



# Idaho's Conservation Partnerships Program

## *Safe Harbor Agreements*

### **What is a Safe Harbor Agreement?**

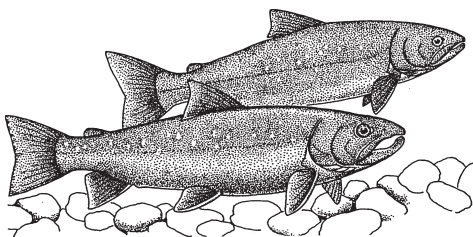
A *Safe Harbor Agreement* (SHA) is a voluntary agreement between the U.S. Fish and Wildlife Service and participating non-federal landowners. The Agreement benefits endangered and threatened species, while giving the landowners assurances that additional regulatory restrictions will not be placed on their land use practices in the future.

### **Who is eligible to participate?**

Non-federal landowners who have endangered or threatened species on their property are eligible to enter into an SHA with the Service. Eligible entities include private landowners, businesses, conservation organizations, local governments, Tribal governments, and natural resource agencies.

### **How does an SHA work?**

The Service and a landowner develop a mutually-agreeable agreement regarding land use practices that will benefit one or more listed species. Prior to entering into an SHA, the Service must find that listed species included in the Agreement will receive a "net conservation benefit" from the agreement's management actions.



### **Is a "take permit" issued?**

Once the parties have agreed to the terms of the SHA, the Service then issues the landowner a permit that allows incidental take of the listed species, or habitat modification that returns population levels and habitat conditions to those agreed upon as a baseline.

### **What is "baseline"?**

The *baseline* is the current status of the listed species and its habitat on land that is being considered for an SHA. Baseline may be measured in several ways, including numbers of individuals present and habitat area.

### **How long does it take to develop an SHA?**

Most agreements are developed within 3 to 4 months. More complex agreements may take 6 to 7 months to complete.

### **What is the length of the Agreement?**

The duration of an SHA varies depending upon the status of the species' listing. Some agreements may be in effect for many years if the species remains listed and the landowners wish to continue with the SHA.

### **What happens when the term expires?**

When the agreement's term ends, the landowner may use the property in any legal manner that does not move its condition below the agreed-to baseline. Agreements may be renewed for a period that is mutually agreed upon by both the landowner and the Service.

### **What if I sell my land?**

Three options are available if the land is sold. First, if the new landowner signs the Agreement, the Service can continue to honor the original Agreement. Second, the Service can develop a new Agreement with the new landowner that is mutually agreeable. Third, the original Agreement may be relinquished without the development of a replacement Agreement.

### **Will the public be notified about SHAs?**

Yes. The Service announces receipt and availability of the application and the Agreement in the *Federal Register*. A public comment period commences with the *Federal Register* publication. After reviewing public comments, the Service then makes a final decision on issuance of the permit.

### **Can I maintain privacy on my property if I enter into an SHA?**

Yes. An SHA does not allow public access to your land, nor does it prevent you from implementing management actions not described in the Agreement, provided actions do not impact beneficial actions already taken or the original base-line conditions. There will be some periods when you must allow the Service or Idaho Department of Fish and Game personnel access your land for monitoring the status of the species and its habitat.

### **For More Information:**

#### **Kendra Womack**

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# Idaho's Conservation Partnerships Program

## *Candidate Conservation Agreements with Assurances*

### What is a "Candidate" species?

A *Candidate species* is a plant or animal for which the U.S. Fish and Wildlife Service has enough information on biological status and threats to propose them as endangered or threatened under the Endangered Species Act (ESA), but a proposed listing action is precluded by other higher priority listing activities.

### What is a Candidate Conservation Agreement with Assurances (CCAA)?

A CCAA is a voluntary agreement between the Service and a non-federal landowner that addresses conservation needs of proposed or candidate species before they are listed, or species likely to become candidates. Landowners voluntarily commit to implementing specific actions that will remove or reduce threats to the species, and the Service provides the landowner with assurances that additional regulatory restrictions will not be placed on their land management practices in the future, should a listing occur. Prior to entering into a CCAA, the Service must find that listed species included in the Agreement will receive a "net conservation benefit" from the Agreement's management actions. Combined with actions on other lands, the CCAA terms would reduce or remove the need to list the at-risk species.

### Who is eligible to participate?

Non-federal landowners interested in conserving species who have suitable habitat on their property and are willing to participate in certain conservation measures may enroll in an Agreement with the Service.

Eligible entities include private landowners, businesses, conservation organizations, local governments, Tribal governments, and State natural resource agencies.

### How does a CCAA work ?

The Service and landowner develop a mutually-agreeable CCAA regarding land use practices that will benefit one or more at-risk species. A site-specific plan will be tailored to land management on the landowner's property.

### Is a "take permit" issued?

Once the parties have agreed to the terms of the CCAA, the Service then issues the landowner a permit that allows take of the species, incidental to otherwise lawful activities, in the event that a listing should occur in the future.

### What is the goal of a CCAA?

The ultimate goal is to remove enough threats to the target species to eliminate the need for listing. For wide-ranging species, the goal is to remove or reduce enough threats on enrolled lands that if enough landowners participated in similar agreements across the species' range, the cumulative effect of these actions would eliminate the need for listing.

### How long does it take to develop a CCAA?

Most agreements are developed within 3 to 4 months. More complex agreements may take 6 to 7 months to complete.



### What if I sell my land?

Three options are available if the land is sold. First, if the new landowner signs the Agreement, the Service can continue to honor the original Agreement. Second, the Service can develop a new Agreement with the new landowner that is mutually agreeable. Third, the original Agreement may be relinquished without the development of a replacement Agreement.

### Is the public notified about the CCAA?

Yes. The Service announces receipt and availability of the application and the Agreement in the *Federal Register*. A public comment period commences with the *Federal Register* publication. After reviewing public comments, the Service then makes a final decision on issuance of the permit.

### Can I maintain privacy on my property if I enter into a CCAA?

Yes. A CCAA does not allow public access to your land, nor does it prevent you from implementing management actions not described in the Agreement, provided actions do not impact beneficial actions already taken or the original baseline conditions. There will be some periods when you must allow the Service or Idaho Department of Fish and Game personnel access to your land for monitoring the status of the species and its habitat.

### For More Information: Kendra Womack

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# Idaho's Conservation Partnerships Program

## Habitat Conservation Plans

### What is Habitat Conservation Plan?

A *Habitat Conservation Plan (HCP)* is a voluntary agreement between the U.S. Fish and Wildlife Service and participating non-federal landowners. The Agreement may benefit species that are not listed, in addition to endangered and threatened species.

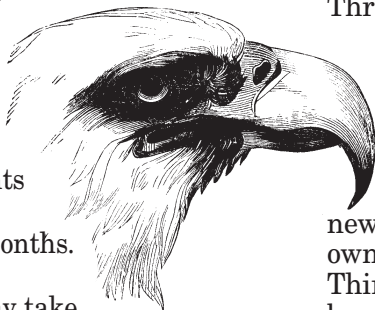
### Who is eligible to participate?

Non-federal landowners are eligible to enter into an HCP with the Service. Eligible entities include private landowners, businesses, conservation organizations, local governments, Tribal governments, and natural resource agencies.

### How does an HCP work?

The Service and a landowner develop an HCP that describes in detail the effects of the proposed action on a target species, and how these effects will be minimized and mitigated. An HCP may be developed for listed and non-listed species.

Prior to entering into an HCP and issuing the associated incidental take permit, the Service must determine that the amount of take will not appreciably reduce the chances of survival and recovery of the species. Most agreements are developed within 3 to 4 months. More complex agreements may take 6 to 7 months to complete.



### Is a "take permit" issued?

When the parties agree to the terms of the HCP, the Service issues the landowner a permit that allows incidental take of the listed species, or habitat modification, as long as the proposed activity will not appreciably reduce the species' chance of survival and recovery.

### What is "take"?

"Take," as defined by the endangered Species Act, means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct.

### What assurances does an HCP offer?

The "No Surprises" rule assures landowners that no additional future restrictions on land use practices will be imposed for species covered by a properly implemented HCP.

### What happens when the term expires?

When the agreement's term ends, the landowner may use the property in any legal manner that does not move its condition below the agreed-to baseline. Agreements may be renewed for a period that is agreed upon by both the landowner and the Service.

### What if I sell my land?

Three options are available if the land is sold. First, if the new landowner signs the Agreement, the Service can continue to honor the original Agreement. Second, the Service can develop a new Agreement with the new landowner that is mutually agreeable. Third, the original Agreement may be relinquished without the development of a replacement Agreement.

### Is the public notified about the HCP?

Yes. The Service announces receipt and availability of the application and the Agreement in the *Federal Register*. A public comment period commences with the *Federal Register* publication. After reviewing public comments, the Service then makes a final decision on issuance of the permit.

### Can I maintain privacy on my property if I enter into an HCP?

Yes. An HCP does not allow public access to your land, nor does it prevent you from implementing management actions not described in the Agreement, provided actions do not impact beneficial actions already taken or the original baseline conditions. There will be some periods when you must allow the Service or Idaho Department of Fish and Game personnel access to your land for species status monitoring and its habitat.

### How are HCPs different from SHAs?

An HCP and an incidental take permit is required if the landowner anticipates an immediate taking of a listed species. In contrast, an SHA and its permit allows the take of a species at the end of the agreement, and only for those individuals for which habitat was created through the agreement. HCPs allow some loss of individuals or habitat ("take") as long as the loss does not appreciably impact the species. In contrast, SHAs must provide a net conservation benefit to the covered species.

### For More Information:

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# Idaho's Conservation Partnerships Program

## *Conservation Grants and Funding Opportunities*

### Private Landowner Opportunities

Contact:

Dennis Mackey, 208/378-5267 - Boise  
Cary Myler, 208/237-6975 - Chubbuck  
Kendra Womack, 208/685-6951

#### n Partners for Fish and Wildlife Program

The Partnerships for Wildlife Act authorized the establishment of the Wildlife Conservation and Appreciation Fund to receive appropriated funds and donations from the National Fish and Wildlife Foundation and other private sources. The fund provides grants to private landowners who wish to implement conservation measures on their property that enhance or restore habitat for native species. A 50% non-federal cost share is required.

#### n Private Stewardship Program Grants

This program provides assistance to landowners for managing their lands in ways that benefit native species and their habitats. A 10% non-federal cost share is required.

#### n Fish Restoration and Mitigation Act

This act, often referred to as "FRIMA," created a cost-share funding opportunity for private landowners to implement fish screening and passage projects associated with water diversions. A 35% non-federal cost share is required.

#### n Cooperative Endangered Species Conservation Fund

Private landowners may also be eligible for funding made available to states and territories through this fund. Refer to the "State Opportunities" section of this fact sheet for details.



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*Numerous grants and funding opportunities are available through the U.S. Fish and Wildlife Service for species and habitat conservation.*

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### Tribal Opportunities

Contact: Kendra Womack,  
208/685-6951

#### n Tribal Landowner Incentive Program

Tribes are eligible to receive funds through this program for actions and activities that protect and restore habitats that benefit Federally-listed, proposed, or candidate species, or other at-risk species on Tribal lands. A 25% non-federal cost share is required.

#### n Tribal Wildlife Grants

Tribes are eligible to receive funds through this program for development and implementation of programs that benefit wildlife and habitat, including species that are not hunted or fished. A cost share is not required, but is beneficial.

### State Opportunities

Contact:

Kendra Womack, 208/685-6951

#### n Cooperative Endangered Species Conservation Fund

States are eligible to receive funds through this program (authorized under section 6 of the ESA) for a wide array of voluntary conservation projects for candidate, proposed, and listed species. These funds, in turn, may be awarded to private landowners and groups for conservation projects. A 25% non-federal cost share is required. Contact the Idaho Department of Fish and Game State Office for application dates and materials at 208/334-3700.

There are four grant opportunities within this program:

#### *Conservation Grants*

Provide assistance to states to implement conservation projects for candidate, proposed, and listed species.

#### *Habitat Conservation Planning Assistance*

Provides assistance to states to support development of Habitat Conservation Plans (HCPs).

#### *Habitat Conservation Land Acquisition*

Provides assistance to states to acquire land associated with approved HCPs to secure protection of listed species.

#### *Recovery Land Acquisition*

Provides assistance to states to acquire habitat for listed species.