

REVISED DRAFT – Rev. 05/29/2007 & 07/24/07

Butte Regional HCP/NCCP Planning and Decision-making Process

This document describes the general process through which the Butte Regional HCP/NCCP will be developed, and outlines the roles and responsibilities of the various committees and entities that will participate in plan development and approval.

HCP/NCCP Steering Committee. An ad hoc committee, the Steering Committee is comprised of representatives of the agencies that will be receiving permits (the “Applicants”) from the regulatory agencies upon completion of an approved HCP/NCCP. This initially includes representatives from the incorporated cities and county, but may eventually include representatives from other agencies seeking permits under the plan. Representatives from the state and federal regulatory agencies will regularly attend Steering Committee meetings as well.

The Steering Committee will act in an administrative capacity and will be responsible for the preparation of the Plan. All such meetings are open to the public and provide for public comment. Agendas and meeting notes will be posted on the www.buttehcp.com website.

Responsibilities of the Steering Committee include:

- managing the Consultants and working with the Consultants to establish timelines, work products and outreach processes; (punctuation change)
- recommending to Applicants key HCP/NCCP elements (e.g., covered species, Plan Area, covered activities, conservation strategy, impact assessment, implementing entity);
- monitoring HCP/NCCP development budgets;
- securing grant funding for Plan preparation;
- providing oversight of HCP/NCCP development;
- communicating HCP/NCCP progress and issues to the County and City/Town Administrators Committee, Stakeholder Committee, and Planning Directors Group;
- providing for public participation and outreach;
- reviewing and formulating responses to DFG, USFWS, NOAA Fisheries, Science Advisory Panel and Stakeholder Committee recommendations for HCP/NCCP development; and
- Reviewing HCP/NCCP scopes of work, budgets, and scope modifications of the Consultants.

The Steering Committee will also review, consider for incorporation, and present to the Applicants all recommendations from the Stakeholder Committee for HCP/NCCP development and content that are based on the following:

1. Applicable federal, state, and local law (Law);

2. Guidelines and requirements established by federal HCP and state NCCP processes (Process);
3. Current best scientific knowledge in all applicable areas including landscape ecology, biology, agriculture, hydrology, seismology and other related science-based studies;
4. An understanding of all stakeholders' points of view such that the proposals of all parties are considered and analyzed for their merit within the context of the Process; the goal of the Process is to balance thoughtful, well-designed planning and community growth with sound conservation practices;

Stakeholder Committee. The Stakeholder Committee is an ad hoc committee comprised of representatives of HCP/NCCP stakeholder interests that represents a diverse cross-section of the interests and views of the community. Stakeholder Committee meetings will also be attended by Steering Committee members and state and federal regulatory agency staff. City and county planning staff will likely attend meetings as needed. All such meetings are open to the public and provide for public comment. Agendas and meeting notes will be posted on the www.buttehcp.com website.

The Stakeholder Committee will develop recommendations for HCP/NCCP content for submittal to the Steering Committee following reviews of draft sections of the HCP/NCCP. It is anticipated that the Stakeholder Committee will make its recommendations based on the following:

- 1 Applicable federal, state, and local law;
- 2 Guidelines and requirements established by federal HCP and state NCCP processes;
- 3 Current best scientific knowledge in all applicable areas including landscape ecology, biology, agriculture, hydrology, seismology and other related science-based studies;
- 4 An understanding of all stakeholders' points of view such that the proposals of all parties are considered and analyzed for their merit within the context of the Process, the goal of the Process is to balance thoughtful, well-designed planning and community growth with sound conservation practices;
- 5 Consensus-based recommendations are the goal of the Stakeholder Committee. If, after an extensive attempt on the part of the Stakeholder Committee fails to yield a collaborative recommendation, irreconcilable viewpoints shall be reported to the Steering Committee in separate distinct formats.

Stakeholder groups anticipated to be represented on the committee include:

- Development Community,
- Farming and Agriculture,
- Special Districts,
- Educational Institutions,

- Environmental Community,
- Tribal Governments,
- State and Federal Agencies (non-wildlife), and
- Other relevant groups, as appropriate.

Committee members are encouraged to participate actively in a collaborative process that will require “give and take” among members to enable the HCP/NCCP process to move forward on schedule and within budget. Although there are not strict qualifications per se, members of this committee should consider the following commitments:

- Any member that claims to represent a stakeholder group should have a recognized standing within that stakeholder group, and will fairly represent the interests of and report HCP/NCCP progress to their stakeholder group,
- An active member should review and provide timely recommendations to draft HCP/NCCP elements,
- Commitment to completing a HCP/NCCP through a collaborative process that allows all interests to be considered.
- Being familiar with the range of relevant issues and interests that are important to all members of the stakeholder group and be committed to fairly represent those issues and interests as they relate to development of the HCP/NCCP, even where they may diverge from their own viewpoint.
- Commit to regularly communicating progress of HCP/NCCP development and HCP/NCCP-related issues to members of the stakeholder group and receive and accurately represent feedback from the group to the Committee.

Individuals who wish to be kept informed of Stakeholder Committee meetings, but not participate directly on the committee, will be kept informed of committee meeting dates, agendas, meeting notes, handouts etc. in the same manner as committee members. Such individuals should request being added to the Stakeholder Committee “interested parties” contact list.

County Board and City Councils. The Butte County Board of Supervisors and the Biggs, Chico, Gridley and Oroville City Councils are responsible for review and approval of the final HCP/NCCP and will also be signatory to the Planning Agreement, Implementing Agreement and permits for the covered activities within their jurisdictions. All meetings, other than special closed sessions, are open to the public.

BCAG Board. The BCAG Board is responsible for:

- Review, but not approval, of the HCP/NCCP;
- Approving funding for HCP/NCCP planning through BCAG’s Overall Work Program (OWP) work elements;
- Requesting funding from HCP/NCCP participants; and

- Oversight of HCP/NCCP development based on periodic reviews of progress.
- All meetings are open to the public

State and Federal Regulatory Agencies. State and Federal Regulatory agencies include California Department of Fish & Game, the US Fish & Wildlife Service, the National Marine Fisheries Service and the US Army Corps of Engineers. These agencies are responsible for review and approval of the final HCP/NCCP, EIS/EIR, and Clean Water Act permit; will provide guidance throughout the process of developing the plan; and will participate in Stakeholder Committee meetings and Steering Committee meetings.

Science Advisory Panel. The Science Advisory Panel is an independent committee required by the NCCP Act. It is comprised of recognized experts in technical fields relevant to the HCP/NCCP that operates independently from the Steering Committee and Consultant. A Science Advisory Panel Facilitator will be selected by the Steering Committee with approval from the California Department of Fish and Game, US Fish and Wildlife Service, and National Marine Fisheries Service.

The Science Facilitator will work with the Steering Committee, regulatory agencies and Stakeholder Committee to develop a long list of potential candidates for the Science Advisory Panel. Final selection of advisors (and perhaps alternates) shall be made solely by the Facilitator. It is very important that there is no actual or perceived influence by the committee members, consultants, elected officials, or stakeholder groups in the final selection of science advisors.

The Science Facilitator coordinates the Science Advisors' review of and recommendations for the conservation strategy and is responsible for ensuring that the Science Advisory Panel prepares quality deliverables on schedule. The Science Advisory Panel is charged with the following tasks [California Fish and Game Code Section 2810(5)]:

- Recommend scientifically sound conservation strategies for species and natural communities proposed to be covered by the plan.
- Recommend a set of reserve design principles that addresses the needs of species, landscapes, ecosystems, and ecological processes in the planning area proposed to be addressed by the plan.
- Recommend management principles and conservation goals that can be used in developing a framework for the monitoring and adaptive management component of the plan.
- Identify data gaps and uncertainties so that risk factors can be evaluated.

Recommendations of the Science Advisory Panel will be in written reports. These recommendations are advisory and Science Advisory Panel recommendations will be reviewed with the Stakeholder and Steering Committees.

City/Town/County Administrators Committee. The City/Town/County Administrators Committee is comprised of the Butte County Chief Administrative Officer and City/Town Managers and assistants from the Cities of Biggs, Chico, Gridley, and Oroville and Town of Paradise. The committee meets on an as needed basis to keep the jurisdictions informed of progress and key issues on the HCP/NCCP. HCP/NCCP progress will be reported as appropriate to the bodies they represent. This committee will be responsible for taking HCP/NCCP approval items to their respective bodies for approval.

Technical Subcommittees, including Planning Directors Group. Technical subcommittees may be comprised of members of the Steering Committee, BCAG management staff, County and Town/City experts (e.g., community development directors, planning directors, or senior planners), and stakeholders. Technical subcommittees would be ad hoc whereby individuals with the necessary expertise to perform specified tasks will be assembled. The Steering Committee may establish one or more technical subcommittees, as needed, to focus on development of specific aspects of the HCP/NCCP.

The City/Town/County Planning Directors Group is an example of an already established technical subcommittee that is comprised of planning directors and staff from each incorporated jurisdiction. The committee meets on a monthly basis to keep the jurisdictions informed of progress made and key issues associated with the development of the HCP/NCCP, and to encourage collaboration on General Plan updates that are occurring and seek ways to integrate these two planning efforts.

Technical responsibilities of this group include:

- reviewing draft HCP/NCCP sections;
- providing technical guidance to the Consultant for development of the HCP/NCCP;
- identifying decisions required by Cities/Town Councils or County Board to further HCP/NCCP development;

Consultants. The role of the Consultants is to fulfill the terms of contracted scopes of work. The Consultants' responsibilities will be to:

- Work closely with the Steering Committee, Stakeholder Committee, Science Advisory Panel, DFG, USFWS, and NOAA Fisheries in development of the HCP/NCCP and associated regulatory compliance documents;
- Moderate Stakeholder Committee meetings;
- Provide recommendations for HCP/NCCP development to decision makers;
- Advise decision makers regarding HCP/NCCP requirements;
- Interact with the permitting agencies on behalf of the Steering Committee;

- Assist the Steering Committee with coordinating stakeholder and public outreach/participation;
- Assist the Steering Committee with preparation of the NCCP planning agreement and HCP/NCCP implementing agreements;
- Provide recommendations for HCP/NCCP development to decision makers; and
- If needed, assist the Steering Committee with securing funding for HCP/NCCP development.