

# AGENDA

**Stakeholder Committee Meeting  
Butte Regional HCP/NCCP  
Wednesday, June 27, 2007  
1:00 pm - 4:00 pm  
BCAG Conference Room**

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## **Agenda:**

1. Introductions
2. Housekeeping Items
3. Planning Agreement Status
4. Review Revised Draft Committee Roles and Responsibilities Document (**Attached**)
5. Summary of Independent Science Panel Workshop
6. Tri-Colored Blackbirds – Recent Colony Sighting
7. Status of Ecological Baseline Report
8. Upcoming: Species and Habitat Models
9. Vernal Pool Mapping Update
10. Review Meeting Notes from May 2nd, 2007 (**Attached**)
11. Summary of Steering Committee Meeting (May 9th, 2007)
12. Public Workshops
13. Action Items and Next Meeting

Attachment 1 – May Meeting Notes

# Butte Regional HCP/NCCP Stakeholder Committee Meeting

May 02, 2007, 11:00 a.m. to 3:00 p.m.

BCAG

## Meeting Summary

### Stakeholder Committee

Jason Bougie (BIA)	Ted Trimble (WC Water District)
Richard Price (Butte Cnty Ag Commissioner)	Virginia Getz (Ducks Unlimited)
Pia Sevelius (BC-RCD)	Phil Johnson (Altacal)
Suellen Rowlinson (CNPS)	Colleen Aguiar (Butte County Farm Bureau)

### Resource Agencies

Jenny Marr (CDFG)	Katie Perry (CDFG)
Jennifer Hogan (CDFG)	Jesse Wild (USFWS)

### Steering Committee and Staff

Jane Dolan (Supervisor)	Jamie Johansson (Oroville)
Chris Devine (BCAG)	Paul Cylinder (SAIC)
Jon Clark (BCAG)	Letty Brown (SAIC)

### Interested Public

Barbara Vlamis (BEC)	John Merz (Sac River Preservation Trust)
GeneAnna McMillan (BEC)	Nathan Key (NRCS)
Rich Reiner (TNC)	

### Associated documents/handouts:

1. Agenda including *Draft Planning and Decision-making Process* handout; Draft Planning Agreement; Draft Acronym List; Meeting Notes from Stakeholder Meeting April 4<sup>th</sup>, 2007
2. Draft Science Panel Short List
3. Memo to Chris Devine regarding inclusion of Foothill Yellow-legged Frog to Potential Covered Species list
4. Binders for everyone!

### Action Items and Key Recommendations:

- Stakeholder Committee offered suggestions for changes to specific sections of the Planning Agreement and Roles and Responsibilities document. A subgroup was

created to implement these changes. The subgroup will bring the revised documents to the next meeting.

- Committee recommended that a scientist be added to the Science Panel with expertise in intensive agriculture, wetlands and waterfowl. Candidate names were solicited and Chris Devine will contact Wayne Spencer, Independent Science Panel Facilitator, to initiate the search.
- Other than this category, the final candidates for Science Panelists have been chosen and their first workshop and field tour of the planning area will occur in mid- June.
- A new draft of the Ecological Baseline Report will be available on the Butte HCP website in late May. This draft incorporates comments from the Stakeholders, Interested Parties, and the Resource Agencies.
- The Science Panel will review and comment on this new draft. Stakeholders are encouraged to review the document and make additional comments.
- A new species account (peregrine falcon) has been created and is available on the Butte HCP website. The foothill yellow-legged frog is being considered as a potential covered species.
- A mapping workshop is scheduled for May 17<sup>th</sup>, 6-8 pm, at BCAG.
- Next Stakeholder meeting will be held June 27<sup>th</sup>, 1- 4pm, at BCAG.

#### **Meeting Purpose:**

- Review of Roles and Responsibilities of Committees, Boards and Councils
- Planning Agreement
- Science Panel Status
- Review of the Acronyms list
- Status of Ecological Baseline Report;
- Review of April 4th Meeting Notes (**Attachment 1**)
- Upcoming Workshops: Working Session to Review Maps of Butte Regional HCP/NCCP Planning Area
- Action Items and Next Meeting

#### **Discussion of Committee Roles and Responsibilities:**

- Bill Haas' comments were directly integrated into both Steering and Stakeholder Committee sections of the Roles and Responsibilities document. Committee discussed this and other language in the documents.
- Key words and phrases in the document were discussed. Examples of recommended changes included: changing "consensus" to "collaborative recommendations" or "collaborative decisions," changing the phrase "the Steering Committee will not significantly alter the decisions of the Stakeholder Committee" to "the Steering Committee will non-substantively alter the decisions of the Stakeholder Committee."
- Additionally, suggestion to change wording describing types of scientific data used in the HCP/NCCP process. Farm Bureau suggested a change to: "current best independent peer-reviewed scientific knowledge and empirical data."

- Because of the large number of suggested re-wordings, a subgroup was created to implement these into the document. Subgroup includes Chris Devine, Bill Haas, Colleen Aguilar and Jane Dolan.
- Question: Can information regarding Steering Committee meeting content be brought to the Stakeholder Committee? An agenda item will be added to each Stakeholder meeting to report topics discussed in the last Steering Committee meeting. It was also reiterated that Steering Committee meetings are open to the public.
- Question: How does Stakeholder Committee membership work-- specifically, can new members be added, and what are the requirements for being on the Committee? Agencies/consultants explained that there is now a working list of people committed to being Committee members. Criteria for inclusion in the Committee include representation of a group, and communication with the group, attendance and participation in meetings, and reading and reviewing documents brought before the Committee. While these are general guidelines, the Committee will always be open to the public.
- Suggestion to add more planning staff to Stakeholder meetings
- Suggestion that name tags or table name plates be added to Stakeholder meetings
- Suggestion made by Farm Bureau that Meeting Notes list attendees by groups to clarify the different roles of attendees (see above).

#### **Draft Planning Agreement:**

- The status of the draft Planning Agreement was discussed. Representatives from the resource agencies, the cities, and the county have commented and it will go before the councils and the Board in August.
- The revised language from sections of the Roles and Responsibilities document (see above) will be carried into analogous sections of the Planning Agreement.
- Recommendation to change Section 6.4.2. as Stakeholder Committee meets monthly, not quarterly as it now reads.

#### **Science Panel/Acronym List:**

- The majority of the Science Panelists have been selected. Discussion of which individuals were chosen.
- Recommendation made to add a person to the Science Panel with expertise in intensive agriculture, wetlands and waterfowl. Chris Devine will contact Wayne Spencer, Science Panel Facilitator, regarding this.
- The first Science Panel workshop will be held in mid-June for an orientation and a tour of the planning area.
- Acronym list was reviewed and discussed.

#### **Ecological Baseline Report:**

- A new draft of the Ecological Baseline Report will be available on the Butte HCP website in late May. This draft incorporates comments from the Stakeholder Committee and the Resource Agencies' review.
- The Science Panel will review and comment on this draft.

- New items include a list of “Local Species of Concern” which includes species that are rare, declining, or potentially threatened by land use changes in the planning area but that do not meet one or more of the criteria used in the Covered Species selection process. The conservation strategies designed to protect the Covered Species and habitats will also consider the needs of species on this new list. CNDDDB maps are beginning to be augmented with locally known occurrence data. This type of data will continue to be added.
- A peregrine falcon account has been prepared and is on the website ([buttehcp.com](http://buttehcp.com)) for review.
- The Committee reviewed a recommendation that the foothill yellow-legged frog (*Rana boylei*) be considered for listing as a Potential Covered Species. Letty Brown (SAIC) will follow up with local biologists to determine if it meets the four criteria for selection as a Covered Species.

**Upcoming Meetings:**

- Next Stakeholder meeting will occur on Wednesday, June 27<sup>th</sup>, 1:00 am- 4:00 pm, at BCAG.
- Mapping workshop on May 17<sup>th</sup>; 15 min presentation; the rest will be looking at the 23 aerial maps.

Attachment 2 – Revised Committee Roles and Responsibilities Document

**REVISED DRAFT – Rev. 05/29/2007**

**Working Group:**

- Barbara Vlamis (BEC)**
- Suellen Rowleson (CNPS)**
- Jesse Wild (FWS) – via conf. call**
- John Clark (BACG)**
- Chris Devine (BCAG)**
- Jane Dolan (BCAG)**
- Coleen Aguilar (Farm Bureau)**
- Bill Haas (CNPS)**

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**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](http://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)
- ~~reviewing~~ recommending to Applicants key HCP/NCCP elements (e.g., covered species, Plan Area, covered activities, conservation strategy, impact assessment, implementing entity);
- ~~providing guidance as requested by Technical Subcommittees (see below);~~
- monitoring HCP/NCCP development budgets;
- securing grant funding for Plan preparation;
- providing oversight of HCP/NCCP development;

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- 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.

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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:

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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; ~~knowing that it is the goal of the Process is to balance thoughtful, well-designed planning and community growth with sound conservation practices;~~
5. ~~When consensus is reached on issues not in violation of the spirit or the letter of Law or Process, the Steering Committee will not significantly alter the recommendations of the Stakeholder Committee;~~
6. ~~Should instances arise in which the Stakeholder Committee is not able to reach consensus on recommendations, then the Steering Committee will seek guidance from appropriate federal and state agencies in order to maintain the planning schedule and provide a draft product for review by the County Board of Supervisors and city councils.~~

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**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](http://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

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HCP/NCCP. It is anticipated that the Stakeholder Committee will make its recommendations 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, knowing that it is 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.
- 6 ~~When consensus is reached on issues not in violation of the spirit or the letter of Law or Process, the Steering Committee will not significantly alter the recommendations of the Stakeholder Committee;~~
- 7 ~~Should instances arise in which the Stakeholder Committee is not able to reach consensus on recommendations, then the Steering Committee will seek guidance from appropriate federal and state agencies in order to maintain the planning schedule and provide a draft product for review by the County Board of Supervisors and city councils.~~

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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.

**Our editing session stopped here on 29 May 2007 – WEH**

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The following text (through) “County Board and City Councils” (= the Applicants?), incorporates comments received by Chris Devine from Jesse Wild. Please review, especially Jesse’s comment.

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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:

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**Comment [Jw1]:** Suggest something like: Comments received by committee members will receive priority for discussion and response. Stakeholders with representatives on the committee should give their comments to that representative. Comments received by stakeholders not currently attending meetings will be considered and responded to as time permits.

- 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.

**Deleted:** Committee membership will require active participation 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. Qualifications for stakeholder representatives should include: ¶

¶  
<#>Having a recognized standing within their stakeholder group. ¶  
<#>Commitment to review and provide timely recommendations to draft HCP/NCCP elements, ¶  
<#>Commitment to fairly represent the interests of and report HCP/NCCP progress to their stakeholder group, ¶  
<#>Commitment to completing a HCP/NCCP through a collaborative process that is based on reaching consensus as a group. ¶  
<#>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.

¶  
The Stakeholder Committee will be limited in size to ensure a balanced and efficient process of comment and discussion while allowing for a wide range of points of view. One to three individuals will represent each stakeholder group identified above, and each representative may designate an alternate to attend (... [1])

## **We need to complete our edits from this point onward - WEH**

**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 Committee with the goal of reaching consensus on the extent to which recommendations of the Panel are incorporated into the HCP/NCCP.

**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.

Committee membership will require active participation 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. Qualifications for stakeholder representatives should include:

- Having a recognized standing within their stakeholder group,
- Commitment to review and provide timely recommendations to draft HCP/NCCP elements,
- Commitment to fairly represent the interests of and report HCP/NCCP progress to their stakeholder group,
- Commitment to completing a HCP/NCCP through a collaborative process that is based on reaching consensus as a group.
- 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.

The Stakeholder Committee will be limited in size to ensure a balanced and efficient process of comment and discussion while allowing for a wide range of points of view. One to three individuals will represent each stakeholder group identified above, and each representative may designate an alternate to attend should they not be able to. Additional stakeholder representatives may be added during the development of the HCP/NCCP. To become a member of the committee, an individual must be able to commit to the qualifications listed above.

Only the Stakeholder Committee members or alternates will make recommendations as part of the committee and only Stakeholder Committee member comments will receive a direct response to comments during meetings on administrative draft documents (Steering Committee, Wildlife Agency and Science Panel comments receive a direct response during meetings as well). Non-committee member comments are welcomed and will be considered on administrative draft documents, but will not receive a direct response. Non-committee members who wish to receive a direct response to their comments should funnel their comments through their appropriate Stakeholder Committee member.

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.

