

# Yolo Habitat Conservancy

County of Yolo • City of Davis • City of Winters • City of West Sacramento  
City of Woodland • University of California, Davis

## NOTICE OF PUBLIC MEETING

### YOLO HABITAT CONSERVANCY

#### ADVISORY COMMITTEE

**TIME:** 4:00 – 6:00 p.m. on Monday, February 12, 2018

**PLACE:** Yolo County Administration Building  
625 Court St., Woodland, CA 95695  
Atrium Training Room (in the basement)

**INFORMATION:** Contact Susan Garbini at 530-723-5909 or [susan@yolohabitatconservancy.org](mailto:susan@yolohabitatconservancy.org)

### AGENDA

1. Call meeting to order and introductions
2. Approve agenda order
3. Approve December 11, 2017, draft meeting summary (*tentative\**); review status of Outstanding Action Items.
  - Clarify whether there are there more local plans that should be included.
  - Clarify whether funding sources for RCIS need to be known in advance.
  - Look for a model of how funding can be found for the RCIS/LCP.

4. **Update/Discussion: Regional Conservation Investment Strategy/Local Conservation Plan** - Chris Alford/Ellen Berryman

- Schedule
- LCP issues: items that came up in the final review of comments and edits received for the Admin Draft RCIS/LCP that the Core Team identified as being LCP-specific issues and therefore request that the Advisory Committee review and provide guidance:
  - **Section 3.4.3.1 Additional LCP Conservation Guidelines:** A request was made to remove this section because it repeats information already presented elsewhere and unnecessarily prioritizes specific community types.
  - **Section 3.4.3.4 Unique Areas:** A request was made to add Yolo County serpentine on Little Blue Ridge, alkaline prairie in the eastern county, Dunnigan Hills, California prairie, relict valley oak woodland near Woodland, riparian chaparral on Cache Creek's losing reach.

5. **HCP/NCCP Update** – Petrea Marchand

6. **Review Advisory Committee Appointment Process and Guiding Principles**

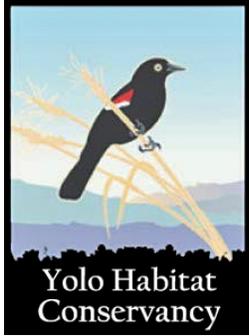
7. **Meeting Schedule for 2018**

8. **Announcements and updates**

9. **Adjournment to next meeting date: TBD**

**Location:** *Atrium Training Room  
Yolo County Administration Building  
625 Court Street  
Woodland, CA*

\*Subject to review by John Cain.



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City of Woodland • University of California, Davis

## YOLO HABITAT CONSERVANCY

### ADVISORY COMMITTEE

#### Draft Meeting Summary

December 11, 2017

#### **ACTION ITEMS:**

- *Clarify whether more local conservation plans should be included in the RCIS/LCP*
- *Do funding sources for the RCIS need to be known in advance?*
- *Look for a model of how funding can be found for the RCIS/LCP*

#### **1. Call meeting to order and introductions**

Meeting was called to order at 4:05 pm by acting Chair Steve Greco. All present introduced themselves.

#### **Committee Members**

Steve Greco  
Jeanette Wrynski  
Glen Holstein  
Chad Roberts  
Charles Tyson  
John Brennan  
Steve Thompson  
Kent Lang

#### **Guests**

Michael Perrone (citizen)  
Justin Fredricksen (Farm Bureau)  
John Cain (American Rivers)

## **YHC Staff & Consultants**

Susan Garbini  
Ellen Berryman (ICF)

### **2. Approve agenda order**

No changes made to the agenda.

### **3. Approve September 11, 2017, draft meeting summary**

Approved with no changes.

### **4. Approve October 9, 2017, draft meeting summary; review status of Outstanding Action Items.**

Approved with no changes.

#### **ACTION ITEMS:**

- Add links to other local conservation plans to YHC website. *(done)*
- Conservancy staff to complete crosswalk of goals and objectives and send to AC members for review. *(done)*
- Advisory Committee member comments on Chapter 3 and 4 due to Ellen and Chris Nov. 6<sup>th</sup>.

### **5. Aquatic Elements of the RCIS *(presentation)* – John Cain, American Rivers**

The State will spend \$50 million for flood improvement structures and other flood-related infrastructure over the next few decades. The availability of funding creates an opportunity for doing habitat creation for salmon, Swainson's hawk, and other species, while improving public safety.

Barriers to these actions have been complications related to obtaining permits. There is no mechanism for getting advanced mitigation credit or regional advance mitigation planning. In the fall of 2016, AB 2087 allowed organizations and entities that create a Regional Conservation Investment Strategy (RCIS) to apply for advanced mitigation.

There is a middle ground between an NCCP and an Endangered Species take permit under the Endangered Species Act (ESA). Perhaps this provides a short-cut to mitigation agreements? Under the RCIS, the agencies need to coordinate with local jurisdictions, including local NCCPs. The Yolo Local Conservation Plan (LCP) provides an opportunity for a marriage between the Yolo LCP and the RCIS. The RCIS is a totally voluntary agreement which is not binding; it lays foundations of objectives.

Can we lay out objectives of the LCP that are consistent with the objectives of the RCIS? The ICF team has largely done that already. This creates an opportunity for the agencies (e.g. the Department of Water Resources) to apply for a Mitigation Credit Agreement for projects not covered under the Yolo HCP/NCCP. It is an opportunity for

Yolo County to apply for conservation dollars outside the HCP/NCCP. Additional funding from other agencies (e.g. CalTrans) may help advance objectives of the LCP. We would like to move beyond mitigation. We would like to see ecological uplift. Replace more than lost habitat. We think the RCIS creates an opportunity for less costly approaches to achieving conservation goals.

## **DISCUSSION**

Q: Would this be used to create habitat or just for restoration?

*John Cain:* There is no reason why an MCA couldn't be used in other ways to preserve or create habitat.

Q: In the case of the upper Sacramento River Project (widen weir, levee changes), is there a possibility that we could get credit when we give up land to do work on our front levees?

*John Cain:* Another group is the lead on that effort, developing a RCIS focused on species associated with levee repair. There is conflict along the rivers: regulatory agencies make it difficult to get permits to repair levees because of environmental concerns. How can we improve permitting for flood management projects? What if we connect flood management to NCCPs? We need to determine how species are affected by the flood management system in order to develop a conservation strategy, like an RCIS or draft NCCP, for all species affected by flood management activities (fish and birds). This requires good science-based analysis for providing suitable habitat for species along the river, e.g. shaded riverine aquatic, frequently inundated habitat. All of these strategies are identified in the current flood plan which was approved by the Central Valley Flood Protection Board.

Q: How do we pay for this stuff? Impacts are regional. The difference between "Yolo County" and the regional "big picture" can even cross states. If money can only come if project is in Yolo County, then meaningful improvements are limited.

*John Cain:* I would hope for a more regional approach than just county focused. Maybe river-focused. More flexibility would be helpful for planning.

Q: Does the RCIS achieve the goals for aquatic species?

*John Cain:* It provides a good option. The RCIS first has to be approved by CDFW. Once they approve, then we can work on mitigation credit agreements.

Q: A lot of landowners are willing to help, but they need compensation. It can't work if it is limited to one county.

Q: The Farm Bureau is very concerned about the flood plan conservation strategy and has been involved in these discussions. The RCIS is potentially more appealing as a simpler approach. The "spillover" effects on private landowners – any good deed is punished! Safe harbor agreements don't work so well. Neighboring landowner policy doesn't work (baseline analysis). It is too risky for the farmer. You will be held accountable if species are found on your land. This provides a perverse incentive.

NRCS programs are good, but they don't over Incidental Take coverage to farmers. Landowners don't want to deal with "Wildlife partnerships" programs. Always will have resistance from landowners if they are punished and if they are not compensated.

*John Cain:* We need programs that work better to encourage good conservation practices. If we are connected to the regional plans, then we have the same vision.

Q: This is very expensive if we are going to do it right. Where is that money going to come from?

*John Cain:* The RCIS will not solve the money problem, but it will identify priorities and habitats. It will identify where credits exist and will bring plans together in a common effort.

Q: This program was designed for agencies and non-profits. It could benefit landowners. On the aquatic side, water supply reliability is an important positive incentive.

#### 6. Review Proposed 2018 schedule of meetings (*Susan*)

There may be fewer meetings (e.g. quarterly instead of monthly) for the Advisory Committee, depending on when the RCIS is completed.

#### 7. Update on RCIS/LCP (*Ellen*)

- Crosswalk of goals and objectives with other local plans that overlap (are there any missing plans).

<b>Action item:</b> Clarify are there more plans?
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- Comments received
  - Some technical issues and terms could be made more accessible
  - This plan is not written for the laymen; it's for the agencies. Could make it more readable.

*Ellen:* Need more specific detail in the conservation plan (e.g. maps, areas, implementation). There isn't funding to do all the implementation that is desired for the LCP goals. RCIS implementation is minimal. Just track after 10 years. More tracking, more public meetings? But without funding, it is not good to require a lot of tracking!

Q: Does the legislation require that funding sources (for RCIS) be known in advance?

<b>Action item:</b> Clarify whether funding sources for RCIS need to be known in advance.
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Q: What is the difference between a sponsoring agency and an implementing entity?

*Ellen:* The implementing entity submits the plan to the Department. Right now it is the Steering Committee. We have to identify an implementing entity. CDFW has started using the term “proponent”.

*John Cain:* There is no “implementation”. Just presentation and updating.

Q: There is a responsibility from the LCP side that is not there on the RCIS side. Where do we find the funding? Could you add a requirement in the MCA that they would have to pay a fee for admin to the implementing entity? Maybe the Advisory Committee needs to say that funding is important.

<p><b>Action item:</b> Need to look for a model of where funding comes from to raise grant money.</p>
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*Ellen:* The RCIS is working on getting a cost estimate for optional tasks and figure out where funding would come from.

*Ellen:* (Priorities – Table X)

The Maps are not detailed. We don’t want to identify certain lands. There is an effort to provide more detailed guidance and Criteria for lower vs. higher priority projects.

### *Discussion*

*Comment:* All of Ch 3 incorporates lists of criteria. Why is one higher than another? I would look for a way to evaluate a project based on criteria. Don’t say higher or lower, don’t say scores. List criteria that a site would meet.

Ellen: A project wouldn’t have to meet all the criteria.

### *Comments:*

- You can’t do conservation unless you have prioritization. This is a good approach.
- You can use the criteria, but you can’t rank them as priorities.
- Better to have guidelines for a scientific evaluation.
- It is helpful to have a systematic approach.
- I find it useful to be able to rank things, but frustrating if they are too rigid. Guidance is more useful and the possibility of an override.

- Could this be just for the RCIS? Not for the LCP. More appropriate and useful for the RCIS, not for the LCP. Have somewhere in the document that says the LCP is a long-term framework and RCIS guidelines may not work. Not considered binding on the LCP.

**RCIS schedule:** Draft to RCIS Steering Committee Dec 20; plan goes to the YHC board on Jan 22, to the Yolo County Board of Supervisors, Jan 23. Then to the CDFW for a 30-day review and comments.

#### 8. HCP/NCCP Update (*Ellen*)

Wildlife agencies completing review. They are meeting on Thursday and Friday to walk through the HCP/NCCP and do live edits with them. Then it will go to the Board at their meeting on Dec 18. The screen check final is due on Dec 22. It should come back to the Conservancy on Jan 22. Public release is scheduled for March 23.

#### 9. Announcements and updates

None

10. **Adjournment to next meeting date:** Monday, January 8, 2018 (*this meeting was cancelled*)

*Location: Atrium Training Room  
Yolo County Administration Building  
625 Court Street  
Woodland, CA*

Meeting was adjourned at 6:05 pm.

# Advisory Committee Role and Structure after Implementation of HCP/NCCP

*[Draft 2/12/18]*

## **ROLE OF THE ADVISORY COMMITTEE**

In 2004, the Conservancy appointed the Advisory Committee<sup>1</sup> to provide input and advice during the development of the Yolo Habitat Conservation/Natural Community Conservation Plan (Yolo HCP/NCCP). The Advisory Committee consisted of representatives from the primary groups with an interest in this HCP/NCCP (the stakeholders), including Conservancy member agencies, landowners, the agricultural community, conservation organizations, and land developers. The group held open meetings on a regular basis (generally monthly) to review relevant materials and documents; evaluate and synthesize ideas, data, and information; and discuss and resolve complex issues. The Advisory Committee sought to reach a consensus when possible and provide recommendations to the Conservancy Board of Directors on a range of matters, as reflected in the Yolo HCP/NCCP.

The Advisory Committee subsequently participated in the preparation and review of the Second Administrative Draft and Public Review Draft HCP/NCCP. They also participated extensively in the preparation of the Regional Conservation Investment Strategy/Local Conservation Plan (RCIS/LCP).

After implementation of the Yolo HCP/NCCP, the role and mission of the Advisory Committee will be to advise Conservancy staff on implementation of conservation strategies described in the HCP/NCCP and the RCIS/LCP.

## **IMPLEMENTATION ADVISORY COMMITTEE COMPOSITION**

- The Conservancy will continue the Advisory Committee as a stakeholder group throughout the implementation process.
- Membership will continue to be voluntary.
- The Advisory Committee for implementation of the Yolo HCP/NCCP will consist of a range of individuals representing entities with an interest in HCP/NCCP-related matters. This is a change from the former composition of the Advisory Committee, in which individuals did not represent their organizations. Individuals and their alternates are representatives of their organizations and are expected to consult with their respective organizations and/or receive approval from their jurisdictions for important decisions related to input on Yolo HCP/NCCP implementation.
- Members should provide for alternates in case of inability to attend meetings. Staff would appreciate notice at least a week in advance that alternates will attend.

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<sup>1</sup> The Advisory Committee was formerly known as the Steering Advisory Committee, or SAC; the name was changed to Advisory Committee in 2012.

- Members of the Committee may include, but will not be limited to:
  - Representatives of the HCP/NCCP local funding partners
    1. Yolo County/Cache Creek Resources Management Plan (CCRMP)
    2. Lower Putah Creek Coordinating Committee (LPCCC)/Solano County Water Agency
    3. City of Davis/Davis Open Space Program
  - Representatives of conservation organizations (3)
  - Representatives of wildlife-friendly agriculture (3)
  - Community-at-large members (2)

The Advisory Committee will also include a liaison from each of the Permittees/Member Agencies (Yolo County, City of Davis, City of West Sacramento, City of Winters, and City of Woodland).

The Conservancy will organize, help convene, and provide support for the Advisory Committee and its proceedings. The Conservancy will convene the Committee quarterly and also as needed to exchange information and discuss current issues, such as updates on HCP/NCCP implementation. All Committee meetings will be open to the public. The Conservancy will separately facilitate an Agricultural Advisory Committee designed to specifically focus on concerns or interests of the agricultural community. The Conservancy will answer questions from developers through the permitting process or on an as-needed basis.

## **PROPOSED MEMBERSHIP SELECTION PROCESS**

- Vacancies for public membership will be announced in public media and through other public announcements and mailing lists.
- Candidates for specific categories of membership will be solicited through appropriate communications with appropriate organizations.
- Prospective applicants will complete an application form and submit to YHC staff.
- Applicants will be recommended by the Executive Director for approval by the YHC Board.
- The timeline is as follows:
  - Applications are due to staff by April 1, 2018
  - Executive Director will consult with the Management Committee and will recommend new members at the April Board meeting
  - The terms will start May 1, 2018.
- Membership terms of service to be on a 2-year basis<sup>2</sup> with opportunities for renewal or replacement as deemed appropriate by the Board.
- Once the new Advisory Committee is appointed, the Committee will select a Chair.

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<sup>2</sup> The first cycle of terms will be 1-year and 2-year to initiate a staggered appointment process.

## **Guidelines for Advisory Committee Meeting Participation**

### **Goals**

- Ensure continuing communication between YHC staff and Board and Stakeholders.
- Provide a sounding board for developing YHC strategic goals and work plans.
- Review the YHC annual report.
- Provide a forum for public discussion of implementation issues.
- Oversee RCIS/LCP program, including potential conservation sites.

### **Principles**

- The Advisory Committee meeting and decision process will be a collaborative effort that is open, inclusive, and actively participatory.
- Everyone participating in the process will be treated with respect, dignity, courtesy and responsiveness, and the same will be expected from them.
- Partnerships that promote the HCP/NCCP and its implementation will be cultivated by the Advisory Committee through members' respective organizations.
- The Advisory Committee process will be conducted in a cost effective and efficient manner without compromising conservation values and goals.
- The process will complement other efforts in the community designed to protect, enhance, restore, and manage biodiversity, as well as natural and intrinsic resource values, in Yolo County.
- The Advisory Committee's process shall be based on a strong scientific foundation.
- Members of the Advisory Committee agree that the goal of the HCP/NCCP is to restore, enhance, and conserve the natural heritage of Yolo County, while encouraging smart, sensible, and sustainable economic activity, maintaining and enhancing agricultural production, and including and expanding recreational opportunities.