

## Meeting #26 Summary

Butte Regional HCP/NCCP

Stakeholder Committee Meeting

March 3, 2010, 11:00 a.m. to 3:00 p.m.

BCAG Conference Room

### Stakeholder Committee Attendees

Richard Price (Butte Co. Ag. Comm.)	Woody Elliot (CNPS)
Suellen Rowilson (CNPS)	Pia Sevelius (Butte County Res. Cons. District)
Carolyn Brown (Caltrans)	Robin Huffman (Butte Environmental Council)
Virginia Getz (Ducks Unlimited)	Mary Watters (Sierra Club)
Phil Johnson (Altacal Audobon Society)	

### Resource Agencies Attendees

Nina Bicknese (USFWS)

Jenny Marr (DFG)

### Steering Committee and Staff Attendees

Jane Dolan (BCAG/ Supervisor)

Pete Rawlings (SAIC)

Chris Devine (BCAG)

Monica Hood (SAIC)

Juan Pablo Galván (SAIC)

John Gerlach (SAIC)

### Interested Public Attendees

Jamison Watts (Northern California Regional  
Land Trust)

Carolyn Josiassen

Gregg McKenzie (Restoration Resources)

Curt Josiassen

Paul Gosselin (Butte Co. DW & RC)

### Associated Documents/Handouts

Agenda packet including:

1. Draft Schedule, HCP/NCCP document outline and Status of Chapters (Handouts #1a, #1b and #2)
2. Admin. Draft Species Conservation Measures (Handouts #3a and #3b)
3. Admin. Draft Species Conservation Targets (Handout #4)

4. Meeting Notes from February 2010 Stakeholder Meeting (Handout #5)

## Meeting Agenda

1. Introductions and Agenda Review
2. Draft Schedule, HCP/NCCP document outline and Status of Chapters (Handouts #1a, #1b and #2)
3. Admin. Draft species Conservation Measures (Handouts #3a and #3b)
4. Admin. Draft Species Conservation Targets (Handout #4)
5. Meeting Notes from February 2010 Stakeholder Meeting (Handout #5)
6. USFWS/DFG/NMFS Items for Discussion
7. Action Items and Next Meeting Agenda

## Introductions and Agenda Review

There was a reminder that the first Stakeholder Committee meeting had taken place in February of 2007. Agendas were distributed and names were announced. SAIC introduced a new member of their team, Juan Pablo Galvan. Meeting handouts were introduced.

## Draft Schedule, HCP/NCCP document outline and Status of Chapters (Handouts #1a, #1b and #2)

Handouts #1a, #1b, and #2 were introduced. Handout #1a was introduced as a schedule of how the Butte Regional HCP/NCCP would develop. Handout #1b was introduced as an annotated outline of the Butte HCP/NCCP and it was stated that the conservation measures for Section 5.4 were under development. It was indicated that the Introduction, Monitoring Plan, and Adaptive Management Plan would be started in the coming months along with public workshops about the Plan. Handout #2 was introduced as a helpful record of what handouts had been produced for the Stakeholder Committee thus far and that some of these documents were available on the website. It was commented that Handout #2 was very helpful. The location of where Stakeholder Committee meeting documents were online was shown. Handout #2 would be continually updated and distributed to the Stakeholder Committee periodically.

Handout #1a was explained in further detail. It was described what “A”, “B”, and “C” denote on the schedule. “A” denotes review periods by Stakeholder Committee, “B” denotes review periods by Steering Committee, and “C” denotes review periods by the agencies. It was indicated that a “D” is needed for public workshops and should be added to the schedule. Also the “Existing” is missing from “Existing Conditions” for Chapter 3.

Handout #1b was further discussed. The question of why federal actions were excluded from the Cumulative Impacts section of Handout #1b was raised and it was indicated that this may need to be discussed further.

A need to clarify the Indirect Effects section (Section 4.6) of the outline was identified. For example, what is meant by outside planning area? It was indicated that there may be the need to discuss with the agencies whether or not there are effects outside the planning area that would be

included. There was also confusion expressed about whether indirect and direct impacts would be included in the other sections of the document. It was indicated that direct and indirect impacts in the planning area would be addressed in Section 4.3 and 4.4, and that Section 4.6, if included in the document, would include effects of actions outside the planning area. More discussion about Section 4.6 may be needed and this section may be taken out if it does not apply.

There was a discussion about the need to coordinate with other HCP/NCCPs with respect to water and other issues that may affect the Butte Regional HCP/NCCP. These issues may be discussed at a future meeting.

There was discussion about the duration of the Butte Regional HCP/NCCP permit and other permits. It was commented that the duration of a permit can be modified to meet plan needs as long as the plan provides substantive justification for that duration. For example, the permit for the Mendocino Redwood plan was for 80 years due to the length of time required to grow trees. The Butte Regional HCP/NCCP may apply for a 30- or 50-year permit but this is undecided at this point. It was explained that there may be issues associated with a 50 year window but this length would allow the covered activities to occur. A 30-year permit may work as well. It was indicated that each agency may have different standards and guidelines regarding length of permits and some agencies may need justification for a permit longer than 35 years.

### **Administrative Draft Species Conservation Measures (Handouts #3a and #3b)**

Handouts #3a and #3b were discussed. All of the plants are included in the handouts except for Butte County Meadowfoam (BCM). The tiered approach used and the differences between landscape-level, natural community-level and species-level measures, goals, and objectives were explained. Another conservation measure was added directed toward California black rail and targeting wetland seeps, which are un-mapped. This measure was added to ensure the protection of that habitat. It was asked if more mapping could be obtained for wetland seeps and it was explained that maps discussed from other sources would not permit the development of a model.

The Additional Conservation Measures section (pg. 25 of Handout #3a) was discussed. It was explained that more detail would be added to these measures later and that they are specifically directed at certain species.

It was explained that Handout #3b is a tracking table indicating which conservation measures go toward achieving each one of the objectives and if there are objectives not addressed by any conservation measures. It was commented that this was a very useful table and that it was great that each objective had one or more conservation measures tied to it. It was commented that perhaps the table could be presented before the section with page numbers added to it, to allow people to go to the specific page with the specific measures and objectives of interest. It was asked if specific objectives would be included for different creeks, specifically habitat corridor width. It was explained that sufficient corridor widths would be decided based on examining covered species needs and would be fully based in a biological rationale. It was commented that Handout #3b would be updated going forward. The book Corridor Ecology was discussed.

## Handout #4

It was commented that there did not appear to be a connection between some of the objectives and some of the conservation measures listed, specifically the yellow-billed cuckoo. It was explained that the table was a work in progress, but explained that to preserve cuckoo habitat you must acquire land for its conservation, which is why some species had landscape level conservation measures associated with them. It was also explained that to read more about specific measures one should consult Handout #3a, which contains the full text for the conservation measures. It was indicated that more time may be needed to digest the material, but it wasn't clear that some of the landscape level measures were trickling down to the species level. It was commented that the process was ongoing and that a "gap analysis" would be conducted to identify where more information may be needed.

Handout #3a was discussed in more detail. It was indicated that there is new text in Handout #3a but it has not been revised based on comments since the last Stakeholder Committee Meeting; these changes will be made at a later time. The new text is species measures, objectives, and goals for the species that had not been included previously. The importance of making the objectives measureable was raised and discussed.

It was pointed out that the Red Bluff dwarf rush was not included in the handout. It was explained that this was an oversight and it should have been included; goals, objectives, and measures were developed but inadvertently omitted from the write-up.

It was commented that California black rail and American peregrine falcon are known to occur in a few other areas besides those mentioned in Handout #3a; both are present in the Chico UPA. It was explained that only the CAZs are discussed, but that they would include discussion of the UPAs at a later time. It was also commented that the white-tailed kite is present in the Oroville UPA but absent from the document. It was explained that the CAZ mentioned in the document encompasses the UPA, so it was captured in the document.

### **Administrative Draft Species Conservation Targets (Handout #4)**

Handout #4 was discussed and it was explained that last month's Stakeholder Committee Meeting packet included a version of this but it was not discussed last month. It was commented that some words are used interchangeably (e.g., "preserved" and "conserved"), and that this would be clarified going forward in the glossary. An important component is the rationale for the distribution of acreage targets across CAZs. This section explains why different acreage targets were chosen for certain species in certain CAZs. There was a brief discussion of whether risk was factored into these targets.

It was explained that in setting percent objectives four broad criteria were examined: rarity, population/habitat trend, importance of planning area to statewide habitat, and degree to which habitat is limiting species. Consideration of these factors helped determine acreage targets. It was questioned where the sources for threats came from, and it was explained that they are supported with information from the species accounts. It was discussed that if new information is available, that information should be incorporated into the species accounts. The current FWS five year

report (in which recommendations to increase or decrease the level of protection or remove a species from the endangered species list) should be reviewed to provide the most updated information. The document detailing the criteria and rationale is from the October 7 meeting and available on the website.

There was discussion about the tricolored blackbird and how some colonies have relocated due to various human activities. The concern was raised that conserving a current colony may not be sufficient because some may move to other unprotected locations in future years. Some colonies have been in the same area for years and are unlikely to be disturbed in future years but some of the active colonies may be in unprotected areas that could be lost through disturbance. How do we deal with this? It was explained that we have a preservation target of 50% of breeding and foraging habitat and that the Implementing Entity will have the flexibility to make conservation of active colony sites a high priority wherever it occurs and those areas will come under preservation.

There was a brief discussion to explain why we have UPAs and CAZs and to clarify the difference between, and function of, each of them. It was explained that the UPAs are where the covered activities would occur from the cities and County primarily, and the CAZs encompasses the UPAs. Targets were set for the CAZs. This strategy provides flexibility as to where land can be preserved; it could be within the UPA or outside it but still within the CAZ. Conservation could occur within or outside of the UPAs.

There was as brief discussion of the implementation cost chapter that will be developed as we go forward.

A question was raised if sufficient impact analysis had been done to justify the numbers used for acreage targets. Concern was raised that in some cases a large amount of acres would be needed to achieve the targets. It was explained that conservation is not just mitigation and that this was the first iteration of target numbers. There was a comment that in many cases conservation would be achieved through maintaining agriculture, and not simply land acquisition. It was also explained that acreage for some species is shared, so more than one species can be conserved within the same acreage. Economics and land availability were also discussed. It was also discussed that the plan will look at mitigation as well as contribution to the recovery of species.

A question was raised about what level of habitat characterization took place to obtain the identified targets. It was explained that the targets and habitat requirements were based on models found in the species accounts that are based on GIS and other data. It was explained that total habitat acreage would not change except if new data indicated that the model is flawed and needs to be changed. Percentages for total conserved acres may change in the future, this is just the first draft of the numbers. Cost estimates could affect this as well. It was also explained that these targets include existing conserved lands. It was commented that another column titled "number of acres already conserved" would be beneficial. It was explained that this data would be forthcoming.

## Handout #4

There was a comment that existing conserved lands may have specific mandates to be managed in certain ways that are not necessarily beneficial for covered species. It was explained that direct conflicts of this sort are likely rare in this area. The question was raised about what is the minimum level of protection for “protected” lands. This definition will be provided in the document. It was explained that habitat restoration areas would probably need to be owned outright due to the investment in restoration. Conservation easements may best be applied to agriculture. In some cases agricultural land may be purchased and leased to farmers that use wildlife-friendly management practices. There was also a comment that to the extent impacts are permanent, conservation must be permanent as well. There was discussion about the different dynamics related to permanent, non-permanent, direct and indirect impacts and how habitat mitigation is a subset of the total extent of conserved habitat. It was affirmed that this is not just acre for acre mitigation. It was explained that this is why a blend of easement, permanent acquisition, and other methods are necessary. It was commented that down the road it would be important to identify how many acres are for mitigation and how many are for conservation. It was indicated that columns for already protected acreages would be added in the future.

The rationale regarding why the percentages change across the CAZs for tricolored blackbird was discussed.

It was commented that it would be helpful to see the rationale, goals, objectives, etc. in one location. It was explained that everything would be together in Chapter 5 and organized by species and that the handouts are not the final product as this is a work in progress. It was requested that an example of everything pulled together for one species be presented for the next meeting just to see the vision of what is to come. It was requested to have the information by species.

It was noted that we need to remember that some UPAs may have preserves.

There was additional discussion about the possible relationship of other HCP/NCCPs including water issues and other concerns.

### **Meeting Notes from February 2010 (Handout #5)**

The meeting notes from February 2010 were approved. It was commented that there may have been a discussion about low-impact design measures also and these were briefly discussed including detail regarding where more information on these may be found. A question was also asked about the distinction between “approved” and “qualified” biologists discussed in the notes.

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

It was commented that Chapter 5 may be very large and it may be beneficial to separate the Monitoring and Adaptive Management sections into different chapters to avoid a long chapter. It was indicated that the consultant and BCAG are doing an excellent job.

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

- The next Stakeholder meeting will be held on April 7, 2010 from 11:00 to 3:00 pm at BCAG.