

Meeting #43 Summary

Butte Regional Conservation Plan (BRCP)

Stakeholder Committee Meeting

December 5, 2012, 11:00 a.m. to 12:00 p.m.

BCAG Conference Room

Stakeholder Committee Attendees

Robyn DiFalco (BEC)	Jeff Mott (CSU Chico)
Woody Elliott (CNPS)	Richard Price (Butte Co. Ag. Comm.)
Virginia Getz (Ducks Unlimited)	Suellen Rowilson (CNPS)

Resource Agencies Attendees

Mike Thomas (USFWS; on phone)	Jenny Marr (DFW; on phone)
Jonathan Foster (USACE)	

Steering Committee and Staff Attendees

Jon Clark (BCAG)	Paul Cylinder (SAIC)
Chris Devine (BCAG)	Juan Pablo Galván (SAIC)
Bill Connelly (Co. Supervisor)	Pete Rawlings (SAIC)
Kristy Bonnifet (BCAG)	

Interested Public Attendees

Robert Capriola (Westervelt Ecological)	Christy Dawson (Northstar Environmental)
John Byrne (Sycamore Creek Mitigation Bank)	Zach Mendes (NCRLT)
Trish Byrne (Sycamore Creek Mitigation Bank)	Don Rust (City of Oroville)
	Luis Topete (City of Oroville)

Associated Documents/Handouts

Agenda packet including:

1. BRCP Schedule Review (Handout #1)
2. Meeting Notes from September 5, 2012 Stakeholder committee Meeting (Handout #2)

Meeting Agenda

1. Introductions and Agenda Review
2. BRCP Schedule Review (Handout #1)
3. Preliminary Public Draft BRCP – Overview of Major Changes since 1st Administrative Draft BRCP (PowerPoint Presentation)

4. Meeting Notes from September 5, 2012 Stakeholder committee Meeting (Handout #2)
5. Additional Items
6. Action Items and Next Meeting Agenda

Introductions and Agenda Review

The agenda was distributed and the names of attendees were announced.

BRCP Schedule Review (Handout #1)

The updated BRCP schedule was reviewed and discussed. The public review period for the EIS/EIR document has been pushed back a month because issuance of the Notice of Intent has been delayed. It was announced that comments on the BRCP Preliminary Public Draft need to be submitted by January 31, 2013 and that public workshops on the Preliminary Public Draft BRCP will be held in January. Tentative dates for the workshops are January 13 in Oroville and Gridley and January 16 in Chico.

Completion of the Final Implementing Agreement is scheduled for November 2013. BCAG will be meeting with the city councils and Board of Supervisors between now and November. The Public Draft BRCP is scheduled for release in May/June 2013 followed by a 90 day public review period.

Preliminary Public draft BRCP – Overview of Major Changes from the Administrative Draft BRCP (PowerPoint Presentation)

It was announced that the main purpose of today's meeting is to review the changes between June 2011 draft of the BRCP and the Preliminary Public Draft being presented today.

Two presentations were made. The first overviewed the overall BRCP document and the second presented changes between the June 2011 draft and the Preliminary Public Draft. These presentations will be posted for viewing on the BRCP website. It was announced that the Preliminary Public draft is posted on the BRCP website. Figures are in separate files online because of file size limitations for downloads. Tables are in separate files to leave text flow in chapters uninterrupted and make viewing each table easier. It was announced that in June 2011 all chapters except for chapters 7 and 8 were presented to the Stakeholder Committee in the Administrative Draft, in September 2011 the Butte County meadowfoam conservation plan was presented, and in March 2012 chapters 7 and 8 were presented.

An overview of the BRCP was presented. It was mentioned that there used to be 41 covered species but that winter-run Chinook salmon was removed as a covered species because there would be no adverse effects or benefits to this species under the BRCP. NMFS was consulted and agreed to this decision. BRCP covered activities will realize growth and development under the general plans for the County and different cities over a 50-year period.

It was commented that the term of "public share" for costs may be modified in the future and comments on a different term from the Stakeholder Committee are welcome. The process that

developers would go through to implement a project and the role of BCAG in this process was briefly described. BCAG will ultimately be responsible to the permitting agencies. A question was raised on monitoring the progress of BRCP implementation in compliance with its commitments. It was explained that there are requirements for reporting progress to the permitting agencies and that the agencies and a Stakeholder Committee will be involved in implementation decision making processes.

It was explained that what is meant by a “hardline preserve” for Butte county meadowfoam is that land to be acquired has specifically been identified for Butte County meadowfoam protection, unlike the habitat protection objectives for other covered species. It was clarified that the ecological corridors that will be established are not a “hardline” preserve commitment.

Specific questions were raised on examples of development scenarios and these scenarios and their associated fees were discussed. Concern was expressed about the fees charged under a mostly urban development scenario and it was explained that these fees are imposed under the current permitting system but not in a streamlined manner. It was commented that these mitigation fees seem like a “great deal” for developers. It was commented that the Butte County meadowfoam fee seems substantially lower than the historical costs of mitigating impacts on the species. It was explained that a base fee as well as certain land cover type-specific fees (e.g., vernal pools) will apply in addition to impact fees on Butte County meadowfoam habitat. The mitigation costs used develop the fees are based on the best current available information and that costs can definitely change in the future depending on a number of factors. The BRCP funding strategy includes provisions for adjusting fees over the term of the BRCP based on actual costs of implementation.

A question was raised on property tax revenues will be affected. It was explained that a white paper on effects on the tax base is being developed. Modifying Williamson Act lands from temporary to permanent easements will likely be “a wash” in terms of taxes.

A chapter by chapter overview of the changes from the June 2011 draft BRCP was presented. Major revisions included revising document sections to address comments received on the June 2011 draft from the Stakeholder Committee and the resource agencies, adding detail to existing sections, and adding new sections to address requirements that were not in the previous draft. It was reiterated that Stakeholder Committee comments on the Preliminary Public Draft are due by January 31, 2013 and that input would also be received at the January public workshops. Comment forms (available on the webpage) should be used to submit comments. There will be an additional opportunity for commenting on the BRCP when the Public Draft BRCP is released in May 2013 during the 90 day public comment review period.

Meeting Notes from September 5, 2012 Stakeholder Committee Meeting (Handout #2)

The BRCP Stakeholder Committee Meeting Summary from September 5, 2012 was reviewed and approved.

Additional Items

BCAG will be coordinating with the US Corps of Engineers over the next few months to develop the section 404 permitting program.

It was commented that placing ads in the local newspapers advertising the January public workshops would be a good way to ensure public attendance. It was explained that press releases and interviews with reporters would be conducted.

A question arose on the Stakeholder Committee's role in the EIS/EIR process. BCAG indicated that while information regarding the EIS/EIR will be available on the BRCP website, the Stakeholder Committee was established to develop the BRCP and that BCAG and USFWS are responsible for preparation of the EIS/EIR. Public workshops will be held on the EIR/EIS in May and June to satisfy NEPA and CEQA requirements.

It was suggested to make the links guiding users to the BRCP Preliminary Public Draft easier to find on the website.

Action Items and Next Meeting Agenda

The date of the next Stakeholder Committee meeting is February 6, 2013.