

**Yolo Natural Heritage Program
Steering Advisory Committee
Meeting Summary
July 12, 2010**

Note: "The policy in preparing meeting summaries is to produce a record of discussion by all participants. Statements do not necessarily reflect the views of the YNHP Steering Advisory Committee or the JPA Board of Directors."

Action Items

- Upload information on Agricultural Forecasting Model onto Agricultural Portal on YNHP website home page.
- Create a "Suggested Reading List" with citation, information about where to find each article (e.g. Shields Library, UCD), and/or links to articles as possible.
- Include in the YNHP plan ideas on research opportunities and how to stimulate research on agriculture, habitat, and conservation in the Central Valley.
- Send the "Five-Point Policy" to SAC members (and post on YNHP website).

MEETING SUMMARY

1. Call Meeting to Order

The meeting was called to order at 5:03 p.m. by Yolo Natural Heritage Program Steering Advisory Committee Co-Chair, John Hopkins.

2. Introductions and Welcome

All those present introduced themselves.

Attendees:

Steering Committee Members

Keith Fichtner, Developer

Steve Greco, UC Davis

Glen Holstein, CNPS/Tuleyome

John Hopkins, Institute for Ecological Health

Yvonne LeMaitre, Yolo County Farm Bureau

Stefan Lorenzato, Yolo County Flood Control & Water Conservation District

Chad Roberts, Yolo Audubon Society

Jeannette Wrysinski, Yolo RCD

Denise Sagara, Yolo Farm Bureau

JPA Member Agency Staff and Liaisons

Bruce Boyd, City of Davis

Rick Landon, Yolo County Agricultural Commissioner

Dave Shpak, City of West Sacramento

JPA Staff

Maria Wong, Executive Director
Kate Montieth, Assistant to the Director
Susan Garbini, Graduate Fellow
Pete Rawlings, SAIC

Interested Parties

Jay Lee Tuil, UC Davis
Charles Tyson, Yolo County landowner
Kathryn Tyson, Yolo County landowner

3. Approval of agenda order

The order of the agenda was approved.

4. Meeting Summary and Action Items

The draft meeting summary for the SAC meeting on June 14 was approved with no changes.

Action Items

- *Send out (and post) schedule of SAC meetings through December 2010*

The schedule has been sent out and posted.

- *Post the Ag Forecasting Presentation on the Agricultural Portal on the YNHP website (from the "Seventh Annual Habitat Conservation Planning from Tahoe to the Bay*

This presentation has been posted on the Agricultural Portal.

- *Explain why the agricultural habitat suitability rating system is not applicable to non-agricultural habitat.*

This will be addressed at the next SAC meeting.

- *Provide justification for why we are basing strategies for agricultural lands on habitat unit values.*

- *Ask the Yolo County Farm Bureau to review the Agricultural Forecasting model.*

These items will be addressed in a session with Dave Sunding, consulting economist to the JPA/YNHP, to be scheduled as soon as possible.

5. Presentation and discussion regarding the draft adaptive management proposal Dan Airola and Pete Rawlings, SAIC (see handouts)

Adaptive management is the process through which a habitat conservation plan can be appropriately adjusted in the future based on new information and understanding. Each HCP and NCCP is required under the regulations governing HCPs and NCCPs to have this component as part of their plan. The purpose of the adaptive management process is to enable the implementing entity to be flexible in making changes as needed, after the permit issuance phase, as the plan goes forward. The policy and elements subject to adaptive management are listed in the ppt handouts for this presentation. But, generally, most of the plan's activities are subject to revision under the approved guidelines for adaptive management, based on information that becomes available from monitoring and other research. The design and implementation of conservation actions is best envisioned as a feedback loop in which new information available through monitoring activities and research are analyzed and synthesized to ensure that management activities are based on the best scientific information available over the duration of the plan (see ppt handouts of the "Yolo NHP Implementation, Monitoring, Research, and Adaptive Management Feedback Loop" and "Adaptive Management Decision Making Process"). More detailed information about this process can be found in the draft of Section 5.10: Adaptive Management Plan.

Discussion

Question: Is it also possible to adapt and integrate new farming practices into the plan?

Response: As crop patterns and management practices change around the county, the implementing agency can incorporate that information into the adaptive management process. We are having that conversation with the wildlife agencies and it will relate to how we describe "covered activities" in the plan. The intent is that where we can envision and predict change, we will be able to categorize practices as "acceptable" or "unacceptable" under the plan.

Question: But it seems not to include economic shifts in crops, e.g. from field crops to tree crops. Would these kinds of changes be acceptable? Adaptive management seems to be focused on how farming practices and patterns meet the needs of the plan.

Response: Shifts in cropping patterns are addressed in the Conservation Strategy, where we try to anticipate changes in the landscape on a larger scale, e.g. in the Clarksburg area. We plan for likely changes and anticipate how the objectives can be met through other tools, such as incentives to encourage changes in behavior or practices.

If radical, unanticipated changes occur, there are different processes built into the plan to enable adjustment (e.g. drop some targets in the agricultural component and emphasize other components).

The plan will describe current practices. If practices shift, the implementing agency will try to figure out how to meet the goals in communication with the agencies. Flexibility is crucial to the long-term success of the plan and will enable it to adapt to changing conditions. This will be addressed in another chapter (Adaptive Management).

Question: With new information from monitoring, sometimes the goals will also change. Can this be encompassed by the adaptive management strategy?

Response: Plan level change may require “amendment” of the plan. This is also possible.

Question: What happens if you can’t attain the goals?

Response: You are not required to achieve the biological goals, but you are required to implement your plan actions. The plan is a “deal” and so long as both sides feel it is working, it will be in place and valid. If it breaks down, then the deal is no longer in force. However, for example, if a species has left your area because of circumstances beyond your control, e.g. climate change, the agencies would respond differently than if it is some action or lack of action on your part. Each party in the “deal” offers something. This is based on “give and take”. The farmers and developers get streamlined permitting. The wildlife agencies get a minimum floor and other benefits related to achieving their mission.

Question: Who controls the agreement over changes in the plan?

Response: This could change over time.

Question: Assume a major change in cropping with effects on achieving plan goals. Where does the farmer sit?

Response: If the change has large consequences for achieving the plan goals, in the worst case scenario, the implementing agency hands back the permit to the wildlife agencies. But that has never happened and we don’t expect it to in this plan. Another aspect is “plan implementation under changed circumstances”. The implementing entity and the agencies can agree to a set of actions under these conditions, such as climate change or change in water availability.

Question: Species may not always respond positively to habitat creation. Is there a way to modify the plan?

Response: The implementing entity will investigate what is happening and request permission to change to an alternative and more beneficial action. In the case of multiple species, a more complicated set of determinations will be required.

Question: Is there any obligation in the monitoring plan to investigate to determine why species are not responding?

Response: This is not required, but usually monitoring will include trying to figure out what is happening – (both for species and for the overall system). It would be important to try to determine regional trends as part of the implementing agency’s responsibility. At best, it’s going to be tracking the status of the species and the system through a partnership with the agencies to identify the causes of change. Monitoring may support different approaches.

Question: Who is making decisions?

Response: The decision process is held between the partnership within the regulatory agencies and with the implementing entity.

Question: Who makes decisions that research needs to be initiated? How will the necessary research obtain funding?

Response: There may need to be a line item in the budget for research. We can articulate the research needed to improve our understanding of the plan and its objectives. University research will be part of the information. We can try to involve outsiders through monitoring programs.

Comment: Regarding the availability of academic research relevant to our concerns, the Central Valley is not necessarily an area of high interest. There is some interest in the topic of agriculture and climate change in the Central Valley (mitigation and adaptation). We will need to foster that interest.

Response: There is a lot of potential for studies in the Central Valley. The existence of an HCP/NCCP plan will likely stimulate interest. We should include in our plan a way to stimulate research in the Central Valley.

Question: It is inevitable that agricultural practices will change.

Response: We need to be careful to find the line between accepting change in farming practices and providing assurances to the wildlife agencies.

Comment: The fear is that the plan would become heavy-handed. If we can ensure that agricultural land will continue to exist, we will have some minimum habitat. Agriculture's responsibility is to farm with some focus on choices that will contribute to habitat viability. This creates a mutual dependency in the strategy.

Comment: There are concerns about farmers being prosecuted under the ESA because of unexpected consequences from actions related to changes in agricultural practices (e.g. transitioning from sheep grazing to vineyards).

Question: Are there practices that are not covered by this plan, but are covered by other agencies?

Response: Other agencies (e.g. the US Army Corps of Engineers for wetlands, and the Pesticide permitting agency) have jurisdiction over particular areas or practices. This plan is designed to get you closer to the overall permitting "goal post", but may not get you all the way. Yolo County may be able to pursue a county-wide wetland permit at some point after the NHP is adopted.

Presentation (cont'd)

The adaptive management process will present a range of options that the implementing entity (IE) may undertake (not necessarily required) based on the suite of information that may become available. The IE will determine if a change a particular project or in the overall plan is needed and what level of adjustment is appropriate see decision loop, Figure 5.2 and the Adaptive Management Process Framework, Figure 5.3).

Discussion

Question: Will more funding be required for these changes? Will such changes reduce the amount of funds available for other activities?

Response: There are a few options. One is to drop or change conservation measures. The other is to make changes at the plan level in terms of measures or goals.

Question: How does the framework apply to different landscape categories?

Response: This would apply to what the IE implements.

Comment: Difficulty might arise over time in an HCP/NCCP in which you have easements rather than “in perpetuity” arrangements. Some believe that a certain amount of agricultural land needs to be held for habitat in fee title. Furthermore, in Yolo County, much of the agricultural land is not even in easements.

Response: The degree of protection that you can accomplish depends on how a particular piece of land is held. But over time, and with monitoring, you might negotiate a different arrangement. Also, short-term agreements provide some flexibility, which may be useful. It’s important to note that the wildlife agencies will want permanent protection to be a strong component of the plan.

Comment: The responsibility to “determine cause and effect” is an extreme expectation (see p. 5, lines 3-5 in draft “Adaptive Management Plan”).

Response: Cause and effect issues do need to be addressed where possible and appropriate.

Question: Could we lose our permit if adaptive management strategies do not work?

Response: Not for the whole plan, but perhaps for one species. It depends on whether the “causes” are natural or under human control. Very few conditions would result in a permit being pulled. No permits have been pulled in any HCPs to date.

Question: What is the “5 Point policy”?

Response: We will send it out.

Comment: We need to limit our approach to developing a plan and getting it adopted. We should be clear in our objectives when we communicate. The baseline is important – it is the basis on which monitoring is to be done. When assessing trends of a population, it is necessary to know the starting point and whether the population is increasing or declining – the trend line. This is the baseline for determining actions and monitoring whether they are effective. It is more difficult to determine baselines and trends with plants than with animal species.

6. Working Group Reports

- *Biological Working Group:* The Biological Working Group will schedule meetings to complete a list of tasks. They will continue to examine the concepts of “matrix” and “corridors” for the plan. A wetland and riparian strategy, is under review and they will continue to monitor other the actions of other agencies in this area that affect the plan.
- *Agriculture Habitat Interface Working Group:* The Ag Working is on hiatus for now.
- *Urban Interface Working Group:* The Urban Interface WG is awaiting the appropriate time to discuss governance and implementation issues for the plan, along with covered activities.

7. Public Comment

A project is starting up in West Sacramento with significant implications for our plan. It involves levee reconstruction and vegetation issues on levees. This affects riparian habitat and could affect the NHP's ability to meet the NCCP requirements.

Response: The City of West Sacramento and the U.S. Army Corps of Engineers are initiating an EIR process for levee reconstruction near the California Highway Patrol Academy. The levee protects some houses and is adjacent to Bryte Park.

Regional policy-level discussion has been ongoing regarding the USACOE policy to remove all woody vegetation from levees or face denial of certification. There is an opportunity to weight in on this policy. The comment period has been extended. The JPA will comment through a formal letter.

8. Announcements and Updates

At the JPA meeting on July 19, the budget will be presented and considered for approval. The Board will also review recommendations regarding categories for covered activities in the plan and be asked to endorse the 2-tiered species list. The agenda and meeting materials will be posted on the web page. There is no JPA meeting scheduled in August.

The Yolo County Parks and Resources department has been absorbed into the General Services Department and the County Administrative Office. The JPA is "housed" administratively in the CAO, but physically in the General Services space (formerly the Parks and Resources location). The new representative to the JPA and SAC is Cindy Tuttle, Yolo County Natural Resources Coordinator.

9. Summary and Next Steps

The next meeting will focus on the presentation and review of the biological goals and objectives (section of Chapter 5, Conservation Strategy), including draft habitat protection, enhancement, and protection targets.

10. Adjournment

The meeting was adjourned at 7:05 pm. The next meeting will be held on Monday, July 26, at 5:00 pm.