

## Meeting #28 Summary

Butte Regional Conservation Plan (BRCP)

Stakeholder Committee Meeting

May 5, 2010, 11:00 a.m. to 3:00 p.m.

BCAG Conference Room

### Stakeholder Committee Attendees

Colleen Cecil (Butte Co. Farm Bureau)

Mary Daniels (Butte County Ag. Dept.)

Virginia Getz (Ducks Unlimited)

Suellen Rowlison (CNPS)

Jeff Swindle (CALTRANS Dist. 3)

Mary Watters (Sierra Club)

Pia Sevelius (Butte Co. Resource Cons. Dist.)

### Resource Agencies Attendees

Nina Bicknese (USFWS)

### Steering Committee and Staff Attendees

Jane Dolan (BCAG/ Supervisor)

Chris Devine (BCAG)

Jon Clark (BCAG)

Juan Pablo Galván (SAIC)

Monica Hood (SAIC)

Pete Rawlings (SAIC)

### Interested Public Attendees

Lana Adler (Gallaway Consulting)

Allen Harthorn (Friends of Butte Creek)

Gregg McKenzie (Restoration Resources)

Daniel Taverner (NRCS)

### Associated Documents/Handouts

Agenda packet including:

1. Updated Chapter Status Table (Handout #1)
2. Draft Chapter 1 – Introduction (Handout #2)
3. Draft Adaptive Management Plan (Handout #3)
4. Meeting Notes from April 2010 Stakeholder Meeting (Handout #4)

### Meeting Agenda

1. Introductions and Agenda Review
2. Updated Chapter Status Table (Handout #1)
3. Draft Chapter 1 – Introduction (Handout #2)
4. Draft Adaptive Management Plan (Handout #3)
5. Draft Monitoring Plan Elements – PowerPoint Presentation
6. Meeting Notes from April 2010 Stakeholder Meeting (Handout #4)

7. USFWS/DFG/NMFS Items for Discussion
8. Action Items and Next Meeting Agenda

### **Introductions and Agenda Review**

The Butte Regional HCP/NCCP has been renamed as the Butte Regional Conservation Plan (BRCP). It was announced that the next BRCP newsletter will be ready by the end of the month and distributed to the Stakeholder Committee for review before distribution. Color schemes for the BRCP website will be modified to match those of the newsletter and the website url address will be changed to [brcp.org](http://brcp.org), but the former link to the website would remain active.

BCAG is preparing a RFP for preparation of the BRCP EIR/EIS and announced that Economic Planning Systems (EPS) of the SAIC team has initiated work on preparation of BRCP implementation cost estimates and is currently gathering information necessary to estimate conservation land acquisition costs.

### **Updated Chapter Status Table (Handout #1)**

Handout #1 was introduced as an update of the progress made on each chapter. Recent updates were pointed out and it was explained that all handouts provided to the Stakeholder Committee were available on the BRCP website.

### **Draft Chapter 1, Introduction (Handout #2)**

Draft Chapter 1, *Introduction*, of the HCP/NCCP document was introduced and it was explained that this is an iterative document that would be updated as needed over the course of BRCP development. Each section of the chapter was briefly summarized. It was indicated that BCAG's legal counsel had reviewed and provided input to the chapter.

SAIC indicated that the description of the BRCP geographic scope has been moved from Chapter 3, *Ecological Baseline Conditions*, to Chapter 1. It was originally included in Chapter 3, which was prepared in 2007, to provide reviewers with context for the baseline information. SAIC overviewed each section of Chapter 1 with the Stakeholder Committee and based on the review discussion, SAIC will:

- move the Five-Points Policy section to the ESA Section 10 discussion;
- add a discussion of the National Historic Preservation Act Section 106 requirements of addressing cultural resources;
- clarify that although the “disturbed/developed land” is not a covered natural community, some lands supporting this land cover type are suitable for restoration of covered species' habitats and may be acquired for this purpose;
- review the definitions of the “irrigated cropland”, and “non-irrigated cropland” land cover types and clarify the definitions or their titles as appropriate—any

changes in definitions or titles will be made globally to all HCP/NCCP document sections; and

- globally change references to “proposed covered species” to “covered species”.

The USFWS informed the Committee that they will need to coordinate development of the HCP with the Plan Area Tribes.

Stakeholder Committee members were requested to submit any additional comments on Chapter 1 to Chris Devine.

### **Draft Adaptive Management Plan (Handout #3)**

SAIC presented and discussed the draft Adaptive Management Plan (Handout #3), a section of Chapter 5, Conservation Strategy, with the Stakeholder Committee. This section describes the BRCP adaptive management process for adjusting BRCP implementation in response to new information and conditions over time. The question was raised if the BRCP could be changed after permits were issued. It was explained that changes could be made but that depending on the nature of the change, they could be difficult or easy to implement. The Adaptive Management Plan includes a description of the process for making changes to BRCP implementation. The “project-level” adaptive management process described in the Chapter addresses the types of changes that can be made by the Implementing Entity without requiring a plan amendment. The “program-level” adaptive management process described in the Chapter may require a minor or major amendment to the HCP/NCCP that would reopen the BRCP permitting process. Project-level adaptive management allows for small adjustments to the implementation of conservation measures and the monitoring program, and program-level adaptive management provides for large adjustments to the conservation strategy, such as revisions to, removal of, and additions of new conservation measures.

A question was raised as to how the Implementing Entity will differentiate between project and program-level changes. It was explained that the reporting process to the agencies would provide guidance on this distinction and that small vs. large scale changes could be fairly easily distinguished by the Implementing Entity. If it is decided that a proposed change falls into the plan-level category, Permitting Agencies would be consulted.

SAIC indicated that the contents of the Adaptive Management Plan will be expanded to address the role of adaptive management experiments and to describe a process for conducting formal periodic status reviews of BRCP implementation progress and processes. A question was raised about whether there would be more species-specific adaptive management frameworks included in subsequent drafts. SAIC indicated that the BRCP monitoring plan to be presented at the next Stakeholder Committee meeting will describe BRCP monitoring activities that will provide the Implementing Entity with information necessary to adaptively manage implementation at the species level.

The Stakeholder Committee provided numerous suggestions to clarify the adaptive management process figures. Based on the review discussion, SAIC will:

- Retitle “program-level” adaptive management to “plan-level”;
- Clarify the format and content, and perhaps combine, the two Adaptive Management Plan section figures based on comments received on each of the figure process boxes.

### **Draft Monitoring and Research Plan Elements – PowerPoint Presentation**

SAIC presented the Stakeholder Committee with an overview of HCP/NCCP monitoring requirements in advance of presenting the BRCP draft Monitoring Plan section of Chapter 5 at the June meeting. BCAG indicated that a copy of the presentation would be emailed to the Stakeholder Committee. The monitoring plan collects data necessary to inform the adaptive management process and to demonstrate compliance with BRCP permits. The presentation overviewed the purpose and contents of the monitoring and research plan. The USFWS indicated that any proposed BRCP research will need to be included as a covered activity. SAIC concurred and will add a description of research activities to Chapter 2, *Covered Activities*. It was explained that research is not required by HCPs and NCCPs, but that the Implementing Entity can choose to conduct research should it contribute towards achieving the BRCP goals and objectives. SAIC also noted that the Implementing Entity may not have to conduct monitoring of certain variables if another entity is collecting the information and it is made available for use by the Implementing Entity (e.g., water quality monitoring data collected by the Regional Water Quality Control Board).

USFWS indicated that a clear monitoring reporting structure will need to be described.

### **Meeting Notes from April 2010 Stakeholder Meeting (Handout #4)**

The meeting notes from April 2010 were approved.

### **USFWS/DFG/NMFS Items for Discussion**

USFWS indicated that although time is reserved at the end of the meeting for agency comments, it seemed more practical to make them as things come up during the meeting. It was agreed that commenting as information is reviewed is acceptable.

USFWS indicated that the draft Adaptive Management Plan is a good first draft and requested a technical meeting to further discuss agency comments on the adaptive management and monitoring plan elements of the Conservation Strategy.

### **Other Stakeholder Comments**

There was a discussion about the benefit of having “traveling teams” go to various organizations to help explain the BRCP process as part of the BRCP public outreach process.

A question was raised about the structure and authority of the Implementing Entity. It was explained that the structure of the Implementing Entity has not yet been developed and that it will be the entity responsible for ensuring proper implementation of the BRCP. It was explained that the Implementing Entity structure, purpose, and other details would be defined and described in a forthcoming chapter of the HCP/NCCP document. It was explained that the HCP/NCCP would not be approved by the Permitting Agencies if the structure of the Implementing Entity as an independent authority is unsound.

### **Action Items and Next Meeting Agenda**

- The next Stakeholder meeting will be held on June 2, 2010 from 11:00 to 3:00 pm at BCAG.
- The primary June agenda item will be presentation of the BRCP draft Monitoring and Research Plan.