



SUMMARY REPORT

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**Agenda Date:** 2/25/2025

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**To:** Sonoma County Board of Supervisors

**Department or Agency Name(s):** Permit Sonoma

**Staff Name and Phone Number:** Tennis Wick (707) 565-1925, John Mack (707) 565-1233

**Vote Requirement:** Majority

**Supervisorial District(s):** Countywide

**Title:**

Application for a US Fish and Wildlife Service (USFWS) Non-Traditional Section 6 Grant Application to Continue Funding the Development of the Sonoma County Habitat Conservation Plan and Natural Communities Conservation Plans (HCP/NCCP)

**Recommended Action:**

Adopt a resolution that approves the filing of an application for grant funds under the USFWS Non-Traditional Section 6 Grant program for the development of the Sonoma County Habitat Conservation Plan and Natural Communities Conservation Plan (HCP/NCCP) for an amount up to \$1,000,000.

**Executive Summary:**

Habitat Conservation Plan and Natural Communities Conservation Plan (HCP/NCCP) are part of the Federal and State Endangered Species Act (ESA and CESA respectively) and are used to balance economic development with the conservation of endangered species. The HCP/NCCP is a plan that allows for the limited, unintentional, and incidental take of listed species and communities.

The HCP/NCCP would benefit the community by allowing for economic development while simultaneously protecting endangered species and their habitats, essentially striking a balance between human activity and environmental conservation, through dedicated conservation areas and mitigation strategies, ultimately leading to a healthier ecosystem for the wider community.

To further the development of the HCP/NCCP, (CR) which started on July 27, 2022, Permit Sonoma staff, with California Department of Fish and Wildlife (CDFW), plan to apply for a second USFWS Non-Traditional Section 6 Grant. The Notice of Funding Opportunity (NOFO) was released by USFWS in December 2024. Under this NOFO, USFWS is the grantor, CDFW (the state agency) is the grantee, and the County is the subgrantee. As part of the application, a resolution from the Board of Supervisors approving the submission of an application is required.

The objective of the application is to further fund the development of the Sonoma County HCP/NCCP (Conservation Sonoma) currently funded by a Section 6 Grant ending on September 30, 2025. The general development process is outlined in Attachment 3 with the second Section 6 grant funding working to advance the project into the second phase. If USFWS awards funding to CDFW, the County and CDFW will then establish a "Payee Agreement" outlining the amount and terms between the County as the subgrantee to CDFW. Acceptance of this Payee Agreement would be approved via a separate Board of Supervisors resolution.

The maximum request for funding under the December 2024 NOFO is \$1,000,000 with a minimum 25% match by local jurisdiction, although a percentage of that award (typically 15%) goes to funding CDFW staff time in developing the HCP/NCCP. Staff is expecting the Payee Agreement to include funding of approximately \$850,000 with a minimum 25% in County of Sonoma in-kind match in the form of county staff labor costs of managing and advancing the project. Permit Sonoma has an annual \$300,000 budget that is to be used to develop and advance the HCP/NCCP. In terms of timing, the federal award to CDFW is expected in late 2025 to early 2026 with an item for the Board to approve the sub-award from CDFW in mid-2026.

**Discussion:**

Section 6 of the Federal Endangered Species Act authorizes the US Fish and Wildlife Service (USFWS) to provide federal financial assistance through the Cooperative Endangered Species Conservation Fund (CESCF) to the California Department of Fish and Wildlife (CDFW) to support the development and implementation of conservation programs for the benefit of resident listed, candidate, and at-risk species on non-federal lands. This financial assistance, provided in the form of competitive grants, contributes approximately \$50 million toward species and habitat conservation annually. This funding is used to support Habitat Conservation Plan development and planning activities such as document preparation, public outreach, baseline species surveys, habitat assessments, and the preparation of environmental compliance review documents.

On June 25, 2019, the Board of Supervisors, as part of the adoption of the FY 2019-20 budget, allocated \$300,000 for Permit Sonoma to review California Tiger Salamander regulatory permitting and mitigation efforts from Federal, State, Regional, and Local Governments to better achieve conservation goals while streamlining permitting.

On January 6, 2020, Permit Sonoma entered into a contract with ICF Jones and Stokes, Inc. to conduct preliminary strategic planning for a potential regional habitat conservation plan (HCP) in Sonoma County that provided the County with information to determine the expected scope, schedule, and cost to prepare a regional HCP. The results of this planning effort provided an overview of the HCP development process, potential HCP applicants and eventual permittees, potential permit area, covered activities, covered species, and recommendations on the approach to HCP development.

In February 2021, the California Department of Fish and Wildlife applied for federal financial assistance from USFWS to fund development of an HCP/NCCP for Sonoma County. In October 2021, the USFWS awarded funding for the Sonoma County HCP/NCCP process (First Section 6 Grant: “Non-Traditional Section 6 (FY2021) Sonoma County Regional Habitat Conservation Plan”). The Board of Supervisors accepted the subaward from CDFW in July 2022 under the amount and work plan of a Payee Agreement executed between the County and CDFW for \$755,000. The timeline for the First Section 6 Grant and the First Payee Agreement was amended in September 2024 to extend the deadline for the project to September 30, 2025.

Permit Sonoma has made substantial progress in advancing the HCP/NCCP during this first Section 6 funding cycle, including the following:

1. Outreach and discussion to other local governments and special districts to obtain commitments to participate in the development process as co-applicants and eventually co-permittees under an approved HCP/NCCP. As of the publication of this report, we have staff level commitments from the Cities of Cotati, Petaluma and Santa Rosa and the Town of Windsor to participate as co-applicants. Formal commitment to the plan development phase is expected in spring 2025 when co-applicants, including the County, sign a “Planning

Agreement” with the CDFW and USFWS which is a required document outlining the plan development process.

2. Investigations and discussions related to the feasibility of Conservation Strategy for California Tiger Salamander.

3. Development of Species Accounts (which are narrative descriptions of the life cycle, habitat, abundance and geographic range of of a given species within the Plan Area) of species proposed to be included in an HCP/NCCP.

4. Development of the plan geography (the County of Sonoma excluding the coastal zone and Baylands).

5. Finalizing list of “covered activities” to be evaluated for impacts (most types of development permits and all public maintenance and project activities).

6. Continued work towards public and tribal engagement process. To date, we have completed the following:

- a. A Tribal Consultation Letter inviting the local tribes to participate in the Plan was prepared and delivered in February of 2024.
- b. Prepared a Community Engagement Plan that will continue to be updated and revised as the process develops.
- c. We conducted our first hybrid public outreach meeting on October 30, 2024. This was well attended on-line as well as having about 15 people in person.
- d. We branded the HCP/NCCP development process as “Conservation Sonoma” and have prepared a unique logo.
- e. We have prepared publicly accessible website, that includes FAQs, and contact information regarding public meetings and other outreach items.
- f. Outreach efforts planned for 2025:
  - i. A questionnaire regarding Conservation Sonoma will be prepared and circulated to the public in the early spring.
  - ii. Standing up various work groups and committees including a Core Planning Team (comprised of project staff from ICF Jones, the County, and the municipal co-applicants), Resource Agency workgroup (comprised of resource agency staff from USFWS, NMFS, CDFW and County and municipal staff), and in 2025 a Public Advisory Committee (which will be comprised of representatives from regulated and environmental community, citizens, interested tribes, community-based organizations, land trusts, etc.). These meetings are generally attended by co-applicant staff, resource agency staff, County staff, and HCP/NCCP consultant staff.

Future Section 6 funding will continue these efforts and also fund development of chapters for the HCP/NCCP administrative draft and monitoring and survey activities to close identified data gaps.

**Strategic Plan:**

N/A

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**Prior Board Actions:**

June 14, 2019: FY 2019-20 Budget Hearings, Adopted Resolution 19-0268 Permit Sonoma was allocated \$300,000 for this project.

July 12, 2022: Adopted Resolution No. 22-0225 authorizing a grant Payee Agreement in the amount of \$755,000 with CA Department of Fish and Wildlife and allocating \$188,750 from the remaining \$250,503.75 of the original \$300,000 set aside to meet the local cost share of this grant ([SONOMA COUNTY - File #: 2022-0440 <https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=5719650&GUID=557DD197-B9C3-402F-8386-3AE08162A6DA&Options=&Search=>](https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=5719650&GUID=557DD197-B9C3-402F-8386-3AE08162A6DA&Options=&Search=>)).

June 12, 2023: Adopted Resolution No. 23-0306 authorizing a contract with ICF Jones & Stokes, Inc. for FY 2023-2024 and 2024-2025, in the amount of \$816,753.75, to assist the County in developing the Habitat Conservation Plan/Natural Communities Conservation Plan ([SONOMA COUNTY - File #: 2023-0493 <https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6252504&GUID=44DB51A0-9F13-4F76-A007-838A35555260&Options=&Search=>](https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6252504&GUID=44DB51A0-9F13-4F76-A007-838A35555260&Options=&Search=>)).

**FISCAL SUMMARY**

**Narrative Explanation of Fiscal Impacts:**

This action will have no direct fiscal impact at this time. If USFWS awards funding to CDFW (maximum \$1,000,000), the County and CDFW will then establish a “Payee Agreement” outlining the amount and terms between the County, as the subgrantee, and CDFW, as the grantee to USFWS.

Acceptance of this Payee Agreement will be done via a separate Board of Supervisors resolution at that time. The maximum request for funding under the December 2024 NOFO is \$1,000,000 with a minimum 25% match although a percentage of that award (typically 15%) goes to funding CDFW staff time in developing the HCP/NCCP. Staff is expecting the Payee Agreement to include funding for the County of approximately \$850,000 with a minimum 25% in kind match in the form of county staff labor costs of managing and advancing the project. Permit Sonoma has an annual \$300,000 budget set-aside that is to be used to develop and advance the development of the HCP/NCCP.

**Narrative Explanation of Staffing Impacts (If Required):**

There will be no impact to existing staff. Permit Sonoma staff capacity will be sufficient to manage the project and to meet the in-kind match needed for the grant, funded by the annual \$300,000 budgeted set-aside for the development the HCP/NCCP.

**Attachments:**

Attachment 1: Board of Supervisors Resolution

Attachment 2: Notice of Founding Opportunity F25AS00184 FY 2025 Cooperative Endangered Species Conservation Fund: Conservation Planning Assistance US Fish and Wildlife Service

Attachment 3: Generalized HCP/NCCP Development Process Flow Chart

**Related Items “On File” with the Clerk of the Board:**

N/A

