

Endangered Species & Complex Water Permitting

"Yesterday we received our federal permit for our Cordova Hills community. We could not have achieved this success without Dawson & Associates. Not only was each member of the team extremely well qualified, they collectively presented valuable perspective every time we faced a significant challenge — and there were countless such challenges."

– Ron Alvarado

President, Cordova Hills, Letter to Dawson & Associates, Feb. 24, 2017

CLIENT

Cordova Hills, LLC, a development company seeking to build an 8,000+ unit development near Sacramento, primarily within a major vernal pool habitat.

BACKGROUND

In 2007, Cordova Hills proposed construction of a planned community for 25,000+ residents on nearly 3,000 acres outside of Sacramento. From the outset, the company faced multiple challenges:

- Most of the proposed development was planned within the Mather Core, the most important vernal pool habitat in Sacramento County.
- Both the Army Corps of Engineers (Corps) and the U.S. Fish & Wildlife Service (FWS) made clear that that permits would be difficult to approve. At Corps of Engineers District Headquarters in particular, there were significant concerns about environmental impact.
- County officials were under Federal pressure to complete a county Habitat Conservation Plan (HCP) before consideration of any individual projects.

In 2010, Cordova Hills brought in Dawson & Associates to help the project secure NEPA, Clean Water and Endangered Species permits.

RESPONSE

Given the complexities involving Federal review and its impact on local planning, Dawson brought together a team with expertise across agencies. Our team included multiple former Corps of Engineers Division Commanders, two former Members of Congress and former department heads within Interior, EPA and FWS.

Working with Federal officials at field, Region and Washington levels, Dawson was able to streamline the approval process and address permitting concerns. Our team helped resolve Corps' objections over the loss of vernal pools and drain/fill issues associated with riparian areas. We also devised solutions that successfully addressed FWS concerns about impact to several threatened and endangered species including tadpole and fairy shrimp.

Crucially, the Dawson team resolved Federal insistence that permits be in full compliance with the South Sacramento Habitat Conservation Plan (SSHCP). FWS had held up habitat area permit approvals pending the plan's completion even though the SSHCP had been in planning for 30+ years with no end date set.

Dawson's solution was to design a dual-track process whereby Cordova Hills would complete an individual permit consistent with existing SSHCP terms. This had never been done successfully.

In February 2017, Corps of Engineers gave Cordova Hills approval to proceed with its development. The plan is also in full compliance with the Habitat Conservation Plan.