SANTA CLARA VALLEY

HABITAT CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN

Stakeholder Group Meeting | March 27, 2007 | Morgan Hill Community & Cultural Center

IN ATTENDANCE:

Stakeholder Group Members:
Keith Anderson (South Valley Streams for Tomorrow)
Nancy Bernardi (Guadalupe-Coyote Resource Conservation District)
Jack Bohan (representing General Public)
David Collier (Sierra Club)
Craige Edgerton (Silicon Valley Land Conservancy)
Justin Fields (Santa Clara County Cattlemen's Association)
Sequoia Hall (Santa Clara County Open Space Authority)
Jan Hintermeister (Santa Clara County Parks and Recreation Commission)
Rick Hopkins (Home Builders Association of Northern California)
Virginia Holtz (League of Women Voters)
Peter Mirassou (Agriculture/Landowner)
Bob Power (Santa Clara Valley Audubon Society)
Kenn Reiller (Pajaro River Watershed Council)
Robert Rohde (Natural Resources Conservation Service, San Benito & Santa Clara Counties)
Brian Schmidt (Committee for Green Foothills)
Jack Sutcliffe (Santa Clara County Farm Bureau)
Carolyn Tognetti (Save Open Space Gilroy)
Lloyd Wagstaff (The Nature Conservancy)
Kerry Williams (Coyote Housing Group

I. WELCOME & INTRODUCTIONS

Joan welcomed the group and thanked members for being willing to come to another extended meeting to address the science advisors' report and the landscape-level biological goals and objectives (BGOs). She introduced several guests including: Wayne Spencer, Jerry Smith, Melissa Hippard, Michele Korpos, henry Cohetto, Roger Custillo, Joshua Goodwin, Richard Malupo and Tanya Diamond

II. PRESENTATION ON THE SCIENCE ADVISORS' REPORT

Dr. Wayne Spencer presented the science advisors' report that was completed in December 2006 and shared with the Stakeholders in January 2007. Wayne was a member of the group and often serves as the group's representative when making presentations regarding the report. Wayne started his presentation by noting that beginning in 2002, NCCPs were required to have scientific input to ensure that they were based on best available science. The role of advisors is to advise—bring relevant facts to then table. There is no legal mandate to follow the recommendations.

The advisors for this HCP reviewed scientific data available at the time. They looked at the scope of plan, geographic area, etc. to see if this made sense. They developed a number of suggestions on how to improve maps, how to monitor the reserve system, and more.

The science advisors underscored that this is not just a plan to get permits to take threatened and endangered species. It is also designed to improve threatened communities. For instance, in the case of steelhead, the historic vegetation and aquatic area was very different from what it is today. However, some endangered or threatened species now require the new habitat. How do you strategize to both protect or expand habitat and restore historical habitat?

With respect to geography, they recommended that the group not restrict the analysis of the plan to the plan boundaries. There are downstream effects of what you do, and of what others are doing upstream.

The advisors also recommended adding top carnivores that have overall effects on community to the plan as planning species. Virginia asked if cougar and mountain lion could be used interchangeably; yes, they can, as can puma.

Troy noted that the recommendations of the Science Advisory Committee would be adopted with respect to large-scale planning using top-level species, but that these species would not receive the same treatment as the protected species.

The science advisors also reviewed covered actions. A stakeholder group member asked if the plan proposal to mitigate impacts based on existing regulations was sufficient. Troy noted that based on the conversation at the last meeting, it seems clear that it is not sufficient, but we need to develop an alternative plan to accommodate changing regulations.

The HCP covers two separate regional water districts' jurisdictions—how can we accommodate the differences when we're trying to be consistent within the plan? Troy responded that this is a problem for a number of projects—the two sets of regulations will need to be reconciled. This may happen at the state level. The benefit, though, is that this can spur long-term reconciliation of the guidelines and regulations.

Exurban development can also lead to greater groundwater pumping, which can affect the water table.

Species distribution is very complex—it's hard to know whether the data are accurate. Private lands may not have accurate data available for them, either. The best way to know is to model the potential habitat of the species. You need to overlay the various data. However, this is oversimplifying how nature works—you may under or overestimate the species habitat. It's difficult to prioritize where a species is most likely to occur. The plan should acknowledge the uncertainties and account for them. You can then build into your monitoring plan ways to reduce the uncertainty.

Baseline surveys will be critical for knowing what's there now and how it's affected by future development. Can the science advisors recommend some specific umbrella species that can serve as planning species? Perhaps the plan could then focus on these, or potentially other outside groups could focus on these.

The advisory group also recommended that the HCP coordinate closely with the CA Native Plant Society and other groups. For instance, the Burrowing Owl Society is doing a statewide survey. Jones & Stokes is coordinating with them to ensure that their data are integrated into the plan.

Kenn Reiller recommended expert-based approaches to the modeling. There are very few species for which you can build good statistical models—expert opinion-based models are okay. You can supplement this with GIS data to flesh it out. These don't get combined equally, though—the elements are interdependent.

Models change as new data become available—*e.g.*, burrowing owl model. We identify the problems and fix them, or change the methodology. You can create an uncertainty map by weighing the various approaches, too.

One guest asked if indicator species would be added. Troy responded that any number of planning species can be added, although it is unlikely that any additional covered species would be added. However, the plan can always be amended. The guest specifically wondered about lamprey and King salmon, which could be good indicators for the watersheds in the downtown San Jose areas.

Rick Hopkins noted that there was a discrepancy between the science advisors' report and the Jones & Stokes modeling approach. It was noted that statistically-driven models can be dangerous, but there is also bias with expert opinion models. However, the point-based model may skew your view of where a species is.

David Collier asked how much data the advisors had had access to, and wondered whether they were made aware of the stakeholder group's conversations around degrees of uncertainty. The advisors in general thought the uncertainty needed to be better acknowledged and addressed.

On the conservation design approach, the advisors recommended looking into reserve selection algorithms. This helps prioritize what's most important to protect based on goals and cost functions. It may also reveal things you never thought of, and helps you avoid missing something important. The computer can design reserves that best achieve the goals. However, it won't really design the reserves—you must make the connections yourself.

Finally, you can't use urban limit lines and General Plan guidelines as limits—unless it's permanently protected and can be accessed for management and monitoring, it doesn't constitute part of the reserves. How solid are the green lines?

The team should do a careful analysis of how the plan will affect species in the study area—this must be systematic (though it may not be feasible to be quantitative per se). How many individuals is the key—not how many acres. If the numbers aren't available, the plan must be able to say whether they will increase or decrease. Maybe you're shrinking the habitat, but better managing what's left to help preserve the species.

The advisors felt it was early for an analysis of monitoring/management—perhaps the team should reconvene as a group at milestone points to review the final plan and goals.

Peter Mirassou wondered what the recommendation on non-native species was. The group recommended mapping, managing, and monitoring exotic species.

Sequoia wondered about specific areas of geographic concern, including Coyote Ridge and serpentine grasslands. Based on collective brainstorming of the advisors, the group suggested looking to Coyote Valley, where there's restoration potential.

Key definitions are included in the advisors' report. The advisors also wondered about the data sources. Kenn Reiller asked if other models—ground water, etc.—should be included in the appendices. Yes, if they're well constructed. Deterministic models will help predict future conditions.

David Collier wondered about the conflict between the science advisors' report and Jerry Smith's recommendation that the HCP deal with issues that affect riverine areas, rather than acquire those areas. Jerry noted that if you can acquire the whole floodplain—sure, do it! But you often can't do this. Focus on terrestrial habitat where you can.

The historical versus protection-oriented models seem to confuse things—how can we sort this out? Perhaps the original habitat wasn't quite the same—but you're making up for other habitat you've taken away. There may also be legal mandates providing some direction (*e.g.*, steelhead).

Brian asked about Tulare Hill—is this a potential future corridor or an existing corridor? Not clear, though it may be functioning as a corridor for some species now. Data are not yet available.

Peter Mirassou wondered if area parks could also be incorporated into the habitat protection areas.

III. PRESENTATION ON LANDSCAPE BIOLOGICAL GOALS & OBJECTIVES

Troy Rahmig of Jones & Stokes presented an overview of the landscape BGOs, and then led a review and discussion of these goals and objectives.

IV. REVIEW AND DISCUSS BIOLOGICAL GOALS AND OBJECTIVES

Table 6: Ecosystem/Landscape BGOs

Goal 1:
Kenn Reiller noted that it was important to distinguish restoration of areas where restoration would be negative—*e.g.,* riparian areas below dams. Maybe we're actually rehabilitating or enhancing—not restoring. Pat noted that people recognized that it was wrong, but wanted the language to be in keeping with the law. We can also define these terms in the plan in a way that accommodates these uses. Lloyd noted that CEQA has essentially co-opted the term enhance, so perhaps we should keep our use of it in sync with the CEQA use.

David Collier suggested using active language wherever possible—"will," for instance, instead of "large enough to" accommodate natural processes. We may need to be proactive in our actions, so we should provide for this.

A group member asked for a clarification on the reference to the study area—this refers to the plan study area, not any additional study areas.

Someone asked what a semi-natural habitat was. This might include an area like a golf course, where some species will find suitable habitat , but it's not natural. Alternatively, it might refer to an area that is no longer a natural habitat (downstream of reservoirs, for instance) but still supports species. You might have to adapt management practices to accommodate the area's alternate uses.

A group member suggested adding language about habitats to clarify that we're talking about changes over time.

One stakeholder wanted a reminder of how information was flowing between this process and the Coyote Valley Specific Plan process. The CVSP will not be a covered activity, but will be part of the cumulative impact review process. The group noted concerns about establishing migratory corridors and other common elements.

Virginia asked whether the science advisors' report would be turned over to San Jose for Coyote Valley planning. Yes, they have all of this material, though they also have their own advisors—however, they're not doing an HCP, so they don't have the same science advisor panel.

One member noted that the objectives seem almost to be final outcomes, and perhaps they should be more focused on process. Since the landscape goals follow the more detailed goals, they're intended to be rather broad.

Pacheco Creek (and Pacheco Dam) is also a concern—but remember that it's privately owned, so the Water District doesn't have a lot of control over this.

Goal 2:
Some of the covered and planning species will come into play here as corridors are established. David Collier noted that connectivity issues need to be explicitly called out. He feels that the section needs reworking. Valley floor connectivity is also a concern—it is mentioned in actions, but not in objectives.

Craige noted that the Coyote Valley Specific Plan should coordinate with the HCP. A key concern of Fish and Game on the CVSP is the wildlife connectivity question.

Keith asked about Action L—would this include opportunities to work with private landowners for restoration work, or is it limited to reserve lands? Yes, this might be a strategy for this restoration work. Language should be broad enough to include deed restrictions, etc.

Many barrier issues in the Valley area are also associated with Highway 101.

There was a question about the bridge over 101 and whether converting it to a wildlife bridge would close it to foot traffic. Yes, if this happened—but we'd have to balance this with the human users of the bridge. One stakeholder asked what the bridge over Monterey Road was. This is the Metcalf bridge over 101.

David Collier asked about the actions, which refer to miles or acres of land or stream. How do we define riparian? We haven't done this well yet, but we're working on it. We might consider the hundred-year floodplain, or some other method. This needs to be clarified. There's also a county and city policy on this, as well as a biological recommendation (600 feet out from the stream).

Goal 3

Keith feels Goal 3 is especially important because it involves biological diversity—but the objectives seem to be for actions within the reserve system only. Perhaps the goal should extend beyond the reserve lands.

This is clearly ideal, but there may be limited opportunities to do this on properties we don't have say over. So, yes, we can strive to include those lands, but the reality is that the only sure steps we have are the actions we take on our own lands.

Craige asked about diversity—what about areas where we want a monoculture? Troy responded that in general the plan avoids the term for that very reason—we don't always truly want diversity in terms of species richness.

Lloyd noted that the hundred-year floodplain might work in some of the county, like in the upper Pajaro watershed. The HCP should be in keeping with Water District and County policies in these areas.

David Collier wondered about scenarios where we might want agricultural land to flood—maybe we can have a flood easement, for instance. Is this outside of the reserve system?

What about the possibility of collaborating with ranchers? Something like annual grassland would be infeasible, but it will just depend on how much money we have available for this.

Status of Tables

There has been follow-up on several species with respect to modeling and how we're thinking about the species (*e.g.*, burrowing owl). All tables will change format, but content won't change.

This will be: landscape-level and then separate tables with wildlife, plant, etc. objectives so that people with specific interests can find those areas easily. Chapter Five will put text around these suggestions.

These chapters will all come back to the group in the future for further review.

One stakeholder asked if the kit fox was still a covered species. Yes!

V. PUBLIC INVOLVEMENT ACTIVITIES

Karen Molinari of Jones & Stokes presented the status of public involvement activities. The May 10th public meeting is cancelled. There will be a meeting in September instead.

She asked whether the group wanted to hold the stakeholder group and public meetings on the same day. Alternatively, there's a Thursday evening available. The group preferred to hold them on the same day, Wednesday, September 26.

Karen asked for other feedback or suggestions on public involvement. Craige suggested a oneliner to explain what an HCP is: "In the same way that cities design cities—housing goes here, industrial goes here, etc.—the HCP is designating a zoned area for wildlife."

Others noted that it would be good to have a source file of slides for presentations that are generic (*i.e.,* not prepared for any particular presentation). Even people who are active in the environmental movement don't necessarily know what an HCP is, so it's important to keep doing these presentations to get the word out.

Karen asked members to peruse the website for more information, and to encourage groups and the media to view it.

VI. UPDATE ON MANAGEMENT TEAM ACTIVITIES

Ken described the reasoning behind the cancellation of the May 10th meeting. The timing would encourage taking materials to the public before they were thoroughly discussed by the Stakeholder Group and decision makers. Thus the information avalable for May 10th would have to be quite general and oriented to future more specific informaiton. Ken and the Management Team believed this timing did not support what we want to accomplish in terms of involving the public.

VII. PUBLIC COMMENT ON NEXT STEPS

Craige reminded people of the Coyote Ridge tour, and noted that his group could do tours for other groups as well—just let him know!

The Sierra Club, Audubon Society, and Committee for Green Foothills are hosting an event on Sunday, May 6th on Coyote Valley wildlife. The event is designed to raise public awareness of wildlife in the area.

The next meeting will be at the usual time (4:00 to 6:30) on April 24, 2007.