Yolo Natural Heritage Program
Steering Advisory Committee
Meeting Summary
January 22, 2013

ACTION ITEMS

- The committee will provide comments on the draft agricultural conservation strategy issues paper to staff to be included in the final version submitted to the JPA Board.
- The next meeting will include receiving a background paper on Swainson’s hawk conservation strategy.
- The Committee approved the proposed schedule for meetings through June 2013 including topics for discussion at each meeting. All meetings will take place on the 4th Tuesday from 3:00 pm to 6:00 pm.

MEETING SUMMARY

1. Call Meeting to Order and Introductions

The meeting was called to order at 3:08 p.m. by Steering Advisory Committee co-chair, John Hopkins.

All those present introduced themselves.

Attendees:
Steering Committee Members, Liaisons, and Alternates
Steve Greco, UC Davis
Glen Holstein, CNPS/Tuleyome
John Hopkins, IEH
Chad Roberts, Yolo Audubon Society
Denise Sagara, Yolo County Farm Bureau
Jeanette Wrysinski, Yolo County Resource Conservation District
Paul Hofmann, California Department of Fish & Wildlife
Cori Mustin, US Fish & Wildlife Service
Monica Parisi, California Department of Fish & Wildlife

JPA Member Agency Staff and Liaisons
Charline Hamilton, City of West Sacramento
Ken Hiatt, City of Winters
John McNerney, City of Davis
Cindy Norris, City of Woodland
Jim Provenza, Yolo County Board of Supervisors
Cindy Tuttle: Yolo County Administrative Office
2. Approval of Agenda Order

The agenda order was changed by unanimous consent so that items #4 and #5 were switched.

3. Approve December 11, 2012 meeting summary and review status of Action Items

The Meeting Summary and Action Items from the December 11 meeting were approved with the following exception. Committee member Chad Roberts asked that the reasons for including Giant garter snake and Swainson’s hawk on the issues list be elucidated.

Executive Director Petrea Marchand responded that there are some outstanding differences in viewpoints related to the conservation strategy for these two species and agreement will need to be reached with the agencies on the appropriate strategy for each species.

5. Proposed Advisory Committee membership, application process, and change of name

Executive Director, Petrea Marchand, reviewed with the Committee the request to the JPA Board to reappoint existing members who have expressed an interest in remaining involved and to appoint new members, Chris Scheuring and Steve Thompson, as well as additional members to represent the development community and possibly other sectors. The JPA will also be asked to approve changing the name from “Steering Advisory Committee” to “Advisory Committee” to better reflect the role of the committee.

4. HCP/NCCP “101” Presentations

*The HCP Process*

Cori Mustin, Liaison to the Yolo HCP/NCCP from the US Fish & Wildlife Service presented an Introduction and Overview of the Habitat Conservation Plan regulatory framework and process (see ppt handout).
Discussion points included a review of the regulations that underlie the HCP (i.e. the Endangered Species Act and associated provisions in Section 10). She reviewed the 5-point Policy that guides the HCP process:

1. Establishing biological goals and objectives for the plan
2. Monitoring compliance and effectiveness of the plan when it is implemented
3. Using adaptive management based on feedback from monitoring to ensure the plan’s effectiveness under changing conditions
4. Determining the duration of the permit
5. Ensuring public participation in the process through scoping meetings, public comment, and involvement of the public in all stages of planning and implementation

She pointed out that the “no surprises assurance” (which guarantees that no substantive changes in requirements will be made in the future) applies only to properly implemented HCPs that are adequately covering species in the plan.

The Yolo HCP/NCCP is a regional plan (as contrasted with plans that are more local), which allows conservation planning to take place at the landscape level and allow for coordinated decision making for actions that support biodiversity and provide long-term protection. An additional advantage of regional plans comes from associated regulatory streamlining of various federal and state requirements (i.e. CESA, FESA, CEQA, etc.).

The Section 10 Process under the ESA encompasses HCP planning and has three phases: development; formal permit processing, and post-issuance actions. In the development phase, an HCP is required to have a high level of specificity with regard to covered species, covered activities, impacts analysis, avoidance and minimization measures, and a conservation strategy that includes monitoring and adaptive management components. It also needs to address cost and funding of the proposed plan.

The formal permit process includes a Biological Opinion from the USFWS that addresses statutory issuance criteria; including assurance that any taking of covered species will be incidental and that the applicant will minimize and mitigate the impacts of such taking. Assurance is also required that any permitted taking will not reduce the survival and recovery of the species. The post-issuance phase includes establishment of management and governance entities designed to implement the HCP, monitoring and adaptive management actions, periodic meetings with the permitting agencies, and preparation and issuance of an annual report on the status of the HCP.

The length of time for completing the HCP process depends on a number of factors relating to the availability of information, the complexity of the issues to be addressed, funding availability, and local support of the process. Lessons learned from previous HCP processes are: keep it simple, be realistic, stay engaged, and demonstrate progress.
The NCCP Process

Monica Parisi, liaison to the Yolo HCP/NCCP from the California Department of Fish & Wildlife, presented an Introduction and Overview of the Natural Community Conservation Plans framework and process (see ppt handout). She was supported by her colleague, Paul Hofmann.

The milestones in the NCCP process are similar to those in the HCP, but differ in some respects. The regulatory regime underlying the NCCP process is the Natural Community Conservation Planning Act. The goals of the NCCP are to protect and recover biological diversity, to prevent future species from becoming listed as endangered, and to allow compatible and appropriate use.

The NCCP is by definition a regional or ecosystem-based approach to conservation, generally with a broad geographic scope. The NCCP can cover non-listed species (HCPs cover only listed species) that are anticipated to become listed. The major difference between the HCP and NCCP process is the focus of the NCCP on large ecosystem functions and connectivity across landscapes.

Discussion

Committee member Steve Greco asked how “species of local concern” come into the HCP/NCCP plan? He pointed out that there is an opportunity to integrate the HCP/NCCP with the Yolo County General Plan conservation component through this component.

Cori Mustin responded that including species other than those that are covered by permits in the process increases the complexity of the plan and may slow approval.

6. Status of Revisions to the GIS database

Based on concerns from the agencies, Yolo HCP/NCCP staff has recommended to the JPA Board that GIS-based mapping of natural communities within the plan area of the HCP/NCP are needed to correct errors and inaccuracies that could undermine the development of appropriate conservation strategies. To this end, the JPA has retained Yolo County’s GIS expert, Marcus Neuvert, and consulting scientist, Jim Estep, to undertake and complete this effort by January 31, at which time it will be passed on to SAIC to use in developing the administrative draft of the plan. Marcus and Jim have reviewed existing materials, participated in a review of the relevant GIS natural community maps with agency staff, and are working on developing a new database with new information that has become available since the previous effort.

Jim Estep discussed the steps that are underway to improve the database. The first step was to identify wetlands and riparian areas to see if they were accurately captured, using the DWR 2008 land-use layer. From this examination they concluded that a number of areas were incorrectly mapped, particularly in riparian areas and on valley lands, in the previous GIS database. The old NHP layer was more accurate for the uplands areas, however. Using the DWR 2008 data, they have been able to remap the areas of concern and provide much more accurate information that will be useful for habitat conservation planning.
CDFW liaison Paul Hofmann pointed out that this data is the foundation for the conservation plan and, therefore, getting it as accurate as possible is crucial to developing an effective plan. He is happy with the new process so far, but it isn’t complete yet. There are a lot of significant changes that need to be made.

Steve Greco asked if there was documentation of the previous process – was a report provided with the original land-use layer? He emphasized that it is essential to provide as much detail as is available and document where this data comes from. He also pointed out that the California Wildlife Habitat Relationships (CWHR) database presents a scheme for linking crop types with wildlife habitat. These attributes could be added to the database and support agreement about our agricultural conservation strategy that proposes crops as habitat.

Marcus Neuvert replied that the documentation will take place from this point forward.

Monica Parisi responded that the biggest issue regarding the agricultural conservation strategy is that crops need to be assured for the future, but she could help with the CWHR attribution.

7. Agricultural Conservation Strategy: background, summary, and remaining issues

Petrea Marchand described the process underway to present the background and summary of major issues that are unresolved between the Yolo HCP/NCCP and the agencies over many years. The plan is to prepare a background issue paper that will help everyone get on the same page with each issue so that they can be resolved after the first administrative draft is available in June.

The process starts at this meeting with a draft paper on the Agricultural Conservation Strategy. The Advisory Committee is invited to identify additional information needed as background that will lead to a productive solution. The focus is on providing useful and relevant information about the subject, not on resolving disagreements at this stage. Comments from the Advisory Committee will then be used to prepare a final version to present to the JPA Board at their meeting in February.

The core issue for the agricultural conservation strategy is that the Yolo HCP/NCCP has developed a component of the plan that would provide incentives to farmers to provide crop mixes beneficial to certain species. However, this would not be required in perpetuity, which is a problem for the agencies. Under the auspices of the Yolo HCP/NCCP, a model was created to assign habitat value and predict the likely mix of crops in Yolo County in the future based on past history.

Committee chair, John Hopkins, commented that the crop map provided in the paper is probably not useful since cropping patterns always change over time. It would be misleading to give an inaccurate impression of stability when, in fact, changes take place constantly. The desire to preserve agricultural land is a major concern in Yolo County.
JPA Board Member, Jim Provenza, added that the potential for combining agriculture with habitat conservation is fundamental to the JPA’s willingness to go forward with the HCP/NCCP process.

Petrea Marchand pointed out that the issues relating to Swainson’s hawk and Giant garter snake conservation strategy are also part of the agricultural strategy, although they will be addressed in separate papers. These species will be included in the permitting for the Yolo HCP/NCCP. Also the issue of covered species vs. species of local concern links to the agricultural conservation strategy.

Cori Mustin stated that the agency does see benefits of certain crops for certain species, but would require assurances that a particular parcel will be maintained in a way that is beneficial to the species. They do recognize that “permanent” may include the need for rotation of crops for purposes of sound agricultural practice. However, it is not yet clear what the real conservation value of agricultural land in Yolo County is.

Committee member Chad Roberts commented that if the plan requires that the targeted acreage of farmland to be conserved in perpetuity is huge, it could result in a loss of availability of agricultural land to play a role in the conservation plan.

John Hopkins added that socio-political feasibility of the plan is as important as funding to its successful adoption and implementation.

Committee member, Glen Holstein, pointed out that interests are converging in this process based on shared goals, so that surely a resolution of this issue could be achieved.

Petrea Marchand posed the question whether we should continue to use this strategy in the permit requirements or separate it out as a voluntary component of the plan?

John Hopkins described the three most difficult components of the proposed agricultural conservation strategy with regard to gaining approval by the agencies:

1. non-acquisition of land by the HCP/NCCP
2. mitigation for impacts of covered activities
3. meeting the NCCP “in perpetuity” criterion

In fact, the scientific understanding and analysis of “recovery” is not well established. We have to get to something that is feasible.

Chad Roberts added that we need to ensure that we have “buy-in” to the plan by Yolo County.

Eric Paulsen commented that farmers want to be on board with the plan, but they need flexibility in the use of their land in the future.
Steve Thompson asked if the agencies are open to compromise on allowable farming vis-à-vis natural habitat?

Cori Mustin replied that the agency is willing to consider the value of a crop (e.g. rice) when compared to a natural habitat (e.g. a marsh). There is a middle ground.

Monica Parisi asked how the agencies can have the necessary long-term assurances from a voluntary strategy?

Chad Roberts raised the issue of what the cost would be to provide habitat for other species (i.e. species of local concern) that are dependent on agriculture if agricultural land is not included in the plan?

Petrea Marchand reiterated that the purpose of the issues papers is to bring everyone to the same level of understanding of the parameters of the issue and use that as a basis for making recommendations to the JPA in the future. She asked when these substantive issues will need to be resolved.

Project Manager, Heidi Tschudin, responded that they will need to be resolved by the middle of October in order to prepare the next draft of the plan.

8. Advisory Committee meeting schedule

The schedule of Advisory meetings through June 2013 was approved with the topics of each meeting as follows:

Feb 26      Swainson’s hawk  
March 26    Giant garter snake; BDCP  
April 23    Follow up on hawk; local conservation vision  
May 28      Mitigation v. conservation; implementation costs and funding

The draft plan is expected to be released on July 1, 2013, presented to the JPA Board on July 15, with decision by the JPA on whether to continue with the HCP/NCCP process by August 12.

John Hopkins proposed that the Steering Committee meet before August 12 to discuss the draft plan. The date was tentatively set for July 23.

9. Announcements and updates – None

10. Adjournment: next meeting date

The meeting was adjourned at 5:55 pm. The next meeting is scheduled for Tuesday, February 26, 2013, from 3:00 – 6:00 p.m. in Woodland.