agreements</th>
<th>Habitat Conservation Plans</th>
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<tbody>
<tr>
<td>▪ Avoid Impacts to Listed Species</td>
<td>▪ If Federal Nexus, ESA Section 7 Applies Consultation from Fish and Wildlife Service</td>
<td>▪ Covers Species Proposed for Listing</td>
<td>▪ Similar to CCA(A)</td>
<td>▪ ESA 10(a)(1)(B)</td>
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<tr>
<td>▪ Locate Projects Outside Habitat</td>
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<td>▪ Does Not Apply to Listed Species</td>
<td>▪ Covers Listed Species</td>
<td>▪ Mechanism to Obtain Incidental Take Permit</td>
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<td></td>
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<td>▪ Provides Pro-active Protection</td>
<td>▪ Include Assurances for Land Owners Regarding Future Obligations</td>
<td>▪ Provide for Conservation Needs where Take is Possible</td>
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<td></td>
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<td>▪ Voluntary</td>
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<td>▪ No Additional Action Necessary if Species Listed</td>
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- Provides proactive protection.
- Voluntary.
- No additional action necessary if species listed.
- Similar to Candidate Conservation Agreements (Assurances).
- Covers species proposed for listing.
- Does not apply to listed species.
- Provides assurance for landowners regarding future obligations.
Considerations for Doing an HCP

**Pros:**
- Allow for Long Term Certainty
- Increases Project Efficiency After Implemented
- Provides Incidental Take Permit

**Cons:**
- Costly to Develop
- Time Consuming to Develop
- Requires Considerable Effort
- Uncertain Results
Decisions to Make

• Define Expectations
  – What Species
    ◦ FWS may ask for coverage for multiple species
  – What Area
    ◦ Plans crossing regions pose additional hurdles
    ◦ May have to avoid areas, or use unexpected areas
  – What Duration?
  – What Schedule?
  – What Permit Structure?
  – Who to Involve?
    ◦ Industry wide?
    ◦ Project specific?