

SECTION 9. ALTERNATIVES

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9.0 ALTERNATIVES

9.1 Introduction

The ESA requires that Section 10 permit applicants specify in the HCP what alternative actions to the taking of federally listed species were considered and the reasons why those alternatives were not selected. The *Habitat Conservation Planning Handbook* (U.S. Fish and Wildlife Service and National Marine Fisheries Service 1996) identifies two alternatives commonly used in HCPs: (1) an alternative that would reduce take below levels anticipated for the proposed project; and (2) an alternative that would avoid take and hence not require a permit from USFWS (*no-action alternative*). In addition to the HCP and the no-action alternative, this chapter identifies several other alternatives.

9.2 Formulation of Alternative Actions

The formulation of alternatives during the HCP process is designed to encourage the applicant to consider alternate methods of conducting proposed activities to minimize the effects to, and/or prevent the taking of, listed species. HCPs are required to identify and analyze alternatives to the incidental taking and discuss why those alternatives are not being selected. If an alternative action is selected that does not result in take, the action can be categorically excluded from further NEPA documentation.

9.3 Description of Alternatives Developed

9.3.1 Status Quo Alternative

Under this alternative, LADWP would continue its operation and maintenance activities (including water gathering, water distribution, hydroelectric power production, power transmission, irrigated agriculture, livestock grazing, recreation, fire and weed management, and road maintenance and closures) some of which affect Covered Species. USFWS would not issue an incidental take permit for Covered Activities. Under this alternative LADWP would potentially be in violation of the ESA should incidental take of a listed species occur as a result of LADWP's Covered Activities. Therefore, this alternative was not selected.

9.3.2 Reduced Take Alternative

As described in Sections 1–7, LADWP has proposed a comprehensive plan to avoid, minimize, and mitigate for effects from its operations and maintenance activities and habitat enhancements on City of Los Angeles (City) lands in Inyo and Mono Counties for Covered Species. Under the Reduced Take Alternative, LADWP would proceed with the incidental take permit application process, and identify the steps it would take to minimize and mitigate impacts to Covered Species and procedures to address changed and unforeseen circumstances. The Covered Activities proposed with this alternative are described under Section 2 of this HCP. Under this alternative, the HCP will ensure consistent accounting for potential effects of LADWP's activities on Covered Species. This is the preferred alternative, as it allows LADWP to continue its legal and regulatory required operations and maintenance activities while reducing impacts to Covered Species and providing habitat enhancements.

9.3.3 No Action or Avoid Take Alternative

Under the No Action Alternative, no permit would be issued and take would be avoided or the project would not be constructed or implemented (USFWS 1996). Under this alternative LADWP would cease all activities that may result in the incidental take of a federally or state listed species. LADWP would cease Covered Activities thereby adversely affecting its ability to provide water and power to its customers and properly manage its lands. This alternative was rejected because it does not allow LADWP to complete its mission and its mandatory requirements under laws and regulations.

9.3.4 Activity-by-Activity Permitting

LADWP evaluated the possibility of obtaining incidental take permits for individual Covered Activities. This alternative would require LADWP to prepare multiple habitat conservation plans. It would require the USFWS to prepare multiple environmental documents (e.g., jeopardy analyses and NEPA compliance documents) to analyze the issuance of multiple incidental take permits, multiple public review processes, and the preparation of multiple incidental take permits. LADWP and USFWS would then be required to implement and track the requirements in these multiple incidental take permits and LADWP would be required to provide multiple regular reports during the term of the incidental take permits. The activity-by-activity alternative was rejected because it is inefficient, less effective in conserving Covered Species (i.e. does not provide a landscape approach to conservation and management), and more costly.

9.3.5 Reduced Species Alternative

Under the reduced species alternative, LADWP considered four Covered Species (OTC, OP, BEVI, WIFL), because at the time the HCP process began, those four species were listed under ESA and would be affected by Covered Activities. With this alternative, if any additional species became listed during the term of the permit LADWP would need to develop additional habitat conservation planning documents for those species to have incidental take coverage of newly listed species. Based upon input from the public and wildlife agencies, LADWP rejected the reduced species alternative because LADWP wanted coverage for species that might become listed during the Permit Term. Three additional species were added to this HCP (SD, YBCU, and GRSG). The YBCU was listed as threatened in late 2014 and the GRSG was proposed for federal listing as threatened until withdrawn in 2015 by the USFWS.