

# HABITAT CONSERVATION PLAN OVERVIEW:

## WHAT IS AN HCP?

**Vision:** *Protect and conserve threatened and endangered species and their habitats and support Guam's rich biological and cultural heritage for future generations to enjoy while facilitating sustainable economic development.*

### Overview:

The federal Endangered Species Act (ESA) requires the protection of threatened and endangered (listed) species and makes it illegal to “take” them. There are many listed species in Guam.

In the 1980s, Congress recognized the strain ESA compliance was putting on economic development and revised the ESA to allow local, state, and private (non-federal) entities to apply for an Incidental Take Permit (ITP) from the U.S. Fish and Wildlife Service (USFWS). An approved ITP allows for “take” or “harm” of certain federally listed species (covered species) that is “incidental” to lawful activities (covered activities). In order to receive the ITP, the non-federal entities must submit an HCP and have it approved by USFWS.

All HCPs include some common components: the impacts of covered activities, the take estimate of covered species, and a conservation strategy.

In order to be a successful ITP applicant, the take authorization must be offset by the conservation measures proposed in the conservation strategy. In the end, the HCP will also help maximize the conservation of covered species.



**Intent:** *The Guam HCP is intended to provide a long-term (30-year) permit to streamline ESA compliance for private, local, or Government of Guam development, construction, and operations and maintenance of infrastructure across all non-federal lands in Guam, while also providing conservation for covered species.*



Avoiding ESA-listed species can be time-consuming and expensive, especially when doing so one project and one species at a time. The Guam HCP is intended to streamline the process of obtaining approval under the ESA by providing programmatic ESA coverage for certain types of projects (covered activities) in Guam. The HCP will estimate the amount of each covered activity that will take place during the permit term and the associated impacts on the covered species. The HCP will identify conservation needs based on this impact analysis.

### Terms:

**Take:** “to harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct” related to ESA-listed species (16 U.S. Code 1532).

**Harm:** “significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering” (50 Code of Federal Regulations [CFR] 17.3).

**Covered species:** The species in an HCP for which an incidental take coverage is requested.

**Covered activities:** The activities in an HCP that are expected to take/impact covered species that the permittee(s) want ESA coverage for.

**Conservation measures:** Avoidance, minimization, or mitigation actions that the permittee will implement to compensate for the impacts to covered species from their covered activities.

**Take authorization:** The amount of take of covered species the permittee is allowed as a result of the covered activities.



UNIVERSITY OF GUAM  
CENTER FOR ISLAND SUSTAINABILITY



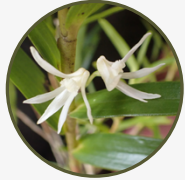
[www.guamhcp.com](http://www.guamhcp.com)

**Permit Area:** Non-federal land in Guam  
**Permittee:** Guam Department of Agriculture

**Covered Activities:**

- Commercial and residential development
- Transportation, power, and water infrastructure development, operations, and maintenance
- Parks, open space, and natural and cultural area development operations, and maintenance

**Covered Species:** 14 total species (2 snails, 3 reptiles, 1 mammal, 1 insect, and 7 plants)



## Who will submit the Guam HCP and how will it be implemented?

The Guam Department of Agriculture (DOAG) is applying for the ITP on behalf of the Government of Guam and submitting the HCP.

If USFWS approves DOAG’s application, DOAG will then become the permittee and be responsible for implementing this HCP.

DOAG can extend their incidental take authorization to other non-federal entities (Department of Public Works, Guam Power Authority, Guam Waterworks Authority, and residential and commercial developers) and will provide these entities with permit coverage through the building and grading permitting process.

During HCP implementation, DOAG will track and report all take of covered species against the take authorization in the permit.

### The HCP must ensure that:

- Take of covered species is incidental to otherwise lawful activities.
- Impacts of the taking of covered species are being avoided, minimized, and mitigated to the maximum extent practicable.
- Adequate funding for the plan is available.
- Taking covered species will not reduce the likelihood of the species’ survival or recovery in the wild.

## Conservation Strategy and Implementation

The conservation strategy will include avoidance and minimization conditions that will be applied to the covered activities to reduce their impacts on covered species.

For impacts that can’t be avoided or minimized, there will be mitigation to offset those impacts, primarily in the form of an HCP Reserve Network that will acquire and protect covered species habitat.

The HCP will include monitoring, adaptive management, and assurances for the permittee that additional conditions will not be imposed on their covered activities in the event of unforeseen circumstances (e.g., major natural disasters, unforeseen shifts in climate trends).

The Guam HCP will be programmatic, covering a range of activities over a 30-year permit term, and will be implemented through modifications to Guam’s existing building and grading permit process. Anyone seeking ESA permit coverage for the covered species will pay a fee that is scaled to the severity of the impacts on the covered species. All eligible non-federal entities that participate in the HCP will avoid having to conduct their own ESA compliance process for the covered species.

### Next Steps and Related Processes:

- HCP development (now through 2024)
- If needed, going through Guam’s Legislature
- National Environmental Policy Act (NEPA) process: USFWS will evaluate the impacts of the proposed HCP on the human environment (e.g., natural resources, socioeconomics, environmental justice)
- Implementation (starting 2025)

### For more information:

Visit [www.guamhcp.com](http://www.guamhcp.com)

Email: [permits@doag.guam.gov](mailto:permits@doag.guam.gov)

Call: (671) 735-0281



UNIVERSITY OF GUAM  
CENTER FOR ISLAND SUSTAINABILITY



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