

Minutes

South Sacramento Habitat Conservation Plan Steering Committee - June 7, 2007

9:00-12:00 - 700 H Street, 6th Floor Training Room

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

Attendee	Affiliation
Ardie Zahedani	North State BIA
Becky Waegell	Waegell Ranch
Bob Shattuck	Leannar
Brenna Moorhead	Sheppard Mullin Richter & Hampton LLP/North State BIA
Brigitte Bordenave	Sacramento County Planning
Bryan Landgraf	Conservation Resources
Carmen Lee	Sacramento Regional County Sanitation District
Chris Beale	Resources Law Group/City of Elk Grove
Dan Gifford	California Department of Fish and Game
Debbie Haldeman	Wildlands Inc.
Elisha Back	Dunmore Homes
George Phillips	Attorney
Heather Ferden	SunCal Companies
Jay Coles	Reynen & Bardis Communities
Jennifer Hogan	California Department of Fish and Game
Jesse Wild	U.S. Fish and Wildlife Service
Jim Ray	MacKay & Soms
John Hodgson	The Hodgson Company
John Hopkins	Institute for Ecological Health
Joyce Hunting	City of Rancho Cordova
Justin Cutler	U.S. Fish and Wildlife Service
Kathleen Dadey	U.S. Army Corps of Engineers
Larry Larsen	Law Office of Gregory Thatch
Mara Bresnick	Centex Homes
Paul Junker	City of Rancho Cordova
Randy Schaber	The Schaber Company
Rich Radmacher	Sacramento County Planning
Sam Miller	Lewis Planned Communities
Sean Wirth	SOS Cranes
Stan Van Vleck	Ca. & Sacramento Cattlemen
Stephen Miller	Granite Bay Capitol Group
Robert Uram	Sheppard Mullin Richter & Hampton LLP/North State BIA
Taro Echiburu	City of Elk Grove
Vincent King	Sacramento County Planning

1. Call to Order and Introductions

The meeting was called to order by John Hodgson and introductions were made. John Hodgson added two agenda items; one on the City and County discussions and another on HCP issues that may need further discussion or clarification as the plan moves forward.

2. Update on the City & County Discussions

John Hodgson gave a brief update on the City of Elk Grove's request for the area south of Kammerer Rd. He noted that the Steering Committee ultimately cannot decide what occurs between the City and County, but can certainly provide advice. He recommended that the City and County continue their discussions to attempt to reach a compromise. He was willing to have a brief discussion on the issue today. Paul Junker asked if there were possible solutions that may not have been thought of or presented. He asked if there would be some sort of forum/subgroup that would discuss the options. John Hodgson and John Hopkins explained that it was their understanding that several different alternatives have been presented including compromises to procedural methods. John Hopkins outlined that there are a lot of political, legal, and timing issues involved. Sean Wirth mentioned that as it relates to compromise, the original USB was established as a compromise so any further compromise is a loss to habitat.

3. HCP Issues

John Hodgson asked the group to identify issues that ultimately need further discussion, clarification and/or work. He offered the Rapanos decision as an example. John Hopkins announced that the Corps holds a regular information session at SACOG. He is expecting that the South Pacific Division will give their understanding of the decision and what the guidance document means. Kathleen added that she will be in Virginia teaching the regulatory course and one of the topics will be headquarters interpretation of their guidance. Robert Uram noted that it was a thick guidance document and that this was timely for the SSHCP. He mentioned that there was a bill to effectively reverse the Rapanos decision as well. It was also mentioned that the State Water Resources Control Board is also weighing in on taking jurisdiction due to the waning Federal presence. John Hopkins explained that his understanding was that the State agency was being told to 'fill the gap'. He assumed that if the SSHCP covers wetlands properly, then the SSHCP should be ok to meet either state or federal regulations.

Stan Van Vleck offered that he would like a greater understanding of the degree that the County will own land.

Larry Larsen brought up the conservation tables. He felt they may make a good supplement to the plan but felt a map was needed. He stated that if there are certain areas we know are going to be targeted for a preserve, then we should be upfront about that and depict them on a map. Mr. Van Vleck noted that it was essential to maintain the intent of the plan and keep preservation voluntary. Kathleen Dadey noted that it may bring up a takings issue. Larry Larsen brought up the debate over the take and receiving area. He outlined the dilemma of identifying critical areas and driving costs up. Dan Gifford commented that he is fond of maps, but when it comes to HCPs and maps, maps are a poison pill. He said in dealing with landowners that it is better to point towards general areas rather than become too specific. Rich Radmacher added that inside the USB it is difficult to achieve the preserve system with measures and that he is working with landowners now to try and establish an understanding of where hard line preserves may be needed. He said that while we have tried to build in as much flexibility as possible, there are certain species needs, such as Orcutt Grass, where more specific designs would be required. John Hodgson said that we did not have to resolve it, but recognize it as an issue. He said it is clearly a supply and demand relationship. Jesse Wild said that the County has made general maps that provide some direction. Larry Larsen said he agreed, but felt that the table was essentially a tabular map. Rich said that the issue is predominantly found inside the UDA, where there was a need to give the resource agencies assurances that something positive would be done for the species. Mara Bresnick pointed out that up front conservation is better. She also stated that the SSHCP is resource driven and that the SSHCP cover-types map is a true map that will guide preserves. John Hopkins said that from his perspective it would be wonderful if we

could achieve a situation where hard preserve lines were determined through agreements with landowners. Stan Van Vleck offered to be a part of a sub-committee to talk about mapping and an opt-in approach. Paul Junker mentioned that Rancho Cordova has four projects in for review and that one of those owners was amenable to identifying where specific preserves may go, the others he did not feel would reach that solution.

He continued asking if property owners who willingly set aside an area for preserves are compensated for that or if they still have to do other things. John Hodgson said that his reaction is that one would set aside inside because that is what you have to do, but that there was still the need for mitigation from what is taken. Rich said that the point is open for discussion. He had said that set asides in the current draft are counted towards the overall mitigation requirement. Paul followed saying that the financial implications of setting significant areas aside were substantial and that we would need further detailed discussion.

Paul asked about identifying permit holders discretely and how permit holds become separate. He asked what happens when one jurisdiction fails to implement properly. Jesse Wild explained that this issue has been handled several ways. She emphasized that there are solutions to those problems. Paul said that in Natomas this issue guided a lot of the environmental analysis such that permits could stand alone even if another jurisdiction loses its permit.

Paul mentioned another issue regarding the implementing entity. He asked to know what the implementing entity will ultimately be, providing a joint powers authority, independent agency or the County as examples. John Hodgson offered that he felt it would be a separate agency with representatives from the responsible agencies. Paul said that this made sense to him, but that he has heard reference to the County acting in that role. Rich said that he has something written up and that perhaps it was time to put the very rough draft out there.

Sam Miller stated that their needs to be a way of connecting the biological data with the preserve tables. He said that some are connected and others are not. He also stated that there may be actions by individuals inside the UDA that go beyond the benefits of an individual project but benefit others as well. He felt that there should be conversations concerning that topic.

Randy Schaber encouraged keeping maps as general a possible as well as working with individual land owners. He explained that the hesitancy for land owners to put a line on their property in agreement with the SSHCP is that line may become a starting point and that greater requirements would follow. John Hopkins said that this must be resolved such that the SSHCP embodied the requirements.

John Hodgson asked for a show of hands from people interested in participating in a 'mapping' committee. Stan Van Vleck outlined the committee's purpose as identifying a protocol to allow mapping to occur. Vince King read out the preliminary list of interested people. Stan further proposed that the issue would be dealt with in two meetings where the first would aggregate all of the possible solutions and the second would either identify a solution or determine that a suitable solution did not exist.

4. Update on SSHCP Board Hearing

John Hodgson explained that the Board date had been moved from June 5th to June 12th at 2:15. Ardie asked if it was the identical staff report from the last time. John Hopkins asked if Rich anticipated if the Board would initiate environmental review. Rich explained that it depended on the discussions the City and County have between the 5th and 12th. John Hodgson said that the goal was to resolve the issue. Ardie

Z. asked about the cost of the EIR/EIS and if there was a maximum amount that the Board would authorize. Rich said that he had projected up to 650 thousand dollars based on comps from other plans. It was asked if DERA would be managing it. Rich also noted that there would still be discussion with the other jurisdictions soon on how a co-lead situation may play out, but that DERA is the lead agency for the County. The USFWS would be the lead agency for the EIS and the Corps would be a cooperating agency on that document. John Hodgson's strong recommendation is that we need to identify qualified firms that have done similar EIRs, have the time to do this EIR, and will do it as soon as possible. Otherwise, he did not feel we could reach the 2009 or 2011 deadlines. He said in terms of the money, things tend to change.

5. Review of Conservation Strategy

The committee began review of the Conservation Strategy by continuing from the vernal pool strategy to talk about the stream and riparian section. Vince gave a summary of the stream conservation strategy stating that one of the first steps was considering how to deal with the issue inside and outside of the UDA. He explained that in the Bio-sub group and in meetings with the USFWS stream reaches were identified that could provide for species covered by the plan. He explained that Laguna creek was one that provides for species covered by the plan and was therefore an area where conservation efforts would be focused within the UDA for riparian resources. He also explained that Laguna creek may also serve as a regional connection to many of the preserves that are anticipated in the plan.

He continued explaining that the Corps and 404 requirements also played a role in the riparian conservation strategy, particularly as it pertained to establishing stream buffers. He explained that not only stream reaches, but significant swale systems, may require buffers to meet Corps requirements. Undeveloped portions of Morrison, Gerber and Elder Creeks were assigned a one hundred and fifty foot buffer along either side of the creeks and the remaining streams given a fifty foot buffer. Outside of the UDA, Vince explained that riparian preservation was viewed in two categories. He explained that the Cosumnes River and Deer Creek corridor is a significant stretch for mixed riparian woodland and scrubland that supports nearly 60 percent of the mixed riparian woodland and scrubland in the study area. The other stream reaches were viewed with objectives to preserve giant garter snake and western pond turtle among other species. An eight hundred foot corridor was outlined as desired for giant garter snake aestivation needs. Vince noted that a twenty acre parcel size threshold was used in looking at desirable stream reaches as smaller parcels may be less achievable from an economic viewpoint. He outlined that the strategy sought to build from the Cosumnes floodplain, where populations of the covered species were known to persist and was intended to be paired with agricultural preservation to capture both agricultural and riparian conservation objectives. Rich clarified that the bottom line for stream preservation was a 300-foot setback along either side of north Laguna creek to total a 600-foot corridor, 150-foot setbacks along either side of Morrison, Elder, and Gerber creeks to total a 300-foot buffer, a 50-foot setback on undeveloped portions of remaining large swale systems and creeks inside the UDA to total a 100-foot setback, a 800 -foot corridor along streams identified for giant garter snake preservation and Deer creek, and a 2,000-foot corridor along the Cosumnes River. Rich pointed out that setback averaging could be used in areas where creeks were already constrained. It was asked where trails could occur within these buffers. Rich replied that the County certainly wants to see trails incorporated into a number of these systems, particularly along north Laguna creek, but it would depend on how the Corps and service weighed in on the issue. Jesse Wild said that they had discussed this in the Biological Sub-committee and that it depended on resources on the ground. Rich noted that trails were desirable within the UDA as ways to garner support from the public. Robert Uram asked for clarification as to what could occur in the riparian areas. Rich noted that low impact development guidelines would help address some of these concerns.

Sam Miller asked about creating the biological distinction or link to the buffers. Rich replied that the specific range for Laguna creek and giant garter snake extended up to Excelsior or Eagles Nest road. He also explained that a part of the problem is that people may present specific biological arguments and it is difficult to individually adjust those assumptions. Taro E. asked about the mapping in zone 4 and 5 with the concern that a 300-foot buffer may overtake several parcels. Rich explained that looking at Elk Grove, it seems as though the majority of the preserves along Laguna Creek are already established. He offered that perhaps this fact could be explained in the document.

It was asked if the conservation strategy proposed in this chapter would apply for Corps 404 requirements and that there would not be an additional layer to meet those regulations. Rich said the document was created to try and assume what the Corps may be looking for, but we still do not know. Kathleen Dadey said that before this becomes final, it is their hope that the SSHCP will include all that is needed. It may not necessarily include everything today, but it is the goal that the final document will encapsulate all of the Corps requirements.

It was again mentioned by Larry Larsen that there may be specific preservation identified along a creek and how that may work on the ground. Kathleen noted that this was returning to the mapping questions. Kate Wheatley mentioned that she felt that this was an important question, particularly as it relates to the creeks because it is a fairly constrained and identifiable system. Rich noted that it was something that was recognized in developing the strategy. He offered as an example that there may be parcels that are two acres in size with a creek running through them, which would render the lot unbuildable with the buffer. He noted that they attempted to provide flexibility with averaging, but did not know if the answer had been achieved at this point. Larry Larsen asked how this tied together with the voluntary component of the plan. Rich said that this is the pitfall of what we're experiencing. He followed noting that it has been difficult to reconcile Corps permitting with specific stream set asides. Taro mentioned that a 300-foot buffer on streams inside the City boundaries may be contradictory to General Plan policy. Rich emphasized that this is a voluntary plan, but if you want the 404 component, then it isn't so voluntary with respect to the stream corridors. Jesse Wild interjected stating that the SSHCP is voluntary in that you can either receive a permit via the SSHCP and do as the plan prescribes, or contact the regulatory agencies individually as is currently done. Larry Larsen again spoke to the benefit of having a map that would specifically outline the conservation objectives and measures described in the conservation strategy. Rich stated that he was not apposed to a map, but that there are other considerations that make a detailed map difficult to present.

Paul Junker commented that it is great that this is a voluntary plan. He feels it is good that a developer may go to the agencies and negotiate a permit individually. Paul said that it was voluntary, but the Service may require people to comply with the SSHCP anyway. Jesse Wild said that it was more like trying to create a regional strategy and implement that consistently. Paul felt it was disingenuous to say the plan was voluntary if the Service may require consistency with the SSHCP. Paul was uncertain how this process may play out for projects currently in the process of applying for permits.

He followed to ask how cottonwoods and mine tailings may require something in addition to the standard mitigation in the SSHCP. He asked what the nexus was for those folks to pay for the standard HCP mitigation plus 0.5:1 mitigation for the cottonwood woodlands. Rich explained that the HCP cover-types map shows the mapping of the cottonwood woodlands in the 'slickens' between mine tailing areas. He explained that the mine tailings areas would not be mitigated through the plan and that the cottonwoods would be mitigated at a 0.5:1 ratio predominately because of valley elderberry longhorned beetle, raptor, and bat species. Paul's understanding was that they would pay the base fee plus an additional amount. It

was explained that the plan only proposed paying the mixed riparian woodland/riparian fee for impacts at a 0.5:1 ratio. It was agreed that the language would need to be clarified. Vince asked if there was a specific reference that Mr. Junker had seen that should be adjusted. Joyce Hunting replied that they would have to get back to the County on that. She also wanted to clarify the fee structure. Rich explained that there would be a base fee for upland type habitats and a tiered fee for more wetland and riparian habitats. It was further clarified that the concept of a 'base fee' was misleading. It is more appropriate to say that there are varying fees based on the impacted habitat. John Hodgson pointed out that this is also only a very preliminary look at the fees as a lot more math has to be done in the economic analysis.

Kate Wheatley asked if there was a point later in the process where people could provide data that shows that a reduced buffer is appropriate. Rich again mentioned that he is willing to talk to anyone regarding the preserve system inside the UDA.

It was asked how averaging works along stream corridors if there is a minimum (see pages 68 and 69).

Paul Junker asked about low impact development standards and how they would be incorporated into the plan. Rich referenced new development standards that the County Department of Water Resources has produced. He said that this would be a starting point for discussing development standards in a later chapter, plan conditions. This chapter is intended to help satisfy potential 404 and State water resource issues.

Robert Uram, asked about measuring the stream buffers from the stream centerline rather than the bank. Kathleen Dadey said that because the buffers were somewhat wider than typically required, they may be fine with measuring from the centerline of the stream. She indicated that she would send it up through the management chain. Dan Gifford pointed out that the centerline was the practical solution as it is easily calculated. Robert Uram requested a written statement from the Corps for this as it is contrary to their standards.

The next section to review is the valley grassland section. Larry Larsen asked for another definition for valley grasslands. He said it seemed to include everything. Dan said that discrete polygons were needed to calculate take. So, the mapping, consistent with the veg-types, will dictate what valley grassland truly is. Rich explained that the GIS data is available on an ftp site and people can access it by contacting Vince at kingv@saccounty.net.

Rich moved onto seasonal wetlands (pg 7-36). He explained that the areas identified were largely based on where the WADI index directed vernal pool conservation. It was then determined if those areas then captured the other wetland objectives. He said that they had also looked at individual species. Vince pointed out that greater sandhill crane for example dictated much of the seasonal wetland preservation in zone 9 as it is a habitat the cranes require during their annual migration. Joyce Hunting clarified that these were non-vernal pool wetlands and that seasonal wetland were not assumed to house vernal pool species. Robert Uram noted that it seemed to be a steep mitigation measure and wanted to know where the calculation was determined. Rich replied that it was largely based on the vernal pool strategy. Jesse Wild noted that the 3:1 ratio had not been addressed by the Service.

It was asked how swales were handled in the plan. It was explained that swales were difficult as there are those within vernal pool complexes that may support vernal pool species and those that were not, but the mapping does not distinguish between them.

Bob Shattuck asked if there had been any attempt to reconcile the overall conservation ratio of 1:1 considering that there are ratios greater than 1:1. He wanted to know where the plan stood in regards to that guiding principle. It was offered that a possible solution is to reduce the total grasslands by the increased amount from higher wetland ratios. Rich explained that this had not yet been done. Rich explained that we would have to figure out with the economic consultant how to reduce the upland acreage and then how to adjust the fee system.

Larry Larsen then asked about the above and beyond component. Rich explained that the SSHCP would have an above and beyond component and it was still important to solidify how funding for the additional conservation would be guaranteed and/or if it must be guaranteed.

John Hopkins reflected back to the big picture of 1:1 conservation. He said that it would have to be worked out at a big picture level. Dan Gifford asked if Mr. Shattuck was suggesting that vernal pools could be filled and mitigated at one to one. Mr. Shattuck replied that this was not the intention, but the guiding principle was to have an overall ratio of 1:1. Robert Uram explained that his understanding was that the ratios for some habitats would be higher, but that would be absorbed by lower ratios in another habitat to reach an overall 1:1 conservation ratio for mitigation. It was suggested that the additional acreage could be shifted towards the above and beyond and paid for with a different source of money. Vince clarified that the overall mitigation ratio is currently close to 1.15:1. He also noted that some reconciliation of the ratios has been done as cottonwood woodland has a lower ratio and if any further reconciliation was to occur it would be perhaps a 0.9:1 valley grassland ratio. Dan Gifford felt that when speaking about gross acreage, 1.15:1 was grossly equivalent to 1:1. Larry Larsen said that there is a way to adjust the numbers to get to an overall 1:1 ratio, but the Service and Department are saying that biologically that is not supportable. Sam Miller said that he was not certain that was what Mr. Gifford had said. Jesse Wild felt that the wetland acres would not affect the ratios for the grassland component. Bob Shattuck said that once standards are set for maximum density for pools, a few hundred vernal pools could drive thousands of acres of grassland conservation. Jesse Wild explained that if we conserve in highly dense areas, then we would be encompassing the upland acres that is needed via the mitigation ratios. Dan noted that a lot of the highly dense stuff is within the build area, so options are limited. Dan said that, like the gross assumption that take would occur inside the USB and preserves outside, he understood the principle to mean that overall the ratio would be grossly equal to 1:1, meaning it would not be 2:1. Sam Miller noted that this was something that could be worked out here in the group and Rich noted that the distinction would affect 1,500 to 2,000 acres. Rich said that we could show some numbers to see exactly what is occurring.

Robert Uram asked if the acreage of a vernal pool within a grassland area was subtracted from the overall grassland acreage. Vince replied that the acreage for each habitat was clipped so there would not be overlapping acreage. Robert Uram felt that wetland acreage could be counted towards the overarching grassland habitat type. He felt that they could be counted as both grassland and as the wetland type. Vince replied noting that the vernal pools are a driving force behind the grassland conservation and based on existing vernal pool densities, preserving 254 acres of vernal pools may require preserving grassland beyond what the current ratio requires. Changing the conservation ratios may not have an impact of the ultimate conserved land. Mr. Uram provided an example of conserving Swainson's hawk habitat where one may be required to remove wetland acres from the conservation easement, when he felt that those areas may provide suitable habitat for many of the wetland species. Vince replied stating that when looking at an individual species, particular habitats may not support that species and in the broader context of the SSHCP those habitats will be counted. There was clarification as to how the acreage was accounted for and

that applying the method Mr. Uram proposed may increase take and conservation needs and result in double counting acres.

Rich shifted the discussion to oak and oak savannah. Rich explained that the impacts to this habitat may be very limited, but to cover the species in the SSHCP, additional conservation may be needed. Paul Junker asked why additional coverage would be required if the impact is low. Rich explained that, especially with the raptor species, foraging habitat may be impacted significantly but the nesting component may not receive much preservation. He felt that it would be difficult to address the regulatory agencies needs to provide for those species if only an aspect of the species habitat was receiving preservation dollars and acres. He explained that protecting substantial areas of blue oak woodland is necessary to provide a comprehensive strategy for many of the SSHCP covered species. Larry Larsen clarified that the over and above would not be paid for by mitigation dollars. He also asked if one could receive mitigation credit for the additional conservation. John Hopkins clarified that the dollars that would be used to purchase above and beyond conservation could not be used for mitigation and could therefore not be counted toward mitigation credit. Bob Shattuck asked that there be an explanation within the document as to how the above and beyond conservation feeds into the overall conservation such that there are not padded conservation ratios. Mr. Shattuck explained that his understanding was that they did not want to create a disincentive to cut support for conservation organizations as they would be competing for the same conservation lands. Paul Junker asked who and if a group would be obligated to achieve the above and beyond and if there were repercussions for not achieving the conservation measures. Rich acknowledged that those were good questions which have not entirely been flushed out. Jesse Wild noted that there is also an opportunity for Federal money. She felt that the above and beyond would help with the biological opinion. Paul Junker asked what would occur if the Federal funding disappeared. He asked if the participating jurisdictions would be required to fund the conservation. Dan explained that the San Joaquin HCP required funding assurances (i.e. funding was driven by mitigation dollars). He said if there is no assurance for money it would not be written into the implementing agreement. Paul said he didn't see how it could then be counted on in the biological opinion. Rich said that he is looking at funding sources today to see if money can be secured for the above and beyond portion, but clarified that it will not be an obligation of mitigation. Dan explained that it was included because they intended to do the right thing. Rich noted that this was another topic for conversation. John Hopkins mentioned that at a multi county level there are things being done to bring more money into the region for conservation.

Rich continued explaining that the cropland portion of the plan was based on species such as Swainson's hawk, Sandhill Crane and Giant Garter Snake. He said that farmland maps showing soil types conducive to alfalfa were used to create polygons of desirable areas. Vince added that parcels less than twenty acres, linking regional preserves, and general conservation principles were other criteria used to create the desirable preserve map. Sam Miller commented that crops that are not economic, not withstanding parcel size won't be grown. Stan Van Vleck added that a section referred to Swainson's hawks foraging over irrigated pasture only on an occasional basis and felt that this should be amended as he was informed that irrigated pasture was of higher value to the hawks for foraging (pg. 7-45). Stan felt it was important to check with Jim Estep on that point.

Kathleen Dadey asked for a definition of irrigated pasture. Vince replied that it is ground that has been put into agricultural production and irrigated. Stan clarified that there is both dry and irrigated pasture.

Sean Wirth added that the cropland table could have carbon sink, evaporative cooling, and hydrogen reflection. Vince noted that we had received these comments in the Bio-sub and could be incorporated from the agricultural notes.

It was clarified that the twelve thousand cropland acres was based on the SSHCP cover-types mapping and in cooperation with the cities regarding areas that may have already been permitted.

Stan Van Vleck had several comments to address. On page 7-64 he felt the reference to land free of fences as a criteria point for priority preserve areas may not be warranted. He asked what species this may have been for. Vince replied that he believed it was for Greater Sandhill Cranes. Stan noted that agricultural lands have fences as a part of their nature and this criterion may play against preserving agricultural lands. Sean Wirth added that he was not aware of any literature referring to fences that may be an issue for cranes, but suggested that a large fence may provide a barrier.

Mr. Van Vleck then asked about freshwater areas (pg. 7-66). Vince explained that this may have been a typo and should read freshwater marsh. John Hopkins suggested that this was driven by Tri-colored Blackbird and may not be needed at all. It was noted that freshwater marsh may or may not be seasonally inundated.

On measure 27 (pg. 7-70) Stan wished to clarify that preserves will not be bisected by new paved infrastructure roadways.

On measure 38 (pg. 7-76) he felt that money could be better spent by purchasing existing high quality woodlands rather than perhaps revamping woodland areas that may be degraded as it would support existing biology. He felt that there would be a lot of man hours used to conduct the restoration that could perhaps be saved by purchasing easements on existing woodlands. Rich agreed that the SSHCP will be targeting existing woodlands, but there will need to be linkages in areas but suggested looking at the economics of that.

Sam Miller mentioned that on page 7-71 there was a point made that referred to restoration of vernal pool acres inside the UDA and he wasn't sure if this could be achieved. Rich explained that as the measures are created they are checked to ensure they can be accomplished. Rich encouraged everyone to go through the measures to check to make sure they can be implemented.

Larry Larsen asked to clarify that the cropland acres that were needed for conservation were based on impacts within the UDA. Rich replied that they were. Larry questioned if all the land would have to be achieved in year 50 when the last acre gets developed and if the conservation land had to be equivalent to those taken. John Hopkins felt that rough equivalency was important and that it was important to ensure some habitat would be conserved for all the species. Paul Junker suggested that it is relatively easy to track this through an annual report, but it would be difficult to achieve on a project by project basis. Rich added that this was one of the major reasons why the plan had moved away from a land delivery system. John Hopkins noted that there may be opportunities to do something positive that only supports one type of habitat, but in the long term may be really helpful.

Kate Wheatley asked about isolated wetlands and if the regional board would participate. Rich said that they were trying. John Hopkins felt things were getting better on this regard. He felt that an important issue will be the work the State board started on wetlands and riparian areas. He felt that if the State plan

emphasized huge avoidance it may cause problems and that the State board should understand the deleterious effects of isolated avoidance.

Jesse Wild mentioned that she had placed a general timeline for the process of doing an HCP on the back table. Jim Ray asked when one could start the first steps. Jesse said that the SSHCP had already taken many of the first steps and was currently at the Initiation of environmental review step circled on the handout. She said the NOI could be done at any time and would be the next step and she was recommending that they begin the process. It was clarified that the EIS was the Service document.

6. Recap Assigned Tasks

Rich mentioned that we would need comments on chapter 7 and suggested a month from the meeting date for comments. Paul asked if the larger concerns would be worked out in that timeframe. Rich said that there may be a lot of textual changes to the chapter that could be made, but the larger issues would be continued. Joyce asked if the key issues needed to be outlined. Vince requested that large issues be included as comments in an email or word document and that text changes could be included as track edit changes in a word document. Robert Uram asked about the action items from the last meeting. Rich replied that those were being worked on, but had unfortunately been set aside to deal with other issues. He clarified that responses had been drafted for about half of the comments. Vince offered to create and distribute another list from that day's meeting. John Hopkins asked if Federal EPA comments were expected. Kathleen Dadey added that Paul wanted to be kept in the loop. Rich explained they were working on scheduling the 404 meeting to be sure to include the key individuals. Kathleen wanted Mike Jewel to be included in that meeting. Robert Uram asked if a general announcement would be made. Rich explained that at the last meeting a list of individuals to be included was made. Vince noted that those individuals included permitting agencies, permit holders, and the SSHCP Steering Committee Chair and Vice-Chair. Mara Bresnick asked for it to be open if only for observation. Rich said that the idea would be considered.