

## SANTA CLARA VALLEY

### **HABITAT CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN**

*Stakeholder Group Meeting | October 23, 2007 | Morgan Hill Community & Cultural Center*

#### **IN ATTENDANCE:**

##### *Stakeholder Group Members:*

Nancy Bernardi (Guadalupe-Coyote Resource Conservation District)  
Kevin Bryant (California Native Plant Society)  
David Collier (Sierra Club)  
Craig Edgerton (Silicon Valley Land Conservancy)  
Justin Fields (Santa Clara County Cattlemen's Association)  
Jan Hintermeister (Santa Clara County Parks and Recreation Commission)  
Virginia Holtz (League of Women Voters)  
Rick Hopkins (Home Builders Association of Northern California)  
Bob Power (Santa Clara Valley Audubon Society)  
Bob Rohde (Natural Resources Conservation Service, San Benito & Santa Clara Counties)  
Brian Schmidt (Committee for Green Foothills)  
Jack Sutcliffe (Santa Clara County Farm Bureau)  
Lloyd Wagstaff (The Nature Conservancy)

#### **I. WELCOME AND INTRODUCTIONS**

Joan introduced the day's agenda, noting some topics that would be moved to November. She also noted that Kenn Reiller, Keith Anderson, Jack Bohan and Sequoia Hall could not attend. Stakeholders and attendees introduced themselves.

#### **II. CONSERVATION STRATEGY ISSUES**

Joan distributed copies of the Liaison Group packet for the group to review. Many of the items discussed by the Liaison Group were also on the meeting agenda and Ken Schreiber would be leading the discussion on these items.

The packet included notes from three days of meetings with the wildlife agencies in September.

One concern is vineyards, since the wildlife agencies agree that vineyards have many negative effects on the environment. This is not necessarily true of all vineyards, but many. The wildlife agencies would like to see vineyards covered so that best management practices can be developed. In general, there has not been a lot of vineyard development in the County in recent years.

The group also discussed wildlife linkages. There were two conclusions: 1) rather than trying to put a lot of attention on a lot of locations, it's more effective to put the attention on the highest need areas, and 2) we don't know enough about connectivity for wildlife in this area, so it's hard to know what the most effective steps to enhance connectivity would be. The recommendation is that the HCP include a wildlife connectivity feasibility study. This would be a \$500,000 multi-year study that would yield enough information to indicate where money is most effectively spent. For instance, what kinds of enhancements could improve connectivity?

There are three primary corridors that stand out for further study (across the Valley in the mid-Coyote area, across Highway 152 east of Gilroy and from Coe across the Valley to the western hills). There were concerns

about whether the areas had large enough areas to accommodate all wildlife in need of connectivity. David Zippin noted that for some wildlife species there would be enough area, but for others there might be problems—this is one reason that more extensive study is extremely important. Lloyd asked how the uncertainty and study process would be reflected in the EIR for evaluation of the HCP and its efficacy.

Some stakeholders noted that many of these decisions are based on professional judgments. In some cases, knowing that one species uses an area for connectivity may not be as important as determining whether other sensitive species also use this area.

A stakeholder asked for clarification on the areas covered by the feasibility study: The study will only address the three designated areas.

Lloyd expressed concern that this is creating a weakness in the HCP—while other corridors may be dealt with through the Coyote Valley Specific Plan, the HCP can't assume that those mitigations are meeting species' needs. David Zippin noted that this was not a presumption in the HCP at all.

The group also discussed credits for existing open space preservation and enhancement. This will be a critical piece to include in the plan, since the local agencies don't necessarily have the resources to do this outside of the plan. There will be notable recognition for using and enhancing existing open spaces as part of the reserve system.

How do you prevent local agencies from using HCP in place of—rather than in addition to—their own funds? David Zippin acknowledged that this was a problem, but noted that some agencies like State Parks are spending virtually no funds right now, so this does not seem to be a threat. County Parks is spending only a third, roughly, of the amount the HCP might want to spend on the same land. How will this be monitored, however? This is a key issue to resolve.

David Collier brought up the question of an additional unfunded mandate that may be on the books—the HCP should not step in to fund these. David Zippin clarified that these are not unfunded mandates—they're simply broad goals that the agencies do not have funds to meet.

Lloyd noted that the Nature Conservancy is concerned about the conflict between money spent on management and money spent to protect land. Any management should be visionary, not mundane. Enhancement shouldn't be scotch tape—it should be at a landscape scale. David Zippin observed that the goal is to do both. He noted that some of the management is already visionary: for instance, how the County fights wildfires, which is very effective in contrast to approaches in other parts of the state that have a greater effect on the landscape. The reserve system will have an innovative approach to firefighting built into it.

David Collier wondered what our definition of enhancement in the plan actually is. David Zippin noted that adaptive management will be applied to all activities, whether they are enhancement, monitoring, restoration, or anything else. David Collier wondered what it would be considered if HCP funds are used to remedy problems related to a drought. Is this restoration or enhancement? This would generally be remediation—correcting a problem, whether it is due to the original planting or to external factor.

Justin shared comments on the language in the plan, including the preferred order of grazing animals.

David Zippin provided an overview of some of the expected concerns around the high-speed rail and how they might affect the plan and the reserve system.

David Collier wondered if there was additional information needed about changing areas that would affect plan priorities. Probably not—any future work there will need to respect the plan activities there. New projects will follow the HCP's lead, even if they make decisions before the HCP's approval, since they will nonetheless need the approval of the wildlife agencies, who know what the HCP will be providing in these areas.

Craige wondered whether there might be competition among land acquisition agencies for prime reserve land, if more funding becomes available. David noted that HCP would likely not fund a land acquisition alone—it would probably be done in partnership with a state or county agency.

### III. FUNDING OVERVIEW AND PLAN IMPLEMENTATION COST ESTIMATES

David Zippin discussed major funding resources. This touches on the NCCP component of the plan—developers are paying for mitigation of impacts, but additional funding is paying for recovery rather than mitigation. Whether or not funds will be earmarked for certain activities is not yet clear. In other plans, the money is all pooled and then spent on projects as needed.

There are also some strategies to build in the identification of funds within the first, say, fifteen years of the plan. Some of the existing plans also provide good comparables for reference.

David Collier was concerned that the plan not point to parklands as mitigation. How can this be reconciled with new lands that the parks agencies might purchase? How can you distinguish between lands that might be purchased anyway and those purchased because of the HCP?

Bob wondered what the gap in funding typically was in HCPs and what the wildlife agencies were generally comfortable with. In the East Contra Costa Plan, the only model, the threshold is 20 percent. David Zippin feels that this plan could go further, however, since so many of the actions are directly related to recovery.

One stakeholder expressed they were uncomfortable with leaving post-permit funding open, since it seems unclear where this funding might come from, given the County's history of taxing itself. He would prefer that funding be found upfront. Some other stakeholders agreed.

### IV. INTRODUCTION OF CRITERIA FOR PLAN IMPLEMENTING ENTITY

Ken Schreiber introduced ideas around the implementing agency. The plan must at least make a recommendation on this, and would ideally go beyond. This will be discussed more extensively at future meetings.

### V. PUBLIC COMMENT AND NEXT STEPS

The December meeting will be held on ***Tuesday, December 11, 2007*** at the usual time, due to the Christmas holiday. The January meeting will be held on ***Tuesday, January 15, 2008*** at the usual time to accommodate a stakeholder meeting in advance of the January Liaison Group meeting.