



NOTICE OF PUBLIC MEETING

YOLO HABITAT CONSERVANCY

ADVISORY COMMITTEE

TIME: 4:00 – 6:00 p.m. on Monday, March 13, 2017

PLACE: Yolo County Administration Building
625 Court St., Woodland, CA 95695
Atrium Training Room (in the basement)

INFORMATION: Contact Susan Garbini at 530-723-5909 or susan@yolohabitatconservancy.org

NOTICE: If requested, this agenda can be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 and the Federal Rules and Regulations adopted in implementation thereof. Persons seeking an alternative format should contact Susan Garbini for further information. In addition, a person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting, should contact Susan Garbini at least 24 hours prior to the meeting.

AGENDA

1. Call meeting to order and introductions
2. Approve agenda order
3. Approve February 13, 2017, draft meeting summary; review status of Action Items:
 - Add AC member (Chad Roberts) to the RCIS/LCP Steering Committee. *[Done]*
 - Review “The YHC Advisory Committee: Transition to HCP/NCCP Implementation” for discussion at upcoming AC meetings. *[See agenda item 6]*
 - Staff to contact members regarding willingness to renew memberships to April 30, 2018. Then seek approval from YHC Board. *[All members agreed to renew for 1 year]*
 - Members to send information on local conservation plans for RCIS/LCP
4. Update on Schedule for Local Conservation Plan/Regional Conservation Investment Strategy – Petrea Marchand/Chris Alford
5. HCP/NCCP Update; plans for Public Meetings – Petrea Marchand
6. Discussion of Future Advisory Committee Membership and Role – Petrea Marchand/Susan Garbini
7. Announcements and updates: Advisory Committee members
8. Adjournment to next meeting date: Monday, April 10, 4-6 pm,

Atrium Training Room, Yolo County Administration Building

Role of the Advisory Committee

[Excerpted from “Yolo HCP/NCCP Public Review Draft”, August 2016]

In 2004, the JPA appointed an Advisory Committee (formerly known as the “Steering Advisory Committee”) to provide input and advice during the development of this HCP/NCCP. The Advisory Committee consists of representatives of the primary groups or stakeholders with an interest in the Yolo Habitat Conservation/Natural Community Conservation Plan (HCP/NCCP), including local government member agency staff, landowners, the agricultural community, conservation organizations, and land developers. The group has held open meetings on a regular basis (generally monthly) to review relevant materials and documents; evaluate and synthesize ideas, data, and information; and discuss and resolve complex issues. The Advisory Committee sought to reach consensus when possible and provided recommendations to the YHC Board on a range of matters relevant to the Yolo HCP/NCCP.

Membership of the Advisory Committee

Members were selected to represent a balance of stakeholder communities and interested citizens and serve for 2-year terms, with opportunities for renewal. Members are recommended to the JPA Board by the Executive Director and subject to approval by the YHC Board. Advisory Committee member agencies and organizations are listed in Table 1.

Table 1. Past and Present Advisory Committee Member Agencies and Organizations

Building Industry Association (and other development groups or companies)
California Native Plant Society
Tuleyome
Chambers of Commerce
City of Davis
City of West Sacramento
City of Winters
City of Woodland
Institute for Ecological Health
Various landowners and farmers
University of California, Davis
Yolo Audubon Society
Yolo County
Yolo County Agricultural Commissioner
Yolo County Farm Bureau
Yolo County Flood Control & Water Conservation District
Yolo County Resource Conservation District

Planning Principles

The Advisory Committee prepared and unanimously adopted the following planning principles to help guide their deliberations and the HCP/NCCP planning process:

- The planning process will be a collaborative effort that is open, inclusive, and actively participatory.
- Everyone participating in the process will be treated with respect, dignity, courtesy, and responsiveness, and the same will be expected from them.
- When shared values and goals are identified, they will be articulated and written into the Yolo HCP/NCCP.
- Partnerships that promote the Yolo HCP/NCCP and its implementation will be cultivated.
- The planning process will be conducted in a cost-effective and efficient manner without compromising conservation values and goals.
- Administration of the program will provide predictability, permit streamlining, and efficiency related to state and federal regulatory programs that protect covered species, including endangered species.
- The process will seek to leverage local, state, and federal funding to help achieve the Yolo HCP/NCCP's goals and objectives.
- The Yolo HCP/NCCP will assemble a shared knowledge base that describes the key concepts of the HCP/NCCP planning process.
- The Yolo HCP/NCCP includes willing participants, landowners, and sellers who are interested in preserving their land and the predominantly rural and agricultural character of Yolo County for future generations.
- The Yolo HCP/NCCP will be based on a strong scientific foundation.
- The HCP/NCCP will encourage farm and rangeland management practices that are compatible with species and habitat conservation objectives.
- The goal of the Yolo HCP/NCCP is to restore, enhance, and conserve the natural heritage of Yolo County while encouraging smart, sensible, and sustainable economic activity; maintaining and enhancing agricultural production; and including and expanding recreational opportunities.

Activities

The Advisory Committee formed working groups to focus on specific issues regarding development of the Yolo HCP/NCCP. These groups included the Biological Working Group, Agriculture Working Group, Urban Interface Working Group, and Riparian Resources Working Group. The working groups met on an *ad hoc* basis to consider how HCP/NCCP components—including scientific data and analysis, approaches to conservation strategies, adaptive management and monitoring—should be shaped in relation to the specific issues of each working group. Many of the results of workgroup deliberations were used in the development of the conservation strategy.

In 2013, the Conservancy initiated a process to review and resolve remaining substantive HCP/NCCP planning and implementation issues prior to preparation of the Second Administrative Draft Plan. The Advisory Committee reviewed and provided input for five papers prepared by the Conservancy that served as the framework for resolving these issues with USFWS and CDFW.

- The Conservancy's proposed approach for conserving agricultural habitat values for covered species during the 50-year permit period.
- Coordination and implementation issues related to implementation of *Bay Delta Conservation Plan* (BDCP) conservation actions in the HCP/NCCP Plan Area (the BDCP effort has since been abandoned).
- The Conservancy's proposed approach for conserving Swainson's hawk.
- The Conservancy's proposed approach for conserving giant garter snake.
- A proposed approach for addressing conservation for Yolo County Species of Local Concern.

**Yolo Habitat Conservancy
Advisory Committee
Meeting Summary
March 13, 2017**

ACTION ITEMS

- Develop Q&A/FAQs targeted to specific stakeholder/citizen concerns.
- Regarding “neighboring lands/safe harbors,” do the agencies have the opportunity to step in and say what is a “take”? What will be the costs to the landowner?
- Future composition and role of the AC post-implementation: provide examples of other HCPs/NCCPs, notes from this meeting, goals and mission.

1. Call meeting to order and introductions

The meeting was called to order by Advisory Committee Chair, **John Hopkins**, at 4:08 p.m. All those present introduced themselves.

Attendees:

Advisory Committee Members, Liaisons, and Alternates

John Hopkins, IEH
Michelle Acevedo, Ridge Capital, Inc.
Bonnie Chiu, The New Home Company
Steve Greco, UC Davis
Glen Holstein, CNPS
Kent Lang, Yolo County farmer
Chad Roberts, Davis resident
Steve Thompson, Conaway Ranch
Charles Tyson, Yolo County resident and landowner
Jeanette Wrynski, Yolo County Resource Conservation District

Member Agency Staff and Liaisons

None attending

GUESTS

Michael Perrone, California Department of Water Resources
Catherine Portman, Burrowing Owl Preservation Society
Heather Nichols, Yolo RCD
Sarah Morgan, Yolo Dehe Wintun Nation
Ellen Berryman, consultant, ICF

Conservancy Staff

Petrea Marchand, Executive Director
Chris Alford, Deputy Director
Susan Garbini, Research Associate

2. Approve Agenda Order

Agenda order was approved.

3. Approve February 13, 2017, draft meeting summary; review status of Action Items:

- Add AC member (Chad Roberts) to the RCIS/LCP Steering Committee. *[Done]*
- Review “The YHC Advisory Committee: Transition to HCP/NCCP Implementation” for discussion at upcoming AC meetings. *[See agenda item 6]*
- Staff to contact members regarding willingness to renew memberships to April 30, 2018. Then seek approval from YHC Board. *[All members agreed to renew for 1 year]*
- Members to send information on local conservation plans for RCIS/LCP

4. Update on Schedule for Local Conservation Plan/Regional Conservation Investment Strategy – Petrea Marchand/Chris Alford

- The schedule is still in development. However, over the next two months, draft chapters will be made available to the AC for review and comment.
- Chad Roberts was approved to serve as the Advisory Committee representative on the RCIS/LCP Steering Committee
- He will report to the AC after next Steering Committee meeting

5. HCP/NCCP Update; plans for Public Meetings – Petrea Marchand

- All issues have now been resolved.
- We expect the Regional agencies to sign off (deadline: requested USFWS this Friday)
- There was a lot of active involvement in this process by Board members
- Once we receive approval from the Regional Office, then the plan will be submitted to the *Federal Register* for public comment (this can take from 3 days to 6 months or more!)
- We are scheduling community meetings, newspaper announcements, etc.
- We have met with City/County liaisons today to plan outreach meeting to member agencies.
- Two public meetings led by the Conservancy are planned to receive comments on the Plan and the EIS/EIR.

There will likely be some opposition to the plan. It is important for AC members to attend some of the public comment meetings and participate in answering questions.

We have special concerns about the Farm Bureau. I would love to get support from the Farm Bureau, but I’m hoping for at least neutral! There are some elements in the Plan that farmers and landowners may have issues with. We expect some pushback. We will use their concerns to get some changes through the agencies.

The development community also have some questions about whether this is good or bad for them. Additionally, there has been some opposition from other individuals. We have developed a good foundation with our stakeholders, but there still could be some problems in rolling this out.

BONNIE CHIU: It would be good to develop a Q&A sheet --- perhaps with FAQs targeted to specific concerns: developers, agricultural, landowners.

CHAD ROBERTS: We need to focus on answering questions from those with concerns (e.g. Farm Bureau)

STEVE THOMPSON: Need 1 or ½ page informational sheets. Also for sub-groups.

CHAD: We have had a lot of input on the plan

STEVE GRECO: The LCP/RCIS makes a broader plan with more environmental/habitat benefits.

MICHAEL PERRONE: Is there a final easement template?

CHRIS: Not until it is published in the *Federal Register*.

JOHN HOPKINS: What was resolved?

PETREA:

1. Easement template/management plan

a. We had reserved rights (farming)

The agencies were against that and wanted these rights to be only in the management plan. They eventually let us keep it in the easement template.

b. They wanted every item explicitly in the management template. We wanted a generic template which would be tailored to individual land and landowners' situations.

c. We agreed to do an easement and management plan at the same time. And they have to be approved by the wildlife agencies.

d. Notification time frames were resolved.

e. Giant garter snake occupancy requirements – we got a compromise. We got a more regional approach rather than acre-by-acre monitoring, which is very expensive.

f. Neighboring land owners provision: allows a next-door farmer (to easement) to opt in for a baseline survey and avoid penalties.

g. Avoidance and Minimization measures. We wanted only overarching issues, not to have to define them all up front.

We expect to get comments from landowners and the Farm Bureau. We will hope for comments from AC members that can serve as constructive feedback to take to the agencies.

CHARLES TYSON: Neighboring lands/safe harbor: What will the cost be for a landowner to address these issues and how they will be paid? What agencies will they have to go through?

STEVE T: What options, carrots sticks does neighbor have? What's the "big picture"? A single person should not be "punished" – should be rewarded.

CHARLES: They should know what is happening and what will happen in the future.

PETREA: It's structured now so that the neighboring landowner/safe harbor program will be created if/when someone needs to use it.

CHARLES: Does it give the agencies the opportunity to step in and say it's a "take"?

PETREA: I will need to research that and get back to you.

STEVE T.: We should have a known base for these protected species (e.g. GGS). As we do better, do we have an impact on our neighbor?

CHAD: Can you add in, "Paying adjacent landowners to protect habitat"?

CHRIS: The plan itself doesn't count habitat improvements outside reserved lands.

CHAD: That's shortsighted.

CHRIS: We have put in contingencies (e.g. on Swainson's hawk), that trigger where we can go outside the reserve system. We can think about doing more of that.

PETREA: Once the Conservancy is in a stable financial situation, then they could look for outside funding to implementing programs such as for protecting neighboring lands.

MICHAEL: Neighboring Landowners Assurances are different from Safe Harbor Agreements. Safe Harbor is when the landowner agrees to make improvements, etc. (not HCP-related). Neighboring Lands policy: if a protected species comes onto my property from an adjacent conservation easement or conservation land, then I don't have to protect it. Must establish a baseline.

CHARLES: A farmer might be forced to change a crop because of something next door. Or property value can decrease because of endangered species next door.

PETREA:

New process for public projects permits

- You assume presence of the species (under an HCP/NCCP)
- Applicant determines whether project is a Covered Activity (Ch. 3)
- Build out of General Plan (all four cities) is covered.
- Mapping of land cover and applicable planning surveys (to determine natural communities that are impacted by project) are undertaken
- AMM's/incorporate design changes as needed
- Pay the fee (for all 12 species)
- Build the project

JOHN: Better to have AMM's up front

BONNIE: Hopefully, you've done all that up front.

PETREA: Yes, now it is set in stone; you have certainty. There is an opportunity to make changes during the public comment period. We got permission to go back to agencies and ask for waivers if needed.

BONNIE: Is it the CEQA lead agency that is checking these off?

PETREA: Yes, we give them the application package, but they are responsible. We are responsible for training staff at cities and counties. They collect fees and transmit them to us. We keep track of data for our requirements.

CHAD: How does it change CEQA for the public agencies? They will have to do a better job.

BONNIE: It would be a bigger document if impacts are increased. It would help with assurances to understand how it will proceed.

MICHAEL: Thank you to staff for their work.

CHRIS: We appreciate the input from stakeholders, especially development community and others.

6. Discussion of Future Advisory Committee Membership and Role – Petrea Marchand/Susan Garbini

SUSAN:

1. Transition: April 2017-April 2018:

- Current terms expire on April 20, 2017
- Staff propose that membership for all current (willing) members be extended until April 30, 2018.
- Chair position also to be extended if current chair agrees to serve.

2. Post-Implementation Advisory Committee [excerpted from Yolo HCP/NCCP draft 8/16]

- The Conservancy will continue the Advisory Committee as a stakeholder group throughout the implementation process (see Fig 7-1, “YHC Organization Structure”).
- Membership will continue to be voluntary.
- The AC will continue to consist of a range of individuals and entities with an interest in HCP/NCCP-related matters.
- Members of the Committee may include, but will not be limited to:
 - land developers and others who are seeking use of the Permits under the Yolo HCP/NCCP
 - conservation interests
 - agricultural interests

- landowner representatives
- other stakeholders whose assistance will increase the likelihood of the success of HCP/NCCP implementation

The Advisory Committee will also include non-voting liaisons from the USFWS, CDFW, and each of the Permittees (Yolo County, City of Davis, City of West Sacramento, City of Winters, and City of Woodland).

The Conservancy will organize, help convene, and provide support for the Advisory Committee and its proceedings. The Conservancy will convene the Committee at least twice a year, and also as needed to exchange information and discuss current issues, such as updates on HCP/NCCP implementation. Stakeholders will have the opportunity to inquire about implementation matters and make recommendations concerning pending decisions. All Committee meetings will be open to the public.

PETREA:

The composition and role of the Advisory Committee after implementation needs to be discussed. It is possible to consider some changes in composition and role.

- Liaisons from local agencies don't think they need to be on the AC and attend regularly.
- Limit AC membership to organizations that are dealing with land management, acquisition of conservation land (e.g. PCC, RCD, CCC)???
- What about developers? Farmers? Time of service?
- We have a year to think about these things.

JEANETTE: It would be helpful if we know about issues that will need attention from the AC.

PETREA: The real work of the Conservancy after implementation will be in acquiring and managing land.

CHRIS: LCP is unique component. How does it connect with HCP/NCCP?

MICHAEL: Good to have people with experience with acquisition of habitat lands. We need farmer representation.

CHAD: Which acquisitions should be undertaken? Need to have advice on strategic choices.

JOHN: It will be important to maintain the support from the stakeholders and interest groups. To see a transparent process and know what is going on.

PETREA: You could have a group that meets monthly (Acquisitions and management) and then quarterly meetings.

BONNIE: What are the tasks/mission post-implementation?

JOHN: Annual reports, public meetings, strategic plans.

CHAD: Maybe the “new” AC will meet 2-3 times/year to find out how we are doing with achieving goals of the plan and LCP. Need a discussion of strategic implementation for each year.

PETREA: We have to create a non-profit. In order to bank with the Silicon Valley Foundation. We’ll be looking for an executive director with fund-raising skills. The composition and structure of the AC should depend on the tasks/mission of the organization.

We’ll bring back examples of other HCPs/NCCPs, notes from this meeting, goals and mission.

STEVE G: There needs to be a biological/conservation stakeholder component.

ANNOUNCEMENTS/UPDATES

Cancel April 10 meeting? Yes.

CHRIS: We will send an update on progress for release to *Federal Register* and public meetings and the schedule for the RCIS (review this chapter, this subject, etc.).

We will meet on May 8.

7. Announcements and updates

None

8. Adjourn to next meeting date: Monday, May 8, 4-6 pm

The meeting was adjourned at 5:55 pm. The next meeting will be on Monday, May 8, 4-6 pm; Atrium Training Room, Yolo County Administration Building.