

# Minutes

South Sacramento Habitat Conservation Plan Steering Committee - February 8, 2007

9:00-10:30 - 700 H Street, 6<sup>th</sup> Floor Training Room 6750

<http://www.saccounty.net/planning/habitat-conservation/overview.html>

Attendee	Affiliation
Alta Tura	Sacramento Audubon
Ardie Zahedani	North State BIA
Bill Blanas	Reynen & Bardis Communities
Charlotte Mitchell	Sacramento County Farm Bureau
Dan Gifford	California Department of Fish and Game
Hal Holland	Westervelt Ecological Services
Heather Ferden	SunCal
Jennifer Hogan	California Department of Fish and Game
Jessie Wild	U.S. Fish and Wildlife Service
Jim Ray	MacKay & Soms
John Hodgson	The Hodgson Company
John Hopkins	Institute for Ecological Health
Kathy Dadey	U.S. Army Corps of Engineers
Michelle Morrow	Department of Water Resources
Mark Hanson	SBM Real Estate
Matthew Keasling	Taylor & Wiley
Mike Savino	Sierra Club
Rich Radmacher	Sacramento County Planning
Rick Balazs	Sacramento County Economic Development
Sean Wirth	SOS Cranes
Stan Van Vleck	Ca. & Sacramento Cattlemen
Steve Norris	SRCS
Vincent King	Sacramento County Planning

## 1. Call to Order and Introductions

The meeting was called to order by John Hodgson and introductions were made.

## 2. Review Chapters

John Hodgson noted that the chapter had been distributed prior to the meeting (1/22/07) and requested a very brief summary of the document. Rich Radmacher explained that the Assurances chapter describes the 'no surprises' policy and assurances to land owners adjacent to the preserves. It also discusses the changed circumstances, which are reasonably foreseeable events that may impact the conservation strategy, and how to mitigate for those possible impacts.

Assurances Chapter - John Hopkins began the review with the federal no surprises policy. He was concerned that the policy is more complex than presented in the draft chapter. Jesse Wild indicated that she has set language for this policy that can be inserted. Sean Wirth mentioned that if the SSHCP would create a disaster response team, then it would be logical for them to participate in developing disaster plans so that the biological concerns could be addressed and included in those plans.

Jesse Wild pointed out that the changed circumstances are intended to be described so that future amendments are not required to the plan and the language of section 10.3.1 should be amended. John Hopkins requested a new definition for the flood event and suggested the DWR or USACE definition. He also noted that it may be difficult for the DIRT team to assess the damage of a flood or other disaster within 48 hours of the event. Rich Radmacher explained that the intent of the bullet point was to convene the team as soon as possible after an event.

It was also noted that the intent of this chapter is to describe those events that will likely occur (e.g. vandalism) and set a threshold for where the plan can reasonably be responsible for remediation of the harm caused by a foreseen event. Alta Tura noted that an event could be reasonably foreseeable, but cost prohibitive to respond to. John Hopkins voiced a concern that setting caps and thresholds based on economic criteria may be establishing a preserve system for long term failure. Discussion evolved to conclude that many of the foreseen circumstances and protection measures for those circumstances should be incorporated into individual preserve management plans considering general language that establishes thresholds.

John Hodgson asked if all of these specific examples are things that the USFWS wants to be addressed and if vandalism needs to be included. Rich R. said we would add a section for vandalism. John Hodgson asked the group and specifically the agencies, if an insurance policy is something that is possible for these plans. He noted that it may become an on-going cost. Stan Van Vleck mentioned that there were several things that could be done with an insurance policy, such as pooling preserve and property owners. Hal Holland said that they set aside 10-15% for contingency funds, which is a self insuring program. Jesse Wild said that the HCP will essentially self insure. It was noted that early in the implementation of the HCP there will be very little money set aside in the contingency fund to deal with possible changed circumstances. The concept of a short term policy that would cover the initial years of the HCP was mentioned. Jesse Wild said that hopefully at the beginning of the HCP there will be an infusion of cash to get the HCP running, some of which will help provide for a contingency fund. John Hodgson then asked how much money is needed in the first ten years, to the satisfaction of the agencies, to deal with these problems. Jesse W. said that the second amendment to the Natomas Basin HCP looked at this issue. John Hodgson asked if it was reasonable to set a dollar amount, such as \$100,000, and use that as the cap. Jesse W. said that starting with a dollar amount is not necessarily a good way to look the situation. It is preferable to look at likely occurrences and possible responses, and then try to apply economic constraints to determine what is feasible and where you may get the greatest benefit. John Hopkins concurred with this reasoning.

There was a question brought up about increased occurrences of fire from climate change. Rich R. explained that there were so many unknowns and possible circumstances associated with climate change that it is very difficult to reasonably predict what may occur. He felt the best way to address climate change is to ensure strong flexibility from the adaptive management portion of the plan. Sean Wirth and John Hodgson noted that a reference to the adaptive management section should be included.

Dan Gifford mentioned that under the unauthorized take section, some of the language could be considered tampering with evidence. He said that the section needs to be re-written considering the legal requirements that may be involved in illegal take of a species, such as notifying law enforcement.

Jesse Wild again pointed out that there should be thresholds established for each of the lettered foreseen circumstances. She would like to see a reference/description of that threshold in each section.

John Hopkins mentioned that this plan seems to deal with existing invasive species, but needs to recognize the possibility of new invasive species. There are State agencies that track invasive species and the implementing entity could coordinate with them. Stan Van Vleck echoed that concern. He stated that there would need to be allowances to remove invasive species so that they do not spread. Jesse Wild clarified that the term 'exotic' should not be used as there are invasive species that are not exotic, but still require management/removal.

Jesse Wild asked for an explanation of the "Changes in Environmental Baseline." John Hopkins attempted to explain the intent of this section. He noted that there may be things outside of the preserve system that may change the ultimate effectiveness of the preserves system. He followed to say that we cannot rely on land outside of the study area. Similarly, Stan Van Vleck and Charlotte Mitchell noted that we cannot rely on existing agriculture and that it will likely change. It was agreed that the entire Section I could be removed and did not belong in this chapter. John Hopkins mentioned that the conservation strategy notes that it cannot depend on lands outside of the study area.

The next topic was climate change. Rich R. noted that this was a difficult issue and was not sure how to grapple with climate change. John Hopkins noted that this section will change a lot based on on-going research. For example, the relocation of species is an ongoing debate in the ecological world. Others noted that one step that can be used is assuring land is acquired for the movement of species. Rich R. noted that we need to deal with what is occurring now and let adaptive management dictate what actions are necessary to deal with future unforeseeable events. Jesse Wild again noted that we need to stick to standard questions like is the event reasonably foreseeable, and can the event be responded to.

Kathleen Dadey asked how a genetic baseline would be produced. John Hopkins said this may be a species by species issue. He could foresee them wanting to understand the genetic distribution of several of the covered species, but all of the species.

Stan Van Vleck mentioned that animal health protection could be another concern to include for public health.

It was agreed to change the unforeseen circumstances definition to add, "...or responded to.," to clarify that there would be foreseen circumstances that could not be responded to.

There was concern regarding Section 10.5.1. Many felt that the safe harbor agreement would serve as the model for this section. Many felt that federal and state agencies would not approve this section as it is written, but we should try to provide the greatest assurances to surrounding landowners that they will not be subject to increased restrictions due to neighboring properties.

It was agreed that Section 10.5.2 should to be revised to state that access will be made available where reasonable. Rich R. noted that there are areas where we would want to encourage some public use through docent led tours, but then there are certainly areas that would be off limits to public access.

John Hodgson asked what the timetable would be for a re-write. Jesse Wild requested that the document be re-written prior to soliciting comments because the document will likely change significantly. It was agreed that a marked up version should be distributed for review and perhaps finalized at the next steering committee.

### **3. Recap Assigned Tasks**

The next Steering Committee meeting will be held on March 8<sup>th</sup> at nine o'clock to discuss a revised chapter ten and possibly begin review of chapter seven (Conservation Strategy).