

**Science & Technical Advisory Committee (STAC)**  
**Operational Guidelines**  
Revised 12/15/14

## **1. Science and Technical Advisory Committee (STAC)**

### **A. Background**

In 1994, Yolo County and the four incorporated cities entered into an agreement with the California Department of Fish and Game (now Department of Fish and Wildlife) under former section 2081 of the Fish and Game Code to address mitigation of impacts to Swainson's hawk resulting from urban development. In 2003, the CDFW allowed the Yolo County HCP/NCCP Joint Powers Agency (JPA) to oversee and implement Swainson's hawk habitat mitigation for projects in Yolo County, which has resulted in the establishment of a number of conservation easements under the JPA. In 2008, the JPA adopted a policy supporting the creation of receiving sites for Swainson's hawk mitigation and sale of mitigation credits at these sites. Since then, the JPA established three mitigation receiving sites (MRS).

In December 2013, the JPA approved the formation of a Science and Technical Advisory Committee (STAC) to provide scientific and technical guidance and advice to the JPA on selection of additional Swainson's hawk conservation easement and mitigation receiving sites. The processes for establishing conservation easements and mitigation receiving sites are described in additional documents that are available on the JPA's web site. In anticipation of future implementation of the HCP/NCCP, the STAC will also provide guidance on conservation easement and mitigation receiving sites for other covered species as appropriate (e.g. burrowing owl, giant garter snake), and for specific natural communities as appropriate).

### **B. Mission and Activities**

The Science and Technical Advisory Committee (STAC) will provide scientific and technical guidance to the JPA on selection of proposed conservation easement properties and mitigation receiving sites. The STAC shall advise JPA staff and the Board on the suitability of potential sites for easements and mitigation (e.g. species biology, species habitat requirements, and habitat restoration actions). The STAC may also advise the JPA on other issues as requested by the Executive Director, such as site-specific management and monitoring plans, habitat management and/or enhancement opportunities.

The primary role of the STAC is to assess and evaluate prospective conservation sites (e.g. sites proposed for Swainson's hawk mitigation receiving sites or Swainson's hawk easements purchased by the JPA with Mitigation Trust Account funding). The STAC may

also advise the JPA on easements that benefit other covered species eligible for grants. Specific activities of the STAC include the following:

- Conduct a field assessment of prospective conservation sites
- Assess and rank the value of the prospective conservation sites based on ecological, land use, and management parameters, including evaluation of the extent to which the site is consistent with Yolo HCP/NCCP.
- Develop recommendations for site-specific management, restoration, and monitoring.
- Prepare a site assessment report that includes a recommendation for potential acquisition.
- Coordinate as requested with the JPA to provide input, guidance, and recommendations on conservation actions, land use issues, and species needs.

The STAC's role is advisory only. The JPA Board shall have sole authority to approve individual mitigation receiving sites based on recommendations submitted by the Executive Director.

### **C. JPA Staff Role**

JPA staff will undertake the following actions:

- Advise landowners about opportunities to sell the JPA a conservation easement and/or create a mitigation receiving site on their land as a means of preserving habitat for covered species.
- Provide interested landowners with a template conservation easement or sample mitigation credit agreement for review; discuss the terms of each document with landowners; and otherwise advise them of the steps necessary to create a receiving site or a conservation easement on their property.
- Provide interested landowners with information about available state and federal grant funding for conservation easements that benefit covered species, including relevant documents for review.
- Send proposed applications to relevant member agency planning departments to provide information related to implementation of General Plans.
- Periodically advise the JPA Board of the status of efforts to establish conservation easements and mitigation receiving sites on lands in the County.
- At the appropriate time, seek JPA Board approval of STAC recommendations;
- At the appropriate time, seek JPA Board approval of relevant documents, including conservation easements, mitigation credit agreements, and any other documents necessary to establish easements or receiving sites.

- Provide the following information for evaluation of the proposed site:
  1. location of existing protected lands in the County;
  2. map of occurrences of Swainson's hawk or other covered species or species of local concern on the proposed property;
  3. map of property to be assessed;
  4. number of acres;
  5. ten years of historical farming practices on the site and surrounding acres;
  6. proximity to neighboring protected lands and type of easement on neighboring lands;
  7. sources of water other than groundwater; and
  8. existing easements and other encumbrances.
- JPA staff will also create a template for the STAC members to use for evaluating each of the criteria for the proposed site, subject to approval by the STAC members.

#### **D. Expertise Needed**

The STAC will be composed of 4-5 biologists with expertise on habitat types covered by Yolo HCP/NCCP. Experience with local conservation planning is preferred. Between the members, the STAC should have a diversity of species expertise, including knowledge of covered bird species (with focus on Swainson's hawk and burrowing owl) and a herpetologist (with focus on giant garter snake).

The STAC will have a chair, whose responsibilities will include:

- convening committee at request of JPA staff
- organizing site visits
- assigning lead for completing site evaluations based on expertise
- ensuring timely reporting by committee on proposed sites

Compensation for each member will be \$100 per meeting with four meetings cap in any month, to be compensated upon actual in-person attendance. The Chair will receive a stipend of \$150 per meeting.

## **2. Outreach**

The JPA will post all outreach documents to the JPA's web site.

- A. Flyer (to be distributed via ListServe, Yolo Farm Bureau newsletter, Yolo RCD newsletter, etc.)
- B. Guidelines for establishing a mitigation receiving site
- C. Guidelines for identifying steps to sell a conservation easement to the JPA or receive a state/federal grant for an easement benefiting Swainson's hawk or other covered species (i.e. Wildlife Conservation Board and Section 6 grants).
- D. Sample agreements (including grant agreements), easement templates, etc.
- E. Frequently Asked Questions

### **3. EASEMENT/MRS SELECTION PROCESS\***

A. Landowners may submit applications to the JPA on a rolling basis, but the JPA will set quarterly deadlines. The STAC will review all applications received by the deadline at the same time, so landowners must submit timely applications to ensure consideration in a particular quarter. Early applications are encouraged to allow JPA staff time to ensure the application is complete.

B. JPA staff will conduct an initial screening process with assistance from the STAC chair or appropriate members prior to formal review by the STAC. The initial screening process is only to verify the proposed site is within the Conservation Reserve Area, is generally consistent with the easement template, and is otherwise eligible for consideration by the STAC. JPA staff will also ensure the application is complete.

C. The STAC will meet as needed to review applications for proposed sites to determine if they are generally suitable based on the following criteria:

- habitat values for covered species (e.g. Swainson's hawk)
- proximity to existing protected lands
- proximity to other suitable habitat
- consistency with regional acquisition strategy
- other criteria established by the STAC

D. Field trip/site visit

Members of the STAC and JPA staff (if feasible) will visit all sites that pass the initial screening.

#### E. Forms/procedures for evaluation of sites:

STAC member(s) will complete a Habitat Evaluation and Scoring Worksheet and summarize information on various sites to use in prioritizing the highest value sites from a habitat perspective. The STAC may ask the Executive Director to discuss changes to the mitigation receiving site proposal with the landowner as part of the review.

#### F. Decision making process

The STAC will prepare a recommendation in the form of a 1 - 2-page report for each site. The recommendation will be one of three choices: 1) strongly recommend; 2) recommend; and 3) do not recommend. The STAC may choose to suggest revisions to the application (e.g. reduce or define the amount of acreage to be considered; change application from MRS category to CE category or vice versa; or other suggestions for resubmitting the application).

#### G. Status Report

Candidate site landowners will be contacted within 45 days of the site visit to update them on the status of the process and the expected time of a decision. Landowners may request a copy of the evaluation tool used during the site visit.

### **4. APPROVAL BY THE JPA BOARD; ESTABLISH CONSERVATION EASEMENT/MITIGATION RECEIVING SITE**

#### A. JPA approval

After the STAC approves a site and submits written recommendations to the Executive Director, the Executive Director will prepare a final recommendation to the JPA Board for approval. Negotiations would then proceed on the terms of the conservation easement or mitigation receiving site, including a property appraisal and a baseline study. The JPA Board will approve the final agreement and associated documents.

#### B. Consideration of new information

If JPA staff do not recommend a proposed mitigation receiving site to the JPA Board and the landowner provides new information relevant to the habitat evaluation as part of the JPA Board meeting, the Board will refer the matter back to the STAC for further consideration.

#### C. Establish Conservation Easement/Mitigation Receiving Site

Following approval, endowments are deposited and the conservation easement is recorded. For mitigation receiving sites, the JPA would retain a role in monitoring the

sale and retirement of the credits. A Certificate of Mitigation Credit will be recorded with each sale to memorialize the transaction, to officially retire credits, and to acknowledge compliance with any CEQA obligation. For conservation easements, the JPA typically holds the easement and works with the easement holder to ensure the property is monitored annually.

## **5. PRELIMINARY ASSESSMENTS FOR MEMBER AGENCIES**

The STAC may also agree to conduct a preliminary assessment of a potential conservation easement site at the request of any of the member agencies of the Yolo County HCP/NCCP Joint Powers Agency (e.g. Yolo County or one of the cities). Such an assessment may be requested, for example, if a member agency is considering purchase of a property for conservation purposes. In this instance, the assessment and evaluation would be considered conditional. The landowner would need to formally submit an application to the JPA for full consideration of the property as a mitigation receiving site or conservation easement. Member agencies must also complete an application to the JPA for the preliminary assessment.

## **6. CHANGES TO OPERATIONAL GUIDELINES**

The STAC may change the operational guidelines at any time. JPA staff will provide changes to the operational guidelines to the JPA Board.

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\* For detailed description of conservation easement and mitigation receiving site selection process, see “Habitat Conservation Easement Site Selection and Approval Guidelines” and “Mitigation Receiving Site Selection and Approval Guidelines”