

AGENDA

**Stakeholder Committee Meeting
Butte Regional HCP/NCCP
Wednesday, March 14, 2007
11:00am-3:00pm
BCAG Conference Room**

Meeting Purpose: Review the Draft Ecological Baseline Conditions Report

Expected Outcomes: Clear guidance for revisions to the Draft Ecological Baseline Conditions Report and identification of new sources of information to include in the next draft of the Report.

Agenda:

1. Personal Introductions of Committee Members (Personal Background & Goals for HCP/NCCP)
2. Review of Roles and Responsibilities of Committees, Boards, and Councils (**Attachment 1**)
3. Review of Draft Ecological Baseline Conditions Report (January 30, 2007)
 - a. Overall Comments (**Attachment 2**)
 - b. Section 3.6 Proposed Covered Species
 - c. Appendix A Species Accounts
 - d. Section 3.4 Land Cover Mapping
 - e. Section 3.5 Covered Natural Communities
 - f. Appendix B Species Lists x Covered Natural Communities
 - g. Sections 3.1 Introduction, 3.2 Geographic Scope, 3.3 Physical Environment
4. Additional Species Accounts – schedule for review
5. Review of meeting notes from February 14 meeting (**Attachment 3**)
6. Action Items and Next Meeting (recurring day)

ATTACHMENT 1

ROLES AND RESPONSIBILITIES OF COMMITTEES, BOARDS & COUNCILS



STAKEHOLDER COMMITTEE

Item # 2

Date: March 9, 2007

REVIEW OF ROLES AND RESPONSIBILITIES OF COMMITTEES, BOARDS AND COUNCILS

PREPARED BY: Chris Devine, Planning Manager

DISCUSSION: Please review the following document and provide any comments at the March 14, 2007 Stakeholder Committee meeting.

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 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
- reviewing 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;
- 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 Committee will also review recommendations from the Stakeholder Committee for HCP/NCCP development. It is a goal of the Steering Committee to ensure efficient progress on the HCP/NCCP. It is anticipated that the Stakeholder Committee will reach consensus on key HCP/NCCP issues during development of the HCP/NCCP document.

When consensus is reached, the Steering Committee will not significantly alter the recommendations of the Stakeholder Committee. Should instances arise in which the Stakeholder Committee is not able to reach consensus on recommendations, then the Steering Committee will work toward reaching a compromise in order to maintain the planning schedule and provide a draft product for review by the County Board of Supervisors and city councils.

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.

This committee will develop recommendations for HCP/NCCP content following reviews of draft sections of the HCP/NCCP and will work towards developing consensus recommendations. The Committee's consensus recommendations will periodically be forwarded by the Steering Committee through city and county administrative staff to the city councils and County Board for approval. In instances in which consensus is not reached by the Stakeholder Committee, the Steering Committee will work toward reaching a compromise to maintain the planning schedule and provide a draft product for review by the County Board of Supervisors and city councils.

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 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.

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.

ATTACHMENT 2

COMMENTS RECEIVED
TO DATE
ECOLOGICAL BASELINE
ASSESSMENT REPORT



STAKEHOLDER COMMITTEE

Item # 3

Date: March 9, 2007

REVIEW OF OVERALL COMMENTS RECEIVED TO DATE

PREPARED BY: Chris Devine, Planning Manager

DISCUSSION: At the March 14, 2007 Stakeholder Committee meeting we will be going through and addressing each of the following comment forms received to date.

The review period of the Ecological Baseline Conditions Report is being extended to accommodate additional review by interested parties. The extended deadline will be discussed at the meeting.

**Butte Regional HCP/NCCP
Review Document Comment Form**

Document: **DRAFT ECOLOGICAL BASELINE REPORT/JANUARY 30, 2007**

Name: Phil Johnson **Organization/Agency:** Altacal Audubon Society

Date: 2/27/07

Please use this form to document your comments to the above document. Please number your comments in the first column and indicate the page, section, and line number (if provided) that reference the comment's location in the review document in the next three columns. To be of the greatest value to the document development process, please make your comments as specific as possible (e.g., rather than stating that more current information is available regarding a topic, provide the additional information [or indicate where it may be acquired]; rather than indicating that you disagree with a statement, indicate why you disagree with the statement and recommend alternative text for the statement). Do not enter information in the **Disposition** column. This column will be used by BCAG to record how each comment was addressed during the document revision process.

No.	Page #	Section #	Line #	Comment	Disposition
				Butte County Planning Dept has a document named "Areas of Special Biological Importance" ASBI updated in 1998 with detailed mapping of bird species. (Snowden)	
3	6	4		Double Crested Cormorant are known to breed along the Sacramento River in the plan area. They are SSC. Riparian developments could affect them	
				Aleutian Canada Goose does winter in the Butte Sink.(Snowden)	
				Northern Harrier does breed in Butte County, and is a SSC. It relies on open marshland for breeding and should be covered.	
				Golden Eagle is a plan area breeder. It relies heavily on cliff faces, but also will use large trees. Long term survival of this species depends on minimizing disturbance on cliff tops (mostly in the blue oak woodland areas. This should be covered.	
3	6	5		Swainson's Hawk habitat suffers greatly from conversion of grassland/dry agricultural lands to	

			orchards. Expansion of orchard lands should be noted as a significant loss to this species.
			Ferruginous Hawk – does not breed, but wintering populations have potential to be affected through impacts to grasslands and woodlands.
3	6	6	Peregrine Falcon breeds in Butte County. Butte Creek Canyon has a breeding pair. A pair has been occupying Upper Bidwell Park and was seen copulating. There is a pair near Lake Oroville on the suspension bridge. Ridge top development has a huge potential to affect the limited breeding habitat of this species. Should be covered. Has potential to be covered.
			Prairie Falcon, like Peregrine, have breeding records for Butte County and need protection of ridge tops above cliffs. Has potential to be affected
			California Black Rails are found in Seep Springs in the foothills (Upper Bidwell Park, Butte Creek Canyon, Centerville Rd., the base of Table Mountain and ...). Contact Orien Richmond at UCB for more info. He works through the Sierra-Foothill Field Station
			Long-billed curlew – most certainly occurs in plan area; potential to be affected. This species shares habitat with Sandhill Crane, and would share protection values and priorities
3	6	7	Yellow-billed cuckoo is certainly reliant on Sacramento, Feather river riparian corridors, but can also use foothill riparian (Butte Creek, Snowden) and valley marshland with willows (7 mile lane, Snowden)
			Spotted Owls are known to winter in foothill oak woodlands. They have even been recorded wintering in Chico. The wintering needs of this species is understated. This should be considered for coverage.
			Long-eared owls are known to winter in the plan area. They use valley floor areas with dense thickets, and have been documented to use lower foothill roosts as well (Juniper trees in Hamlin Canyon, Snowden). Should be considered

3	6	8		Purple Martins are historical residents of the plan area. It is not impossible that they still breed here (Jim Snowden). Why would they not have listing potential? We need to ensure that this species has a habitat to return to when it does recover.	
				Least Bell's Vireo is returning to the valley (River Partners, San Joaquin area). Again, this is a historical breeder that needs habitat if it is going to recover in the plan area. It should be covered.	
				Yellow-breasted Chat. This bird exists in all riparian habitats through out the plan area	
				Tri-colored Blackbirds have been known to breed in blackberry patches on Table Mt. and in various locations in the valley.	
				Yellow Warblers most definitely breed in the plan area (Butte Creek canyon, Sacramento River, Snowden). Loss of riparian habitat definitely has a potential to affect this species. It is a SSC. This should be included.	
				Short-eared owl – documented breeder in project area; potential to be affected. Shared habitat with Northern Harrier.	
				Black tern – Cal Special Concern (nesting colony); regular summer visitor to rice country and open water. Breeds on or near rice ground;	
				California horned lark – Cal Special Concern; potential to breed in open areas throughout project area	
				White-faced ibis – Cal Special Concern; does occur within project area; potential rookeries around Butte Sink.	
3	5	41	13	Conversion of rice to orchards may be a significant concern, particularly as pertains to total loss of farmed wetland acres and alternate habitat for many wetland dependant species. Conversion of grasslands to orchards such as olives, may also be of concern for grassland dependant species. Conversion of pastures, row crops and similar agricultural lands to orchards has been noted as a factor impacting	

				Swainson's Hawks	
3	7			Figure 3-7 Geology of Butte County. The Laguna Formation is given two different colors?	
3	5	8	22	It should be noted that Golden Eagle, Peregrine Falcon, and Prairie Falcon are all known to use the cliff faces in oak woodland areas to breed. Bald Eagle use these areas to roost as well. Ridge top development could encroach.	

**Butte Regional HCP/NCCP
Review Document Comment Form**

Document: DRAFT ECOLOGICAL BASELINE REPORT/JANUARY 30, 2007

Name: Susan Strachan **Organization/Agency:** CSU, Chico

Date: 2/21/07

Please use this form to document your comments to the above document. Please number your comments in the first column and indicate the page, section, and line number (if provided) that reference the comment's location in the review document in the next three columns. To be of the greatest value to the document development process, please make your comments as specific as possible (e.g., rather than stating that more current information is available regarding a topic, provide the additional information [or indicate where it may be acquired]; rather than indicating that you disagree with a statement, indicate why you disagree with the statement and recommend alternative text for the statement). Do not enter information in the **Disposition** column. This column will be used by BCAG to record how each comment was addressed during the document revision process.

No	Page #	Section #	Line #	Comment	Disposition
1	3.2-1		7-13	The eastern boundary of the planning area excludes significant stands of oak woodlands that are greater than 50% canopy cover of oaks. This is true for the Big Chico Creek Ecological Reserve and private properties upstream of the BCCER to approximately 2,500 feet elevation. For the north county, these lands include large areas under easement or conservation ownership that should be incorporated into the HCP/NCCP. Butte County has Draft Oak Woodlands Resource Assessment Report (attached), which is intended to provide information and voluntary management techniques to qualify Butte County for the Wildlife Conservation Board's oak woodlands program funding. That report has been reviewed and recommended for approval by the Butte County Planning Commission and is scheduled for Board of Supervisors action on April 24, 2007. The HCP/NCCP should be consistent with that plan and should extend the boundary eastward to include these areas of significant habitat value.	
2	3.3-17		36-37	It is unclear from this language whether the document is stating that Big Chico Creek channel is dry in dry years or if it applies to Mud Creek.	
3	3.4-1		3-5	Were 2002 aerial flights (and potentially 2006 if the maps are revised based on those photos) sufficient to identify wetted vernal pool extent categories in Table 3.3? Text should indicate rainfall characteristics of that rainy season to support mapping methodology.	
4	3.5-5		42	Areas of protected oak woodlands should be noted. For the north county, these include Bidwell Park, the Big Chico Creek Ecological Reserve, the Musty Buck Ridge Conservation Easement (see attached map of protected lands from Wildlife Conservation Board staff report on proposed land purchase). Other similar protections as are likely elsewhere in Butte County.	

**Butte Regional HCP/NCCP
Review Document Comment Form**

**Document: DRAFT ECOLOGICAL BASELINE REPORT/JANUARY 30, 2007-
(NOTE THESE COMMENTS APPLY TO THE PRINTED DRAFT VERSION)**

Name: Jenny Marr

Organization/Agency: California Department of Fish and Game

Date: February 28, 2007

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No.	Page #	Section #	Line #	Comment	Disposition
1	3	3.2	21-23	Change to, "...and to provide sufficient land and resources to implement measures to provide for the conservation of the Covered Species and habitats impacted by the proposed Covered Activities." This is consistent with the NCCPA.	
2	3.4-1	3.4.2	20-24	Habitat classifications should be expanded to be consistent with CDFG CNDDDB Community lists which include recent expanded descriptions of communities which will be incorporated into the next publication of the Manual of California Vegetation. The most current vegetation/habitat classifications are advised. http://www.dfg.ca.gov/bdb/pdfs/natcomlist.pdf	
2 a.	3.4-2	General		Please expand the description of the "vernal pool" grassland to include explanation that this classification includes grasslands dominated by "vernal swale" formations also, which occur in much of the "vernal" grassland landscape in the county. The 754 ac DFG acquisition in north Chico is entirely vernal swale grassland and no "pools" occur on the property. BCM is almost entirely found in "swale" formations so this characterization is particularly important as a category.	
3	3.5-2	3.5	Table 3.5	Total all land cover types=564,270 acres vs. pg 3.2-1 line 2 noting plan area encompasses 567,225 acres; 3,000 acre gap needs explanation or further definition	
4	3.5-16	3.5.2.1	37	Add , "Western", burrowing owl	
5	3.5-17	3.5.2.2	general	Only mentions conceptual protection of terrestrial and aquatic invertebrates followed by descriptions of aquatic species needing protection. Add a sentence regarding essential pollinators association with numerous vernal pool plant species. Protection of upland pollinator habitat is a factor in the general primary constituent elements for vernal pool plants based on published observations of Dr. Robin Thorp, UC Davis, that species-specific pollinator relationships occur between specific species of ground bees and vernal pool plants. Thorp and Leong (1998), mention that fragmentation of vernal pool habitat could reduce the availability of habitat for pollinator species, resulting in a decrease or elimination of seed production of many vernal pool plants. Based on this concern, it would be appropriate to include the protection of pollinator habitat as a component of the grassland vernal pool conservation.	
6	3.5-17	3.5.2.2	general	Add: a sentence about the importance of native grasslands as habitat for native bee pollinator habitat and the economic benefit for crop pollination in agricultural land in the county: Kremen, Claire, N.M. Williams, R.L. Bugg, J.P. Fray, R.W. Thorp. 2004. The area requirements of an ecosystem service: Crop pollination by native bee communities in California. <i>Ecology Letters</i> 7:1109-1119.	
7	3.5-31	3.5.5.1	18	This section needs to be expanded beyond just fish to include yellow-legged frog, giant garter snake, w. pond turtle and other aquatic species.	
8	3.3-	3.3.6 General		Add: Discussion about water quality and quantity. Surface	

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No.	Page #	Section #	Line #	Comment	Disposition
	17			hydrology is only one component of water issues baseline condition. The plan proposes numerous water dependent Covered Species and conservation of these species baseline include the existing condition of water quality issues as well as connectivity and availability in the future.	
9	3.3	General Need a section about invasive species in each section discussion-including degree of threat or spread of noxious spp.		Add: A section about the status and condition of non-native exotic plant or animal species in this section. This is an essential part of conservation for some of the following reasons: Invasive plants crowd out crops and rangeland forage; can be low in nutrition or even toxic to livestock; Invasion can cause land values to drop, result in costly management; nationwide, invasive weeds in pastures and farmland cost an estimated \$33 billion per year; invasive plants can blanket waterways, trails, and scenic landscapes, making boating, hiking and biking difficult, and lowering the land's value for wildlife; invasive plants can <u>significantly degrade wildlife habitat and nationally, invasive species are the second-greatest threat to endangered species, after habitat destruction.</u>	
10	3.4	General & table		Add: A classification needed in the analysis is irrigation ditch, drainage canal because throughout much of the agricultural lands in the county native streams have been channalized or modified for delivery or drainage for agricultural production but these may still function as essential connective habitat for the numerous aquatic species in the plan. Baseline assessment of the arrangement of the irrigation delivery system in the plan may be important for connectivity or dispersal issues in the development of the conservation strategy. The linear estimate should also be analyzed as an acreage value added to the total for the aquatic resource baseline.	
	3.5-8	3.5.1.1	8-28	Add: Need to expand the discussion about the importance of oak woodland habitat to bird species and the amount of information we know about the dependence of <u>many birds for breeding and survival</u> . Data may be drawn from CalPIF (California Partners in Flight). 2002. Version 2.0. The oak woodland bird conservation plan: a strategy for protecting and managing oak woodland habitats and associated birds in California (S. Zack, lead author). Point Reyes Bird Observatory, Stinson Beach, CA. http://www.prbo.org/calpif/plans.html . The plan has focused on data concerning bird species that are dependent on oak woodlands, but conservation recommendations have broad applicability for all oak woodland habitats and, if implemented, would benefit many oak woodland species.	
	3.5-8	3.5.1.1	8-28	Add : summarize but include "Over 330 species of birds, mammals, reptiles, and amphibians depend on oak woodlands in California at some stage in their life cycle. California oak woodlands may rank among the top three habitat types in North America for bird richness. Oak woodlands are able to sustain such abundant wildlife primarily because they produce acorns, a high quality and frequently copious food supply. Oaks also provide important shelter in the form of cavities for nesting.	

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				Moreover, oak woodlands are among the most highly prized of California's landscapes, for both aesthetic reasons and utilitarian needs such as firewood collection and grazing." cit. Standiford, Richard B.; McCreary, Douglas; Purcell, Kathryn L.; technical coordinators. 2002. Proceedings of the fifth symposium on oak woodlands: oaks in California's changing landscape. 2001 October 22-25; San Diego, CA. Gen. Tech. Rep. PSW-GTR-184. Albany, CA: Pacific Southwest Research Station, Forest Service, U.S. Department of Agriculture; 846 p	
	3.5-16	3.5.2	30-42	Add: expand data on significance of grassland habitat to breeding and foraging bird species, migratory waterfowl, data concerning seven focal grassland bird species that are dependent on these habitat types and existing data gaps. cit. CPIX (California Partners in Flight). 2000. Version 1.0. The draft grassland bird conservation plan: a strategy for protecting and managing grassland habitats and associated birds in California (B. Allen, lead author). Point Reyes Bird Observatory, Stinson Beach, CA. http://www.prbo.org/calpif/plans.html	
	3.5-23	3.5.3	20-42	Add: expand data on significance of riparian habitat to breeding and foraging birds and bird diversity in the county, to better capture the diversity of habitat niches found in California riparian systems and to account for species which are experiencing range reductions in the state. cit. RHJV (Riparian Habitat Joint Venture). 2004. The riparian bird conservation plan: a strategy for reversing the decline of riparian associated birds in California. California Partners in Flight. http://www.prbo.org/calpif/riparian.v-2.pdf	
GENERAL COMMENTS AND RESOURCES FOR SPECIES SPECIFIC LOCAL DATA RESOURCES					
	3.6-1	3.6	All	Consult local expertise and data: Analysis of what plant species should be included as covered species or not is based primarily on the DFG CNDDDB which is limited to records reported. Another extremely important and readily available source of data that should be examined for all the potential plants that might be Covered Species is the Herbarium database at the CSU Chico campus. The collection is an on-line searchable database that may include many records not found in the CNDDDB because the data wasn't reported. http://davisherb.ucdavis.edu/chico/HerbSearchTest.html The Jepson Herbarium and UC Davis are also significant regional databases that would improve the analysis of the species covered or not by the plan. A search of the various databases should be conducted for all 48 potential species to accurately depict the historic profile of presence or potential for as Covered Species. The search will also provide a more accurate depiction of records for the species already selected for coverage under the plan, and may elevate others you have eliminated.	
	3.6-10		YLF	<i>Rana boylei</i> (YLF): Consult local experts including Jackson Shedd, Herpetologist jackson_shedd@sbcglobal.net Department of Biological Sciences, CSU Chico 95929-0515	

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No.	Page #	Section #	Line #	Comment	Disposition
	3.6-10	YLF, anadromous fish and W.Pond turtle		http://desabla-centerville.wss.bcentral.com/relicensing/default.aspx ; Desabla-Centerville Relicensing website- click on "FERC Filing-PGE" in the upper left corner- then click on "10-4-04 Pre-Application Document" then "Section 5.3 Fish and Aquatic Resources" There are references to Yellow-Legged foothill frogs within the project area(Butte County)	
	3.6-9-11	YLF & Fish & W. Pond turtle		Consult local experts including Clint Garman, Fisheries Biologist cgarman@dfg.ca.gov Ca. Dept. of Fish and Game, 2545 Zanella Way, Suite F, Chico, Calif. 95928 (530) 895-5110	
	3.6	Proposed Covered Species		Please note that most fully protected species have also been listed as threatened or endangered species under the more recent endangered species laws and regulations.	
	3.6	Proposed Covered Species Birds		Proposed bird species – observational data source to expand on the CNDDDB please review 1) sitings by local Audubon Chapter for general information http://www.altacal.org/tripindex.html 2) Consult with local bird experts for the proposed Covered Species including Dr.Roger Lederer PhD CSU Chico retired ornithologist Rlederer@csuchico.edu Expertise: Any and all about wild birds - the science of ornithology. Information about bird watching, ecology, conservation, migration, behavior, banding, identification, etc. Experience in the area: Thirty five years as a professional ornithologist - research, teaching, author, speaker, webmaster of http://www.Ornithology.com .	
	3.6-6	TBL 3-14 American peregrine falcon		Consult Bidwell Park, City of Chico Parks Department and local experts. There is a nest on the southern bluffs of Upper Bidwell Park and they are reported from the western bluffs of DFG’s Table Mountain Ecological Reserve so they do occur in the plan area, and development in the City of Chico may affect this species. Consideration may be warranted for including it from the conservation standpoint.	
	3.6-6	TBL 3-14 CA black rail		California Black Rail <i>Laterallus jamaicensis coturniculus</i> State Status: Threatened, 1971; <u>Fully Protected (ADD)</u> http://www.dfg.ca.gov/hcpb/species/t_e_spp/fullypro/fully_pro.shtml . Please note that most fully protected species have also been listed as threatened or endangered species under the more recent endangered species laws and regulations.	
		CA black rail		Consult local avian experts: Local birding experts report that CA black rail has been observed in 2 locations in Butte Creek Canyon where it breeds in seep springs, and there are two observations from the base of Table Mountain where it is also believed to breed in seep springs.	
	3.6-10	TBL 3-14 Yellow-legged frog “Sufficient Information” column: There is sufficient		Consult local amphibian and fisheries experts for current data: Yellow-legged frog (<i>Rana boylei</i>) are present in the plan area and may be affected by Covered Activities therefore should be a Covered Species in the plan. DFG snorkel surveys identified juvenile, larval and breeding adults in Big Chico Creek, Butte Creek and Feather River (see Lk Oroville FERC studies) in almost every year of survey report from 2001 -2006 (records available from Clint Garman, DFG, cgarman@dfg.ca.gov . Dr. Paul Maslin, retired CSUCHico Limnologist has observed them	

**Butte Regional HCP/NCCP
Review Document Comment Form**

Document: DRAFT ECOLOGICAL BASELINE REPORT/JANUARY 30, 2007-
(NOTE THESE COMMENTS APPLY TO THE PRINTED DRAFT VERSION)

Name: Jenny Marr

Organization/Agency: California Department of Fish and Game

Date: February 28, 2007

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No.	Page #	Section #	Line #	Comment	Disposition
		information available		in these streams and says they breed in the small tributaries of these streams and has personally observed them in Mud Ck, Rock Ck and Big Chico Ck (February 2007 observation) pmaslin@csuchico.edu	
	3.6-	Contd.		Consult with Dr. Maslin, Big Chico Creek watershed is listed as a watershed of especially high value for the conservation of FYF in the "Status of the Sierra Nevada" report, Jennings, 1996. The Big Chico Ck Existing Conditions Report documents FYF http://bigchicocreek.org/nodes/aboutwatershed/erc/	
	3.5-3.5.5 & 10-2		16-18	Consult with local experts: <i>Oncorhynchus mykiss</i> records are substantial and available for DFG snorkel surveys from 2001 through 2006 reporting observations from Butte Creek, Big Chico Creek, Little Dry Creek (Clint Garman cgarman@dfg.ca.gov ; Paul Ward, retired DFG Fisheries Biologist; Dr. Paul Maslin pmaslin@csuchico.edu)	
APPENDIX A COVERED SPECIES ACCOUNTS					
	A.1-1d	A.1.2 line 29 thru rest of account		Consult with local avian biologist Dave Bogner, DWR for updated nest territory data for Bald eagle FERC surveys; >4 territories in Butte Co. reevaluate project effects on the species with updated data	
		General		Update individual species accounts with information obtained from local experts	

**MOUNT LASSEN CHAPTER
CALIFORNIA NATIVE PLANT SOCIETY**

8 February 2007

Jon Clark, Executive Director
Butte County Association of Governments
2580 Sierra Sunrise Terrace, Suite 100
Chico, CA 95928-8441

Subject: Butte Regional HCP/NCCP Document Review

Dear Mr. Clark,

On behalf of the Mount Lassen Chapter of the California Native Plant Society (MLC) I thank you for the opportunity to comment on the Butte County HCP/NCCP Ecological Baseline Assessment Report. There was insufficient time to review each species account and although some of the species accounts attempted to include local data, most were severely flawed by the lack of such. I was asked by several members of our Board as well as some of my professional associates in the biological and conservation sciences if I would include in my letter the request for an extension of time to allow for the adequate review of the documents. I have chosen instead to indicate that the documents we have been provided for comment do not yet warrant that level of review. I believe that additional data (e.g., soils data; historic coverages of Butte County habitats, even if these date back only a few decades; collection of baseline data on historically occurring species) and broadening the view of inter-ecosystem functional interactions should be mandatory components of the baseline for the HCP/NCCP planning process. From these, an interwoven connection may be developed to integrate habitat conservation with covered species protections. It would, in the meantime, allow for more locally detailed inquiry into the biology, ecology, and local occurrence of proposed covered species. There is absolutely no reason to decide at this time what species will drive the HCP/NCCP planning process.

With respect to those species accounts and habitat descriptions that we had time to review in general, we have several criticisms. The primary source for most animal species' location data was the Natural Diversity Data Base (NDDDB). Although a valuable tool for initiating an investigation into species occurrence in an area that is unfamiliar to a biologist, there are numerous, more specific resources that should have been consulted. For most vertebrates and plants there are numerous more valuable and appropriate resources that should have been consulted when preparing species accounts including the published literature,

records of the U.S. Fish and Wildlife Service (in particular, for locally occurring, federally-listed threatened and endangered species), and especially the records maintained in natural history museums throughout the country, but especially here in California (e.g., LA County Museum, San Deigo Natural History Museum, Museum of Vertebrate Zoology). It is true that specific location data are often lacking from some museum specimens - this is often true with NDDB records as well, such that occurrences need to be dismissed not because the records are suspect, but because the locations are inadequately precise - however, where location data accompany museum specimens and other records (e.g., field notes), those data will be invaluable to the planning process. We also feel that the "range" maps that accompanied most species accounts were superfluous and incurred a cost far beyond their value; moreover, they provide the casual reviewer a very poor indication of actual species occurrence.

Most of the habitat accounts were cursory and very much "boiler plate" definitions that could be gleaned from the reading (and paraphrasing) of any one of several texts. As an example, from one of our resource specialists I received the following comment:

"The distinction between blue oak savanna and blue oak woodland was not defined, either in terms of how they did the mapping exercise or what biological functions and values distinguish one from the other. Their 3% cover threshold for determining tree dominance versus grassland was also not justified in any biological sense."

These comments lead me to my first recommendation:

1. In order to fully understand the biology of Butte County and therefore facilitate the development of a sound planning tool, it is imperative that experts, especially expert local biologists are contracted to prepare and or review all species accounts and habitat descriptions and their range maps.

I found that the criteria used to include or exclude species from the covered species list were far from comprehensively scientific and instead highly simplistic. The willow flycatcher (*Empidonax traillii*) provides us an excellent example. The willow flycatcher was excluded from the list of covered species because it did not fit one criterion: The potential to be affected, which the document avers it will not. However, the willow flycatcher (subspecies *brewsteri*)

occurs annually during migration in Butte County in the hundreds to thousands. If migratory corridors are destroyed (eliminated or fragmented) breeding populations of the willow flycatcher may be affected elsewhere. Nowhere is the concept of the importance of migratory corridors addressed. This is not to say that the willow flycatcher should be included in the covered species list, only that the criteria for inclusion are only superficially scientifically based.

Therefore I make this second recommendation:

2. Expand the definition of "may affect" to be scientifically defensible.

One common mistake of the NCP/ NCCP/ MSCP planning process is the early decision regarding what species will be "covered" and which will not. I noted that the foothill yellow-legged frog (*Rana boylei*) was excluded from the covered species list because, although it may (= probably will be) listed during the period of the Plan, it was noted a) Not to occur in the Plan Area, b) That it will not to be affected by the Plan, yet ironically it was also noted that c) there is insufficient data regarding its occurrence. I think that a lack of data for a species with a very high potential for listing within the plan period should be researched more rigorously. This species certainly warrants over the next few years a concerted effort to determine its status on public (e.g., Bidwell Park) and (where possible, and this is becoming more doable) private lands. Moreover, in accordance with the NCCP permitting process, remaining populations of listed species must be given the chance to recover. By participating in the NCCP process, you are required to contribute to the recovery of protected species; the foothill yellow-legged frog is a species that, unless it is proved that it does not occur within the planning area deserves this consideration.

My third recommendation is the following:

3. Conduct serious reviews of all species with potential to meet covered species criteria. Where baseline data are lacking, do everything possible to obtain those data.

Finally, I note also that determining management strategies for individual species, especially in light of absent data misses a very important overriding concept of the HCP/NCCP process - that we should be looking first at a landscape view (e.g., oak woodland-native/non-native grassland), then a habitat view (e.g. grasslands), micro-habitat view (e.g., vernal pools), and then the species view. Where data are lacking, it is always best to rely on your strongest

suit, which for us is the landscape view – protect lands at the landscape level (in both size and function) you are better able to meet the conservation criteria required to meet your permit requirements. Better definition of species-habitat associations and engaging decision-making on multiple levels will allow you to determine how best to ensure the greatest benefit for the greatest number of species.

My final recommendation is the following:

4. Create a baseline of data that is sufficiently comprehensive that it will provide the basis for a plan that addresses local and regional significance of our natural resources thereby ensuring that the planning process will meet its goals.

Because we are intimately concerned with the protection of our native plants, I am also requesting that you re-evaluate for future inclusion as covered species several plants that were not chosen to be covered under the plan. These species include:

- Adobe Lily (*Fritillaria pluriflora*)
- Ahart's paronychia (*Paronychia ahartii*)
- Big-scale balsamroot (*Balsamorhiza macrolepis* var. *macrolepis*)
- Subtle oracle (*Atriplex subtilis*), Hall's Rupertia (*Ruperti hallii*)
- Slender Orcutt Grass (*Orcurria tenuis*)
- White-stemmed Clarkia (*Clarkia gracilis* ssp. *albicaulis*)
- Veiny Monardella (*Monardella douglasii* ssp. *venosa*).

All of the species listed immediately above are rare CNPS 1B species; all have the same potential for listing as the covered Butte County Checkerbloom, and all are documented as having potential for impacts.

I hope you take seriously my comments regarding the status of current documentation for the Butte County HCP/NCCP process. These are not comments to take lightly; you are only in the infancy of this process but even so, the foundation upon which to build your plan is seriously lacking. Challenge your consultant to rise to the occasion and provide you and Butte County the service this process deserves.

*Mount Lassen Chapter, California Native Plant Society
Butte County HCP/NCCP Ecological Baseline Assessment Report Comments
28 February 2007*

As we have indicated in the past, we sincerely hope that you take seriously our suggestions for improving the Butte County HCP/NCCP structure and dedicate your efforts to creating a model process that results in a fundamentally sound, biologically defensible habitat conservation plan. As you consider our recommendations, please also feel free to contact us about the BC HCP/NCCP process as well as other conservation issues.

Respectfully,

William E. Haas, Conservation Chair
Mount Lassen Chapter, CNPS

cc: Board of Supervisors
Butte County
25 County Center Drive
Oroville, CA 95965

City Council
City of Chico
PO Box 3420
Chico, CA 95927

City Council
City of Gridley
685 Kentucky Street
Gridley, CA 95948
City Council
City of Oroville
1735 Montgomery Street
Oroville, CA 95965

Town Council
Town of Paradise
555 Skyway
Paradise, CA 95969

*Mount Lassen Chapter, California Native Plant Society
Butte County HCP/NCCP Ecological Baseline Assessment Report Comments
28 February 2007*

Cay Goude
U.S. Fish and Wildlife Service
2800 Cottage Way, Room E-1823
Sacramento, CA 95825

Jenny C. Marr
Staff Environmental Scientist
California Department of Fish and Game
Habitat Conservation Division
Sacramento Valley Central Sierra Region
1100 Fortress Avenue, Suite 2
Chico, CA 95973

ATTACHMENT 3

DRAFT MEETING NOTES
FEBRUARY 14, 2007
STAKEHOLDER COMMITTEE MEETING



STAKEHOLDER COMMITTEE

Item # 5

Date: March 9, 2007

DRAFT MEETING NOTES FROM FEBRUARY 14, 2007 STAKEHOLDER COMMITTEE MEETING

PREPARED BY: Chris Devine, Planning Manager

DISCUSSION: Please review the following draft meeting notes and provide any comments at the March 14, 2007 Stakeholder Committee meeting.

STAKEHOLDER COMMITTEE MEETING NOTES
Butte Regional HCP/NCCP
February 14, 2007

Participants:

Chris Devine (BCAG)	Jeff Swindle (Caltrans)
Jon Clark (BCAG)	Paul Cylinder (SAIC)
Curt Josiassen (Supervisor)	Pete Rawlings (SAIC)
Jane Dolan (Supervisor)	Letty Brown (SAIC)
Jenny Marr (DFG)	Mike Miller (Butte College)
Nina Bicknese (USFWS)	Kim Jones (Butte College)
Jesse Wild (USFWS)	Jamison Watts (Nor. Cal. Regional Land Trust)
Phil Johnson (Altacal Audubon)	Ted Trimble (Western Canal Water Dist.)
Scott Hubor (Altacal Audubon)	Nathan Key (USDA-NRCS)
Dawn Garcia (Chico State/Altacal Audubon)	John W. Hunt (USDA-NRCS)
Justin McCormick (Chico State)	Pia Sevelius (BC-RCD)
Kristen Carter for Scott McNall (Chico State)	John Merz (Sac River Preservation Trust)
Rosalie del Rosario (NMFS)	Jason Bougie (BIA)
Monica Gutierrez ((NMFS)	Bill Haas (PCCA/MLC of CNPS)
Richard Price (Butte Ag Commissioner)	Suellen Rowlison (CNPS/Mt. Lassen Chapter)
Corinne Martine (BCAG)	

1. Introductions

- Sign-in sheet passed around and introductions made.

2. Review Committee Roles and Responsibilities

- Paul Cylinder explained the Stakeholder Committee will have an integral role in development of the HCP/NCCP. The role of the Stakeholder Committee will be to formulate draft documents to take to the Steering Committee, planning directors and others, but the ultimate final decisions will fall to city councils and county board. The final document must be ratified by all jurisdictions prior to implementation.
- Suggestion that there is the necessity for written definitions and guidelines regarding role of committee.
- Meeting information will be available on the HCP/NCCP Website: www.buttehcp.com. Comments can also be received via this website using the comment form. This procedure will provide a basis for discussion and conflict resolution in a format that all can see.
- Question: Are enough outreach efforts being made? Public workshops are planned for the next 1½ years. Need to be certain the community is represented, but in order for the process to move forward the committee is necessary.
- Question: What is the role of the Steering Committee with regard to the decision-making process? The Steering Committee is an ad hoc group of elected officials

functioning to facilitate for the cities, counties, regulatory agencies and stakeholders with no power to make final decisions.

- Question: Is there a formal list of alternates? You can send someone in your place at times, but original committee members need to try and be present so everyone is at the same level.
- Question: What is the process to become a member of the committee at this time? Let Chris Devine know that you are available to commit to the time involved.

3. Overview of HCP/NCCP Schedule

- Handout and discussion of HCP Phases and Schedules. Paul Cylinder remarked that this is an ambitious schedule.

4. Discussion on Organization and Function of Committee

- Meetings may be 4 hours in length. Necessary to set up a regular schedule, and meetings can be added or cancelled as needed.
- Committee main role will be to discuss comments for changes on administrative draft documents by going through documents section by section.
- Jenny Marr explained the primary plan objective is conservation of protected species and explained that the process for implementation is extremely rigorous. Fish and Game will not approve the plan for implementation unless it passes many rigors in the areas of finance, science and public information.
- Paul said the probability of success sits with the commitment of those here now, as well as the elected officials.
- Paul mentioned it is positive to be moving in parallel with the update of many jurisdictions' general plan rather than working around a completed plan.
- Chris Devine mentioned there is a list of those not participating on the committee who wish to be kept informed of committee happenings.
- It was requested that the planning process be written out in a detailed document that can be reviewed by the committee
- It was requested that the initial Science Advisory Panel candidate long list be made available to the Committee for comment – Chris Devine will be sending this out via email for comments
- The suggestion was made that landowners need to be represented on the Committee – Chris Devine explained that they have reached out to many and none so far wish to participate directly on the committee, but BCAG will continue with outreach efforts to the group. Richard Price suggested meeting with Cattlemen and Farm Bureau in their venues as an effective strategy to getting them involved.

5. Schedule for Review of the Draft Ecological Baseline Conditions Report

- Pete Rawlings walked the Committee through each section of the Ecological Baseline Conditions Report and explained the purpose and content of each section
- Appendix A and B were also reviewed and Pete noted that the occurrence data needed to be supplemented with local data – specifically regarding plants to weed out errors and close data gaps but also with animal species

- Comments are being requested to be made using the Comment Form – Chris Devine will resend this to the Committee.
- Comments need to be submitted by February 28th
- The next meeting was scheduled for March 14th from 11-3:00PM to primarily review comments on the Ecological Report

6. Introduction to Habitat Conservation Planning Presentation

- Presentation by Paul Cylinder on the HCP Process

7. Next Meeting: Wednesday, March 14, BCAG Conference Room 11:00 – 3:00 PM.