

Meeting #24 Summary

Butte Regional HCP/NCCP

Stakeholder Committee Meeting

December 2, 2009, 11:00 a.m. to 3:00 p.m.

BCAG Conference Room

Stakeholder Committee Attendees

Scott McNall (CSU Chico)	Carolyn Brown (Caltrans)
Richard Price (Butte Co. Ag. Comm.)	Virginia Getz (Ducks Unlimited)
Suellen Rowlison (CNPS)	Woody Elliot (CNPS)
Mary Watters (Sierra Club)	

Resource Agencies Attendees

Nina Bicknese (USFWS)

Steering Committee and Staff Attendees

Jane Dolan (BCAG/ Supervisor)

Pete Rawlings (SAIC)

Jon Clark (BCAG)

Monica Hood (SAIC)

Chris Devine (BCAG)

Interested Public Attendees

Greg McKenzie (Dove Ridge)

Jamison Watts (NCRLT)

Associated Documents/Handouts

Agenda packet including:

1. Revised Draft Impact Assessment Chapter (Handouts #1a - #1j)
2. Meeting Notes from October 2009 Stakeholder Meeting (Handout #2)

Meeting Agenda:

1. Introductions and Agenda Review
2. Revised Draft Impact Assessment Chapter (Handouts #1a-1j)
3. Meeting Notes from October 2009 Stakeholder Meeting (Handout #2)
4. USFWS/DFG/NMFS Items for Discussion
5. Action Items and Next Meeting Agenda

Revised Draft Impact Assessment Chapter (Handouts #1a – 1j)

The chapter is a work in progress. An overview of the handouts was provided including identifying changes made to the text and tables. For example, the assumptions used for calculations have been augmented and a table has been included that provides the assumptions used in the assessment of indirect effects. The reorganization of the impact assessment was described; the assessment includes descriptions of impacts inside and outside of the UPAs and the construction and operational impacts are broken out as well. A section for impacts associated with maintenance activities has also been added.

Pending issues include: Butte County Meadowfoam analysis; getting NMFS reengaged in the process and determining how to address the indirect effects on water quality; and assessing impacts associated with Western Canal Water District's (WCWD) covered activities (they will be a participant). Also, Caltrans may opt to have maintenance activities covered by the Plan.

This will be the last full iteration of the chapter until the Administrative Draft is provided later next spring. In the interim, WCWD's covered activities will continue to be better described and associated impacts assessed. The existing impact analysis provided in the chapter is sufficient to begin preparing the conservation strategy now that we have an understanding of the level of impacts.

The question of who is currently involved in addressing vernal pools and fairy shrimp issues was raised. Currently the assessment is being done via an internal process but ultimately there will be agency meetings and FWS and DFG will be engaged as the process moves forward. The issues will then come back to the Stakeholder Committee. In addition, consistency with the vernal pool recovery plan and not interfering with the plan is being factored in. The biological goals and objectives from the recovery plan were also incorporated into those developed for the Butte Plan.

The relationship between the Butte Plan and the updated County General Plan was discussed such as the issue of changes in zoning and how this may affect the implementation of the Plan. It was pointed out that the land use assumptions about agricultural land, etc. have been completed and the UPA area has been completed even if the density changes. It was also pointed out that the zoning ties in with the covered activities and as long as there is not a deviation from the covered activities there should not be an issue. The zoning should be consistent with the covered activities. Our assumption is that the zoning will be consistent with the Land Use Alternative. If there was a new area where growth was identified, this may be problematic but this is not likely to occur. In addition, since we are moving into developing the conservation strategy this will help to inform those involved in making zoning changes, etc.

Operational vs. maintenance related impacts were discussed.

The chapter and tables were discussed in more detail. Line 32 on page 4 should read 250 feet – this correction will be made. Table 4-1 was previously provided and has been revised. The species methods for assessing impacts on covered species have been updated. Table 4-2 provides assumptions regarding area of impacts extending beyond covered activity work sites and shows the distances that were applied to the species models. The degraded area/footprint

was discussed – if permanent development would occur then permanent degradation of bordering habitats was identified as a result of ongoing human disturbances associated with occupation of urban developments. It was asked if the sources for the distances could be discussed and whether they are typically used. It was identified that the rationale used is footnoted at the end of the table and they are average assumptions applied through a model. The group was asked to provide feedback/thoughts regarding these assumptions as needed. It was asked if the assumptions are supported by the species accounts. It was indicated that the assumptions are based primarily on the opinion of species experts and the specific bases for the assumptions are lacking in the literature. SAIC will expand the rationale statements supporting the assumptions. Table 4-2 serves to provide a full picture of the extent of impacts on habitat availability beyond the direct loss of habitat. Urban Wildland Interface design guidelines/measures, low impact development (LIDs), and best management practices (BMPs) will be included in the Plan to minimize indirect effects of permanent developments.

There was a general discussion about “hyperintegration of ecosystems”, climate change, modeling to account for multiple, interrelated variables, implementation and monitoring that accounts for the entire system, and cumulative impact analysis. The group was advised that in the next couple of months the preserve assembly criteria will be worked on which will provide guidance to the Implementing Entity (IE). The criteria will identify factors to be considered when parcels of land are pulled together. The issue of needing willing sellers was discussed. The Plan will also have an adaptive management component.

Corrections to Table 4-2 were identified: Need to check why there is no ‘x’ for Peregrine falcon and correct “Coast horned lizard” to “California horned lizard”.

Table 4-4 was discussed. This table includes the covered activity impact assessment assumptions and will be updated with WCWD assumptions going forward. Examples from the table were discussed and include quantitative assumptions and other activity related assumptions. It was noted that due to the importance of these assumptions the County should review and agency feedback should be obtained. It was also noted that regarding the flood control activities, Cherokee Creek may need to be addressed – more information will be provided regarding this. The group was asked to provide any additional feedback as needed.

Table 4-1 was discussed further including questions regarding the activity and associated assumptions for the construction of docks and piers. There was discussion about possibly numbering the covered activities to coincide with numbering in Chapter 4 (such as P2, etc. found in Table 4-1). There was discussion regarding the inclusion of covered activities that may not have impacts and assumptions about these activities. It was also identified that there needs to be confirmation if activities related to boat ramps should be a covered activity.

The section of the chapter on impacts on covered natural communities was discussed. The discussion includes physical habitat removal and disturbance area. The related tables were also discussed and it was noted that the decimal point issue raised at a prior meeting was corrected, i.e., to avoid stating there is 100% habitat remaining due to rounding when some habitat is in fact removed. A correction needed in Table 1c was noted – the second column should represent the area outside the UPAs vs. the entire planning area. The column will be changed and the percent

remaining will change to reflect what is outside of UPAs. It was also noted that on Table 1b the “Percent Remaining” column should say “Percent remaining inside UPAs”. It was indicated that adjustments to impacts to natural communities will be made with the incorporation of avoidance and minimization measures.

The assessment of impacts on covered species was discussed. The chapter has been updated and impacts disaggregated into construction, operations and maintenance related impacts. This discussion will also be updated with the incorporation of avoidance and minimization measures. It was requested to indicate the impact first and then identify the avoidance and minimization measures and the associated reduction in the impact. The approach will be further discussed and considered.

The status on the Black Rail was discussed. Information from a recent paper on the species was reviewed and will be used but much of the information is at a level of detail that will not be useful to update the species account. In absence of that, an overestimate of take was included in the analysis by assuming that all emergent wetland that could be removed could support habitat but this may not actually be the case.

Impacts to the fish species were discussed and the intent to work through the water quality related impacts with NMFS.

The potential impacts associated with groundwater pumping were discussed and if and how this should be dealt with in the Plan including whether this is a covered activity and what process/entity would/should assess this impact, i.e., as part of future development approval, the Plan, the water agency that may serve the development, if it is a General Plan issue, etc.

The issues related to Butte County Meadowfoam were discussed and it was indicated that more will be provided on this in January.

The group was informed that the Impacts chapter is available on the web page in both clean and tracked changes versions and was reminded that comments may be submitted later as the chapter and handouts are reviewed if they are not provided at the meeting.

Meeting Notes from October 2009 (Handout #2)

Meeting notes from October 2009 were approved.

USFWS/DFG/NMFS Items for Discussion

No additional items were discussed.

Action Items and Next Meeting Agenda

- The next Stakeholder meeting will be held on Feb 3, 2009 from 11:00 to 3:00 pm, at BCAG.
- For the next meeting, conservation strategy examples will be prepared and biological goals and objectives will also be revisited.

Additional Discussion

The Newsletter was discussed; it has been completed. Copies are available in hardcopy and on the website. It was suggested to have more graphically displayed concepts of the Plan in future Newsletters.