



**Butte Regional**  
CONSERVATION PLAN  
BALANCING GROWTH AND CONSERVATION

How the Butte Regional Conservation Plan (BRCP)  
will benefit the cities of  
**BIGGS, CHICO, GRIDLEY,  
OROVILLE AND BUTTE COUNTY**

The BRCP will provide substantial benefits to the participating cities and County by reducing the uncertainty, time delays and costs of environmental compliance for projects within their jurisdictions. The BRCP offers a simple fee system for project proponents developing projects within Butte County and the participating cities for compliance with federal and state endangered species regulations. Once a project's impacts have been determined through surveys, and compliance with the BRCP has been demonstrated, a fee is paid and the project proponent receives its permit from the city or County where the project is developed. This fee system eliminates the costly, time delayed process of working with state and federal regulatory agencies in Sacramento. The BRCP's streamlined permitting will deliver a number of valuable benefits, including:

Local development projects commonly encounter substantial conflicts when sensitive species and their habitats are affected by a project. The current project-by-project process that is often fraught with uncertainties, delays and higher costs is replaced under the BRCP with a streamlined permitting process that allows the cities and the County to issue permits on projects in their jurisdictions. BCAG, the implementing agency for the BRCP, will be responsible, using impact fees, for implementing project mitigation requirements instead of project proponents. Land developers, the cities, and the County are afforded greater certainty as to the cost and timeline for compliance with endangered species issues for each project.

The BRCP streamlined permitting process will save project proponents time and money by eliminating the current project-by-project requirement of negotiating with state and federal agencies in Sacramento, which is often a slow and costly process resulting in delays to projects. In addition, the requirement for project proponents to acquire mitigation lands and implement mitigation actions themselves is eliminated, and is replaced with a fee system that allows the BRCP Implementing Entity (BCAG) to be responsible for fulfilling all mitigation requirements. This relieves the project proponent from having to deal with a frustrating, time consuming and expensive process.

***The key benefit of the BRCP is that it will provide a substantial benefit to the cities and County by reducing the uncertainty, time delay and cost of environmental compliance for projects in their General Plans.***





## STREAMLINED IMPLEMENTATION OF GENERAL PLANS

For Butte County and participating cities, all activities and projects identified in General Plans with the potential to impact species and habitat **will be covered by the state and federal permits already issued with the approved BRCP**. These permits will eliminate a significant hurdle to moving forward with project construction.

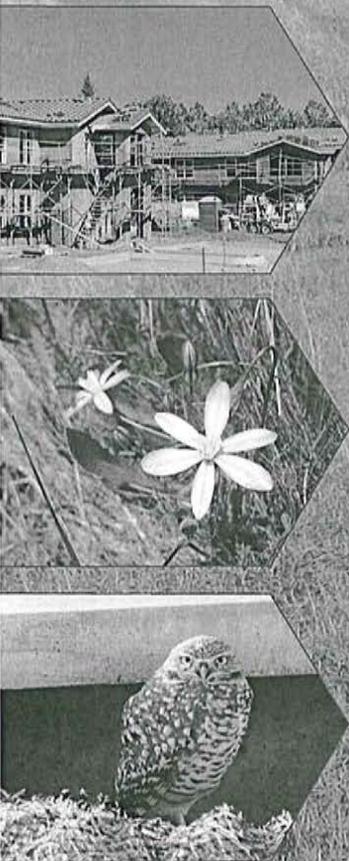
The BRCP will cover an extensive variety of development, construction, and maintenance activities, including:

- Land use activities such as housing developments, the development of commercial and retail space, agricultural services and industrial facilities.
- Public facilities including construction of government buildings, schools, hospitals, libraries, churches, recreation centers, police/fire stations, and cemeteries.
- Transportation facilities including construction of new roadways and bridges and associated infrastructure, road and bridge widening and capacity improvements, bike lane and bike path projects, airport expansions, and transit facilities.
- Recreation projects including construction of trails and associated pedestrian/bike bridges, new parks, playgrounds, sport complexes, golf courses, campgrounds, nature centers, and amphitheaters.
- Waste and wastewater management facility projects including construction and expansion of wastewater treatment plants, landfills (including the Neal Rd facility), transfer stations and recycling centers and associated facilities.
- Flood control and stormwater management projects including construction of new channels, levees/dikes, flood walls, retention/detention basins, stormwater channel lining, and water quality control facilities.
- Recurring maintenance of all facilities listed above.

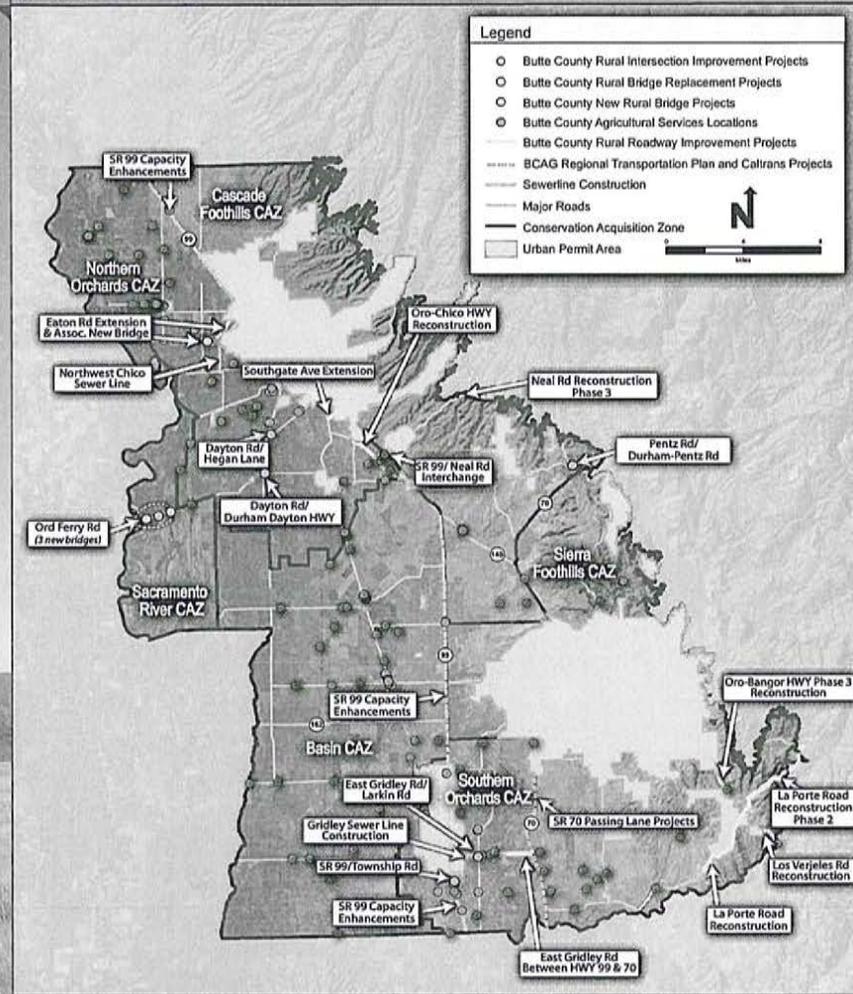
## ECONOMIC BENEFITS TO THE BUSINESS COMMUNITY

Projects covered by the BRCP will be permitted under reduced timeframes, providing a direct economic benefit to land developers. Project permitting under the BRCP will provide significant time savings – possibly as much as a three-month to three-year reduction in time to approval – depending on the size of the project. One study concluded that a one-year reduction in permitting delays can reduce opportunity costs to developers in California by \$25,000 per acre – a \$500,000 savings for an average 20-acre residential development.

The BRCP will result in improved environmental mitigation for project impacts. The BRCP includes a new “centralized” process for selecting mitigation and conservation lands, with BCAG responsible. The BRCP requires that BCAG assemble mitigation and conservation lands over time into large, diverse, and ecologically connected system of protected lands and use improved management and monitoring techniques on these lands in perpetuity. These protected lands are expected to be mostly protected through conservation easements with minimal effects on rural land uses. The BRCP will also promote efficient environmental compliance, including streamlined CEQA analysis for biological resources.



# LOCATION AND AMOUNT OF BRCP COVERAGE



The BRCP Plan Area encompasses **564,203** acres of land

The BRCP will support new development for approximately **24,500 acres** in the Plan Area under what are referred to as "covered activities" in the Plan.

The BRCP covers all land disturbing activities within the Urban Permit Areas (UPA) and more limited activities outside of the UPAs (see map at left). The UPAs were developed to encompass all General Plan land use categories that could result in impacts to sensitive species and habitats. Some of the specific covered activities outside the UPAs are indicated in the map at left.

Under traditional endangered species, stream, and wetlands permitting processes (Figure 1), project proponents must coordinate and negotiate on their own with numerous state and federal regulatory agencies to determine what mitigation requirements will be needed in order to receive environmental permits.

With the BRCP, the process will be greatly simplified (Figure 2). Project proponents will no longer be required to coordinate with state and federal agencies to receive their Endangered Species Act (ESA) permits – they will use permits already held by city and County planning departments. The cities and Butte County will hold the ESA permits for any activities conducted under the BRCP. Additionally, BCAG will receive a Regional General Permit from the U.S. Army Corp of Engineers (USACE) that will provide permit streamlining for all BRCP covered activities that require Section 404 permits. The Regional General Permit will also afford permit streamlining for Section 401 of the Clean Water Act (administered by RWQCB), and Master Streambed Alteration Agreements will be developed with CDFW for the cities and the County to further simplify the issuance of permits.

Figure 1. Existing Permitting Process

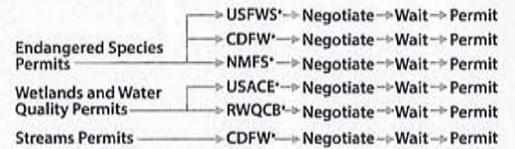
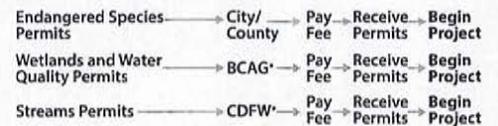


Figure 2. Permitting Process Under the BRCP



\*USFWS: United States Fish and Wildlife Service  
 CDFW: California Department of Fish and Wildlife  
 NMFS: National Marine Fisheries Service  
 USACE: United States Army Corps of Engineers  
 RWQCB: Regional Water Quality Control Board  
 BCAG: Butte County Association of Governments

## STAKEHOLDER COMMITTEE

The Highway 149 widening project incurred around \$14 million in mitigation costs. Mitigating the same project under the BRCP would have cost around \$5 million. Beyond costs, another significant benefit would have been avoiding the massive delays that the project experienced due to the environmental process and challenges inherent in coordinating with the various state and federal agencies relevant to the project.

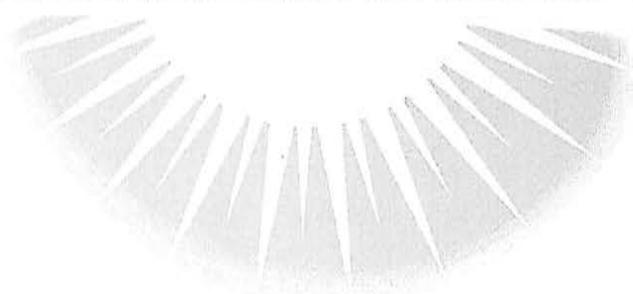
The potential for delays is significantly reduced under the BRCP. This can present additional costs savings for projects as would have been the case with Highway 149, where each year the cost of constructing the project increased as steel and concrete prices experienced a rapid rise.

The BRCP has been informed by significant stakeholder involvement throughout the Plan development process. An important venue for involvement has been the BRCP Stakeholder Committee. The first Stakeholder Committee meeting was held on February 14, 2007, and the Committee has held 46 meetings to date. The Stakeholder Committee includes representatives from educational institutions, agriculture, environmental groups, special districts, the development community, hunting interests, federal and state agencies, and water and irrigation districts. The input provided by the Committee has resulted in a balanced Plan that reflects the perspectives of a wide diversity of groups and interests.



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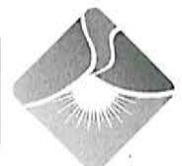
[www.buttehcp.com](http://www.buttehcp.com)

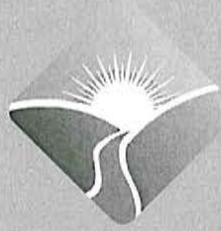


ADDRESS CORRECTION REQUESTED

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Chico, CA 95928-8441

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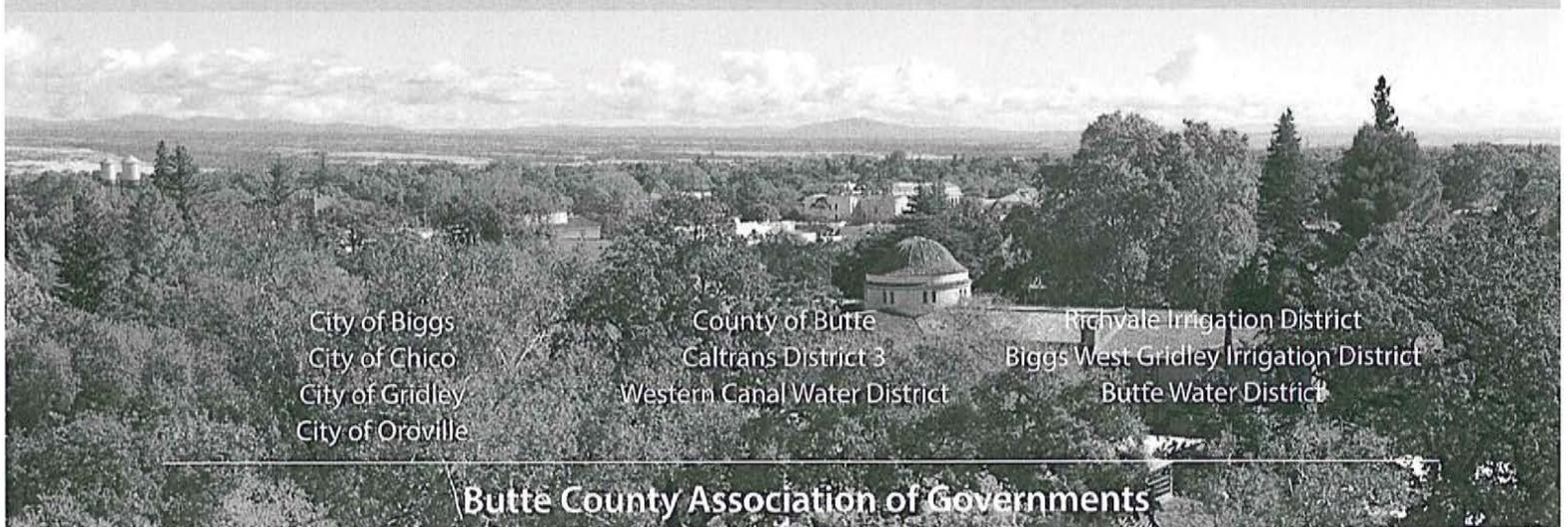


# Butte Regional CONSERVATION PLAN BALANCING GROWTH AND CONSERVATION

June 2015



# BALANCING growth & conservation



City of Biggs  
City of Chico  
City of Gridley  
City of Orville

County of Butte  
Caltrans District 3  
Western Canal Water District

Richvale Irrigation District  
Biggs West Gridley Irrigation District  
Butte Water District

Butte County Association of Governments

## INTRODUCTION

The Butte County region is a unique area where the mountains and foothills of the Sierra Nevada and Cascade ranges converge creating unique vistas as well as habitats for a wide variety of species, some of which are protected by state and federal law. The region's open spaces, vibrant cities and towns, high quality of life, and natural beauty have led to increasing population growth, with this trend expected to continue well into the future.

*A significant portion of future growth will occur in western Butte County, where habitat exists for numerous threatened and endangered species, setting up an inevitable conflict between conservation and economic development.*

The Butte Regional Conservation Plan seeks to avoid such conflict, clearing regulatory obstacles for continued economic development and growth, while ensuring protection of the diverse ecosystems, unique species and scenic landscapes that makes the Butte County region unique.

This brochure provides an introduction to the Butte Regional Conservation Plan (BRCP) that covers approximately 560,000 acres in the western portion of the County (see map). For more information on this complex plan, please visit [www.buttehcp.com](http://www.buttehcp.com).

### acronyms

BCAG - Butte County Association of Governments  
BRCP - Butte Regional Conservation Plan  
CAZ - Conservation Acquisition Zone  
CDFW - California Department of Fish & Wildlife  
ESA - Endangered Species Act (federal)  
HCP - Habitat Conservation Plan (federal)

NCCPA - Natural Community Conservation Planning Act (state)  
NCCP - Natural Community Conservation Plan (state)  
NMFS - National Marine Fisheries Service  
UPA - Urban Permit Area  
USFWS - United States Fish and Wildlife Service

### RELATIONSHIP TO THE GENERAL PLAN

For Butte County and participating cities, the BRCP will result in issuance of state and federal "take" permits for activities and projects identified in General Plans that have the potential to impact sensitive species and habitat. In essence, the cities and County will already have endangered species compliance cleared for virtually all conceivable General Plan projects

before they move forward to construction. This will eliminate a significant hurdle to having these projects constructed. When such projects are planned and constructed in the future, they will be able to avoid the typically lengthy permitting process under federal and state endangered species laws that currently delay construction for months or years.

## THE PROBLEM

The current process of obtaining Endangered Species Act permits and implementing habitat mitigation is inefficient, resulting in uncertainty and unnecessary delays for project proponents at times resulting in ineffective habitat mitigation that provide insufficient long-term protection for the species they're trying to protect.

## THE PROPOSED SOLUTIONS

The Butte Regional Conservation Plan aims to replace the existing problematic permitting process with a smarter, simpler process. It would result in a coordinated regional approach to conservation and regulation that would benefit species and habitat conservation, wildlife agencies and project proponents alike.

## THE BRCP: BALANCING GROWTH AND CONSERVATION

The BRCP is a win-win that helps ensure that growth and development of the cities and County go forward in a timely and efficient manner while ensuring the conservation of species and habitats is accomplished in a more biologically sound fashion. Development activities, including housing, industrial parks, shopping centers, government buildings, schools, and infrastructure such as roads and bike paths contribute to our community and our economy, but they also have the potential to negatively affect wildlife and fish and their habitats. The BRCP will allow project proponents to follow straightforward guidelines in the BRCP, pay a fee, receive approval and permits for endangered species impacts at the local level, and proceed with their projects.

## GOALS: WHAT WILL THE BUTTE REGIONAL CONSERVATION PLAN ACHIEVE?

The overarching purpose of the BRCP is to replace the existing "project-by-project" environmental permitting process for federal and state endangered and threatened species in Butte County, with a more certain, streamlined, and consistent process. This will allow for projects to go forward to construction with local approvals and little or no involvement of federal and state wildlife agencies. The BRCP will ensure that all impacts on protected species are mitigated and will also contribute to the recovery of species and the conservation of the ecosystems on which they depend through a well-planned and managed system of conservation lands established primarily through conservation easements over 50 years. Additional benefits of the BRCP are the preservation of open space and ongoing farming and ranching economies in the Plan Area that will maintain much of the rural character and natural beauty of our landscape.

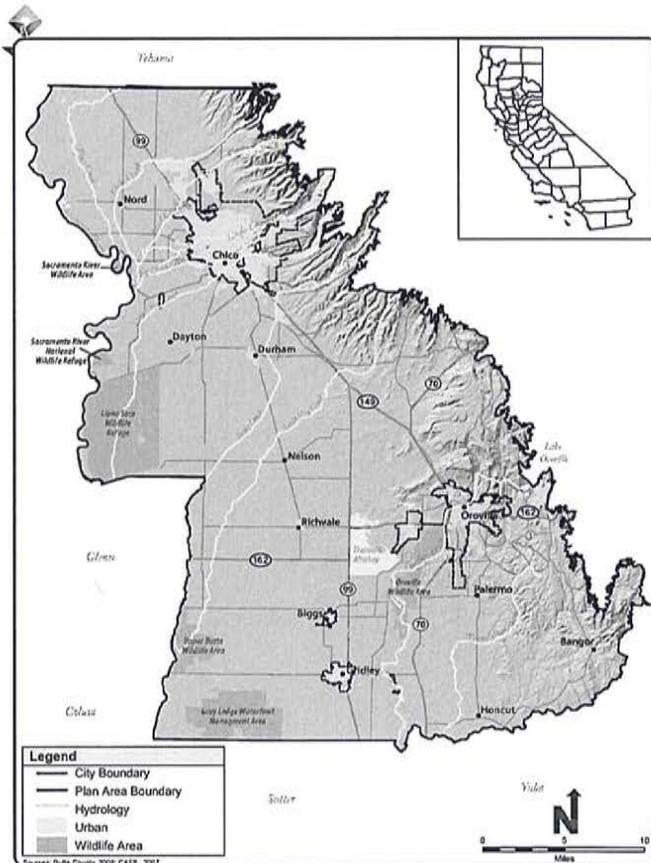
SCOPE OF THE BRCP	
<b>Plan Area</b>	Lowland Butte County, Cities of Chico, Oroville, Gridley, Biggs
<b>Covered Species</b>	38 species wildlife, fish, plants – including Butte County Meadowfoam, Giant Garter Snake, Swainson's Hawk
<b>Covered Activities</b>	Development under County and cities General Plans and regional transportation plans; water and irrigation district maintenance; 24,624 acres of authorized impacts on habitat
<b>Duration of plan</b>	50 year permits; conservation in-perpetuity

# PLAN OVERVIEW

## THE BRCP PLAN AREA



The Plan Area is the geographic area addressed in the BRCP and was designed to focus on the area with the greatest conflict between planned future development activities and threatened and endangered species habitats. The Plan Area covers approximately 564,000 acres of land in Butte County and includes the western lowlands and foothills of Butte County bounded on the west by the County's boundaries with Tehama, Glenn, and Colusa counties; bounded on the south by the boundaries with Sutter and Yuba counties; bounded on the north by the boundary with Tehama County; and primarily bounded on the east by the upper extent of landscape dominated by oak woodlands (i.e., not including the pine and fir forests at higher elevations in the mountains).



## COVERED SPECIES



Species identified for coverage under the BRCP ("covered species") are those for which incidental take permits may be required under the ESA and NCCPA to implement the covered activities over the 50-year term of the BRCP. Species considered for coverage are special-status species that are present in the BRCP Plan Area and are listed as "threatened" or "endangered" under federal and state laws, or are highly likely to become listed at some time during the 50-year implementation of the BRCP.

# COVERED ACTIVITIES AND IMPACTS

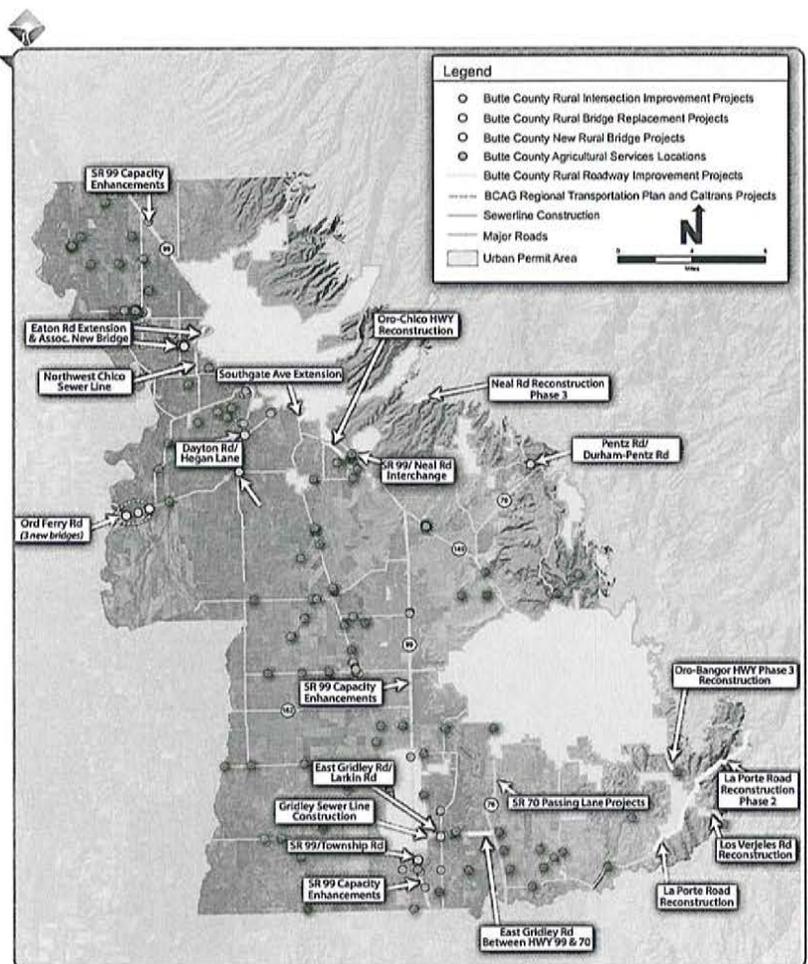
Covered activities are the activities for which the Permit Applicants are seeking incidental take permit coverage from state and federal agencies. Covered activities include implementation of city/County General Plans, Butte County Association of Governments (BCAG) and California Department of Transportation (Caltrans) District 3 transportation projects, and participating water/irrigation district maintenance activities.

The covered activities are divided into two categories:

- 1) Permanent development projects and;
- 2) Recurring maintenance of existing or new facilities that are conducted periodically over the duration of the permit.

The BRCP will cover an extensive variety of activities, including: residential, commercial, and industrial land development; public facilities, transportation facilities; recreation projects; wastewater management facility projects; pipeline and utility construction projects; and flood control and stormwater management projects. The permits will include the assurance that if state or federal endangered species regulations change in the next 50 years, it will not affect the continued development or the use and maintenance of covered facilities.

In defining BRCP covered activities, 15 Urban Permit Areas (UPAs) were established to specifically encompass the areas identified in city and County General Plans where the majority of future land development and impacts on species and habitat would result (see Figure 2). The UPAs encompass the areas where most of the covered activities are authorized. Outside the UPAs, only certain specific activities are covered under the BRCP permits (see Figure 2. Covered Activities Outside UPAs).



The BRCP will allow for the removal of approximately **24,500 acres of habitat** under federal and state permits which will allow for all covered activities in the Plan to be implemented.

The BRCP covers all land disturbing activities within the UPAs (see Figure 2). The UPAs were developed to encompass all General Plan land use designations that could result in impacts on sensitive species and habitats. Additional activities outside the UPAs are covered as well, and are indicated on the map above.

## STREAMLINED CLEAN WATER ACT PERMITTING

Additionally, BCAG will receive a Regional General Permit from the U.S. Army Corp of Engineers (USACE) that will provide permit streamlining for all BRCP covered activities that require Section 404 permits. The Regional General Permit will also afford permit streamlining for Section 401 of the Clean Water Act (administered by RWQCB), and Master Streambed Alteration Agreements will be developed with CDFW for the cities and the County to further simplify the issuance of permits.

24,624

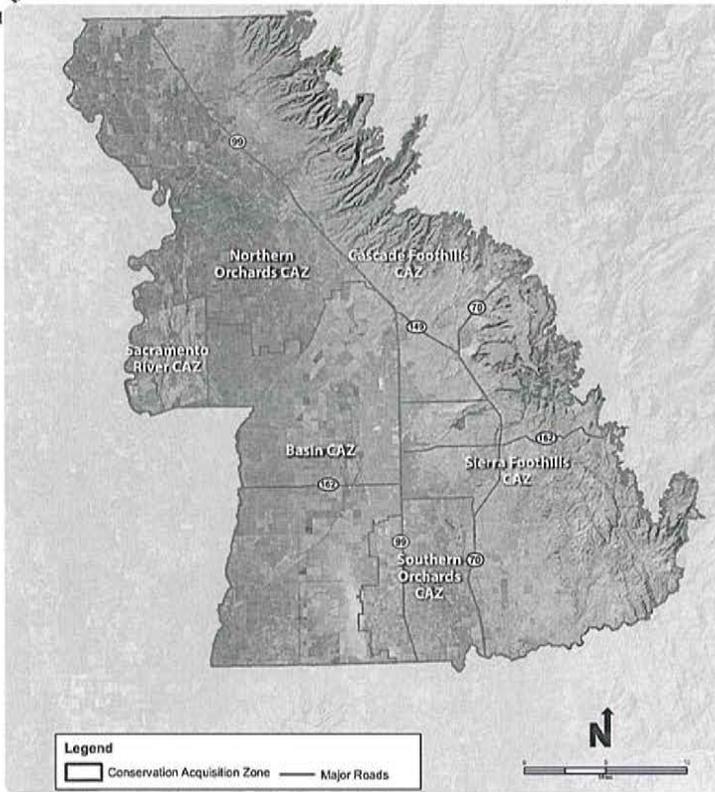
30,702

3,376

58,899

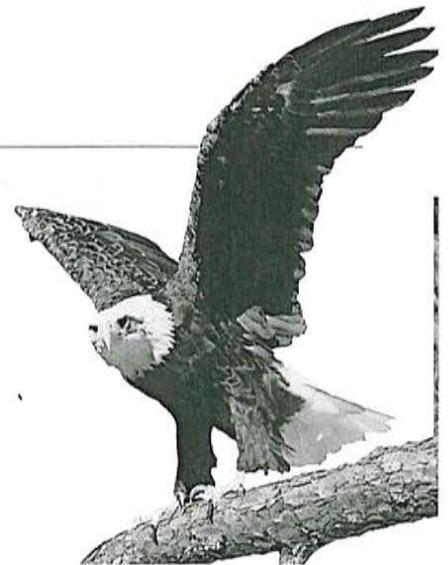
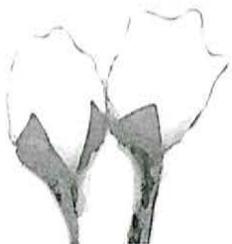
500

90,417



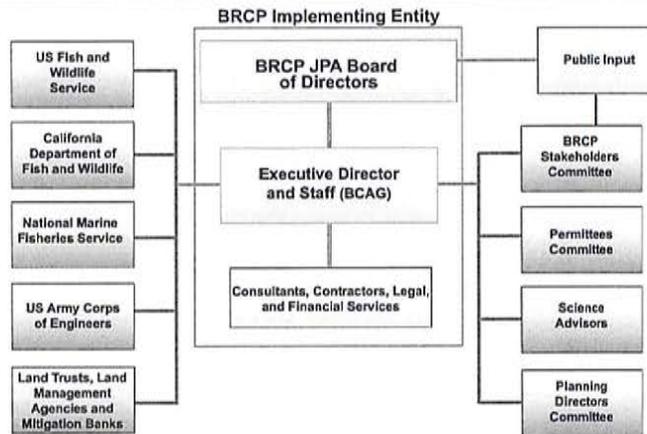
The Conservation Acquisition Zone (CAZ) map identifies regions where the species covered under the BRCP have a high probability of being found and where conservation easements might be purchased from willing sellers to assemble the BRCP Conservation Land System. Each CAZ has acreage targets for habitat protection and restoration, ensuring that mitigation and conservation lands are distributed appropriately throughout the Plan Area.

### Butte County Meadowfoam to be Recovered from Endangered Status



## IMPLEMENTATION

The structure of the BRCP Implementing Entity and the organizational structure for BRCP implementation include a newly created Joint Powers Authority (JPA) developed specifically for implementation of the BRCP. The existing Butte County Association of Governments' (BCAG) Executive Director will serve as the Executive Director for BRCP implementation with direct responsibility for day-to-day BRCP administration.

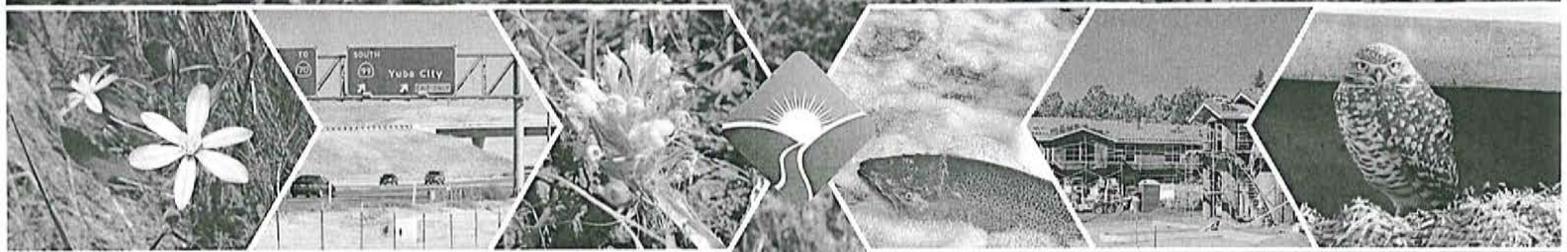


Fees collected by the cities and County from project applicants will be used by BCAG to accomplish all BRCP mitigation requirements. BCAG will actively seek state and federal grants and local partnerships to accomplish additional conservation goals under the BRCP that contribute to the recovery of endangered and threatened species. BCAG will be responsible for performing the required management and monitoring of the mitigation and conservation lands. Regular reporting to state and federal agencies regarding progress made in implementing the BRCP will also be a BCAG responsibility along with continued coordination and collaboration with the BRCP Stakeholder Committee.

A BRCP Board of Directors will be established to provide administrative oversight of BRCP implementation and approve budgets and certain land acquisitions. All meetings will be open to the public and will follow Brown Act noticing and other requirements.

## COSTS AND FUNDING

The estimated mitigation cost component of the BRCP is \$138.9 million over the 50-year implementation period. This assumes full build out of all General Plans, and will be funded through fees collected from BRCP permit use. The estimated conservation cost component is \$238.1 million over the 50-year implementation period, which will be funded through state and federal grants and partnerships with other conservation entities. These costs include the establishment of a \$30.6 million endowment over the course of the 50-year implementation period to fund ongoing costs associated with the administration, management, and monitoring of the BRCP conservation lands system in perpetuity. *See Chapter 8 of the BRCP for more information.*





# STAKEHOLDERS, AGENCIES AND COMMUNITY MEMBER INVOLVEMENT

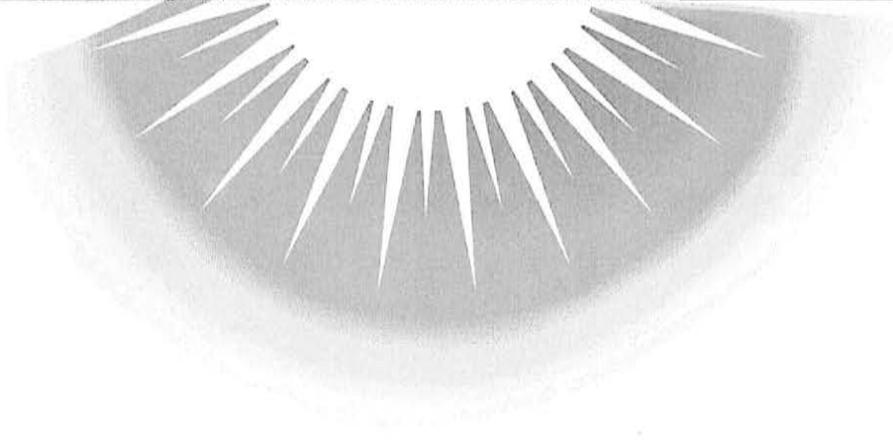
The release of the Public Draft BRCP would not have been possible without the dedication of the Steering Committee and Stakeholder Committee, participating state and federal agencies and the members of the community who have been involved and provided guidance and input through the planning process and continue to do so. The Steering Committee provides administrative oversight of development of the BRCP and is comprised of members from the permit applicants with representatives from the city councils and Board of Supervisors as well as water/irrigation district managers and Caltrans staff. The Stakeholder Committee represents regional and community interests and is comprised of members from educational institutions, farming and agriculture, environmental groups, special districts,

development community, hunting interests, and water/irrigation districts. The BRCP has also benefited from the participation of the Independent Science Advisors Panel and Planning Directors Group. Development of the BRCP has been open to the public from its inception with input received from over 45 public Stakeholder Committee meetings, six different community public workshops, an extensive email distribution list, and a continually updated website ([www.buttehcp.com](http://www.buttehcp.com)). Two different drafts of the BRCP were available for public review including the first administrative draft BRCP in June 2011 and the full Preliminary Public Draft in November of 2013. The formal Public Draft is currently available for additional public review and comment and is being accompanied by a third round of public workshops.



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