



U.S. Fish & Wildlife Service

Ventura Fish and Wildlife Office

Southern and Central California Coast

Frequently Asked Questions

Public comment sought for draft habitat conservation plan (HCP) and environmental assessment (EA) for state park units in San Luis Obispo County, California

Q. What action is the U.S. Fish and Wildlife Service taking?

A. The U.S. Fish and Wildlife Service's (Service) proposed action is issuance of an incidental take permit (ITP), authorizing take that would result from covered activities in California Department of Parks and Recreation's (CDPR) draft habitat conservation plan (HCP). The Service seeks public comment on the draft HCP and environmental assessment (EA) that balance the need for recreational opportunities with conservation of native wildlife and plant species within 5,005 acres of Pismo State Beach and Oceano Dunes State Vehicular Recreation Area in San Luis Obispo County. The Service will accept written comments until December 21, 2020.

Q. What is a habitat conservation plan?

A. Habitat conservation plans are planning documents required as part of an application for an incidental take permit. They describe the anticipated effects of the proposed taking, how those impacts will be minimized or mitigated, and how the HCP is to be funded. The draft HCP describes measures designed to avoid, minimize, and offset the effects of public use and management activities on federally listed wildlife and plant species.

The Service regularly engages conservation partners, the public, landowners, government agencies, and other stakeholders in our ongoing effort to identify innovative strategies for conserving and recovering protected wildlife, plants, and their habitats. Working with others is essential to protecting ecosystems that benefit society as a whole.

Q. What is "take"?

A. The Endangered Species Act defines "take" as "...to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." "Harm" includes significant habitat modification that actually kills or injures a listed species through impairing essential behavior such as breeding, feeding, or sheltering. Section 9 of the Endangered Species Act prohibits the take of endangered and threatened species. The purpose of the incidental take permit is to exempt non-Federal permit-holders, such as States and private landowners, from the prohibitions of section 9, not to authorize the activities that result in take.

Q. Why is the Service working with CDPR on a draft habitat conservation plan?

A. California Department of Parks and Recreation is required to develop an HCP as part of their application for an ITP under the Endangered Species Act. Covered lands managed by CDPR provide habitat for a broad range of wildlife and plants, including several species that are listed under the Endangered Species Act. The proposed incidental take permit would authorize the incidental take of threatened and endangered wildlife species that could result from ongoing and other covered activities, including but not limited to park visitor activities such as motorized recreation, camping, fishing, and boating; park maintenance; visitor service activities including interpretive programs and driving tours; natural resource management; and other land management activities. The Service's mission is working with others to conserve, protect and enhance fish, wildlife, and their habitats for the continuing benefit of the American people.

Q. What species are covered by the draft plan?

A. Covered species include the federally threatened western snowy plover and California red-legged frog, and the federally endangered California least tern and tidewater goby, as well as four federally endangered plant species: Gambel's watercress, La Graciosa thistle, Nipomo Mesa lupine and marsh sandwort. The plan would also provide benefit to two state-protected plant species, the surf thistle and beach spectaclepod.

Q. What areas and activities are covered in the draft plan?

A. The plan covers 5,005 acres of Pismo State Beach and Oceano Dunes State Vehicular Recreation Area.

Q. What would be the length of the proposed permit under the Habitat Conservation Plan?

A. The requested permit term under the Habitat Conservation Plan is 25 years after the plan becomes effective.

Q. How can the public comment on the draft plan and EA?

A. The public may submit written comments by email to fw8oceanoduneshcp@fws.gov.

Q. What happens next?

A. The Service will review and address public comments received during the 45-day period. During the public comment period and concurrent with finalization of the HCP and NEPA review, we will prepare drafts of internal documents (biological opinion, findings and recommendations, and NEPA decision document). These documents will be preliminary and are subject to revision after we review public comments received on the draft HCP and draft EA. The Service can issue the ITP once the required documents are finalized and State Parks meets all permit issuance criteria.

For more information about habitat conservation plans, visit:

<https://www.fws.gov/endangered/what-we-do/hcp-overview.html>