

HANDOUT #5B

Meeting #22 Summary

Butte Regional HCP/NCCP

Stakeholder Committee Meeting

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

BCAG Conference Room

Stakeholder Committee Attendees

Scott McNall (CSU Chico)	Pat Kelly (Sierra Club)
Richard Price (Butte Co. Ag. Comm.)	Carolyn Brown (Caltrans)
Suellen Rowilson (CNPS)	Jeff Swindle (Caltrans District 3)
Pia Sevelius (Butte Co. Res. Cons. District)	Virginia Getz (Ducks Unlimited)
Mary Watters (Sierra Club)	Robin Huffman (Butte Environmental Council)

Resource Agencies Attendees

Nina Bicknese (USFWS)

Jennifer Marr (DFG)

Eric Tattersall (USFWS)

Steering Committee and Staff Attendees

Jane Dolan (BCAG/ Supervisor)

Pete Rawlings (SAIC)

Jon Clark (BCAG)

Monica Hood (SAIC)

Chris Devine (BCAG)

Paul Cylinder (SAIC)

Interested Public Attendees

Rob Capriola (Westervelt Ecological)

Greg McKenzie (Dove Ridge)

Riley Swift (Restoration Resources)

Associated Documents/Handouts

Agenda packet including:

1. In-Progress Draft Butte Regional HCP/NCCP Impact Assessment Chapter
2. Draft Glossary
3. Meeting Notes from August 2009

Additional handouts including:

1. Draft Figure 2.3 (Specific Transportation Facilities Construction Projects Occurring Outside Urban Permit Areas)
2. Draft Assumptions/Method Table

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3. Draft Table 4-8 (Estimated Extent of Covered Species Habitats Removed by Covered Activities and Butte Regional HCP/NCCP Conservation Measures Outside of Urban Permit Areas)
4. Schedule

Meeting Agenda:

1. Introductions
2. Review Updated Schedule
3. Covered Activities Chapter Update
4. Impact Assessment – Outside UPA Effects, Indirect Effects, Critical Habitat, and Glossary (Handout #2a and #2b)
5. Meeting Notes from August 2009 Stakeholder Meeting (Handout #3)
- 5.5 Q&A for Wildlife Agencies (15 minutes) (added agenda item)
6. Action Items and Next Meeting

Document and Schedule Update

An updated schedule was provided (handout). It was asked when the Conservation Strategy chapter would be provided to the group. It was indicated that the updated Covered Activities chapter would be completed for the next meeting and portions of the Conservation Strategy would be provided. The first Administrative Draft is expected later in 2010 and following will be the second Administrative Draft and then the Public Draft. Comments can be provided by the group at any time.

An update on the status of the Covered Activities chapter was provided. More comments from the planners are being provided, and Public Works (City and County) will be reviewing and providing input as well that will be integrated. On September 18th the group will receive the revised chapter. It was asked if the chapter will be nearly final at that point. It will include the WCWD covered activities and Caltrans activities as well. The planners, etc. are confirming what activities should and should not be including in the chapter and what they are authorized to do/not do. More information on vegetation management activities will be included as well.

Public Works will also be reviewing Figure 2.3 (handout) which depicts specific transportation facilities construction projects occurring outside the Urban Permit Areas including Caltrans projects. This figure was discussed and a minor label correction was requested. It was asked if a map showing the other Covered Activities outside the UPAs can be provided – yes for the pipeline projects, for example, and other projects for which the location is known.

Handout 2a and Draft Table 4-8

Handout 2a and the Draft Table 4-8 were discussed. The chapter has been updated this with new information and addresses impacts to fish habitat, includes an assessment of critical habitat, and includes footprint effects of transportation projects shown on Figure 2.3. The methodology used will be discussed.

Discussed tracked changes in section 4.1 of the chapter – moved some text to glossary.

Discussed added sections – “Estimates of Take within UPAs” and “Estimates of Take Outside of the UPAs”.

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The Draft Assumptions/Method table handout was discussed and the group was reminded of the question asked at the prior meeting regarding what assumptions were being used in the analysis. A table in the chapter will be populated with what those assumptions are drawn from the handout. For example, the assumption for the footprint of certain projects will be identified. The assumptions table is a work in progress. The gridlines will be added to the assumptions table for ease of reading.

Section 4.4.1 of the chapter was discussed including added text and placeholder text for O&M activities for pending information. Activities such as maintaining trailheads were discussed – such activities could occur in different habitat types than the habitat types that occur in the development footprints and this will be assessed. Activities in Bidwell Park area is one example which was discussed.

There was a discussion regarding the assessment of impacts on designated critical habitat. The method/process used to determine the existing state of primary constituent elements (PCEs) in a given area was also discussed.

Certain text was asked to be clarified regarding critical habitat, etc. in the chapter.

Impacts on designated critical habitat for an example fish species were discussed (Sacramento River winter-run Chinook salmon).

A clarification question was asked regarding the discussion of UPAs: There has been flexibility on the types of activities that would occur and references made to authorizing up to a certain limit but where the activities would occur is not pinned down, correct? Answer - there is a cap for the level of impacts and we identify where future development is anticipated based on the General Plans but we want to maintain flexibility and not limit those areas as the only areas covered in the UPAs. We want to let applicants decide where the development will occur and the limit is the impact allowed. Example - if the cap is reached by City activities and the County has a project and needs take authorization, no more take would be allowed.

Table 4-8 was discussed – this table relates to Figure 2.3 that shows the locations of specific projects outside the UPAs. It was indicated that additional information such as details on sewer pipelines, etc. is being obtained and is not yet on the table or figure. Relative to the UPAs, however, a very small effect is anticipated to be associated with these activities. Fish impacts are not included at this time in the table. It was pointed out that the impacts shown in the table reflect a straight GIS spatial exercise – some information on table may differ from the text – in the text it may state the impacts will be avoided but the table may reflect 100% loss of all known occurrences of a species but the Plan will not allow that to occur.

Glossary

Updates to the Glossary were discussed; the Glossary will be an iterative process. Regarding the definition of No Take Species, it will be added that it is only direct mortality of the species that is not allowed and not removal of habitat that is unoccupied. Removal of unoccupied habitat could occur.

It was requested to add adverse modification as well as primary constituent elements (PCEs) to the Glossary – these will be added. It was indicated that the more terms we can define now the easier Plan implementation will be; Glossary and definition of terms is a very important part of process.

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Additional General Discussion

New research on the California Black Rail that was published and released this week was discussed and the need to follow-up for the species model. In addition, a status change for the American Peregrine Falcon was discussed – DFG has recommended delisting the species and F&G Commission may have passed this – would it remain a covered species then? May need to keep it as a covered species if there is a period following delisting over which the species will continue to receive CESA protections.

There was also a discussion regarding changes in the legal status of covered species once the Plan is implemented.

It was asked if there would be monitoring for species or habitat or both. Answer - there will be both and monitoring will be ongoing. The monitoring process and plan and adaptive management plan were discussed.

The issue of State park funding was raised and whether or not any of the NCCPs were including State park lands as part of the analyzed habitat for covered species and degree to which that could be expanded with MOAs, etc. in order to keep those lands from being sold. An e-mail request will be sent to have this followed-up on. The question of whether or not there is a list being generated that will identify all park closures. At the end of October a reassessment will be done. A revaluation will be completed and then Stage 2 may be the possible sale of land.

Meeting Notes from August 5, 2009

- USFWS submitted comments to the meetings notes from August 5, 2009.

Wildlife Agency Q&A

The organization of the Impacts Chapter was discussed; i.e., the idea/suggestion of organizing it by component of the Covered Activities – e.g., Operations & Maintenance, etc. It was indicated that the chapter reflects that the discussion has been organized to show impacts inside UPAs and outside UPAs.

The need to discuss some of the wording in the text and modify as needed was discussed.

Additional topics discussed included adverse modification of designated critical habitat, impacts to recovery areas, and vernal pool recovery plans.

Regarding Handout 2a and the added information inside and outside of the UPAs, there was discussion of progress to be made on including the numbers indicating acres of impact, for example.

There was a discussion of the various types of impacts - permanent, temporary and degradation – and that it would be helpful to have these broken up in a table. It was indicated that temporary impacts would be minor.

Clarification was requested about how it would be handled when we know there will be permanent impacts inside a UPA with a cap on the level of impacts, and it isn't known where this would occur - how will this be included in the impacts table? It was asked how habitat impacts would be calculated. The level of planned future development has been identified and that is how the footprint impacts have been generated, but in order to allow flexibility to the cities and County, an established level of take is set that can not be exceeded.

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The issue of potential harassment and harm associated with cats and dogs and the impacts on birds was discussed. It was indicated that the analysis will look at development and include a setback of a certain distance and would account for noise, pets, etc. The assumptions for how wide that setback zone will be will be included in the description of the methods.

The broader vision of several HCPs being planned in the State was discussed and what occurs when proposed HCPs overlap. It was indicated that the conservation strategies should complement adjoining HCPs and generally there is coordination. The Kit fox example was described.

The PG&E Operations & Maintenance HCP was discussed.

Upcoming Workshops/Meetings

- The next Stakeholder meeting will be held on October 7, 2009 from 11:00 to 3:00 pm, at BCAG.