

Minutes from PAWTAC and ISAC Meetings

ISAC December 2, 2010

PAWTAC December 6, 2010

PAWTAC January 3, 2011

ISAC January 6, 2011

**MINUTES of the
EI DORADO COUNTY
INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN
STAKEHOLDERS ADVISORY COMMITTEE (ISAC)
December 2, 2010**

Members in Attendance:

Jamie Beutler
Bill Center
Francesca Loftis
Danny Marquis
Kathye Russell
Cindy Shaffer
John Zentner

Dave Bolster

Others Present

Kris Kiehne, SEA
Ethan Koenigs, SEA
Jane Layton
Rick Lind, SEA
Peter Maurer, EDC
Jordan Postlewait, SEA
Fraser Shilling, SEA
Bob Smart, SEA

Members Absent

Cris Alarcon
Kim Beal

Chair John Zentner called the December 2, 2010 meeting to order at 1:07 p.m. with four members present.

A. Approval of Minutes

Since no quorum was available, this item was trailed to later in the meeting.

B. Public Comment

There were no comments from the public.

C. Meeting Rules – Discussion and possible change to rules regarding what constitutes a quorum to conduct business as the ISAC

This item was also trailed to later in the meeting.

D. INRMP

1. Status report on process of project to date

Jordan Postlewait provided a status report and noted that the Wildlife Movement and Corridor Report was scheduled to be presented to the Board of Supervisors on December 7, 2010.

2. Presentation of, discussion and committee input on Administrative draft of the INRMP Implementation Options Report (Task 2.a)

With use of a power point presentation, Jordan Postlewait began review of the process to complete the report.

Danny Marquis arrived at 1:10. Bill Center arrived at 1:12. Their arrival constituted a quorum and business could be conducted.

Mr. Postlewait reviewed some of the new provisions that were added since review of first draft of the report. These included expanding the planning process and mitigation assistance sections, and identifying data collection and performance monitoring. Kris Kiehne then reviewed what other agencies are doing to meet wildlife habitat objectives. Most are relying on the HCP/NCCP process, although there are several non-HCP programs under way. The purpose of this review was to look at what other agencies are doing and see if there is any component of those programs that would work for El Dorado County. SEA compared the goals, contents, funding and other components and discussed how multi-jurisdictional areas coordinate. Francesca Loftis asked why the City of Placerville was not more directly involved. Discussion ensued on how other agencies could be more involved as we proceed with Phase 2.

Bill Center brought up the concern that the passage of Proposition 26 will make it more difficult for the County to simply enact a fee program to satisfy the mitigation requirements for projects. This could also make it more difficult for development projects to mitigate the effects of their projects. It was recognized that off-site mitigation is not possible without development fees. There was a great deal of discussion on this issue, including how the INRMP is intended to be applied to projects. Is it intended to be programmatic and look at the larger scale of development in the county or provide a framework for mitigating individual project impacts; will general plan amendments be required to implement the plan and to what degree are those amendments anticipated? The committee also discussed the relationships and differences between the INRMP and HCPs. Non-HCP programs reviewed include the Tuolumne County Conservation Handbook and the Sonoma County Agricultural Protection and Open Space District program.

Jamie Beutler arrived at 1:45.

Ethan Koenigs discussed Appendix B of the draft report and reviewed some of the approaches that could be used. He stated that components from different approaches could be combined and a hybrid program developed. John Zentner noted that there were no incentive programs identified in the draft. A discussion of incentives was held and there was general concurrence that incentives should be a component of the program.

Fraser Shilling then reviewed Appendix C, the strategy for developing the scope of work for Phase 2 of the INRMP. He noted that there are different ways to prioritize the programs. It could be based on geography, funding availability, or technical/procedural requirements. Implementation needs to be integrated into all other aspects of development and permitting, and General Plan implementation. Responsibility for on-going efforts also needs to be identified.

Rick Lind distributed a copy of a letter sent to the Board members, along with the attachment titled "Guidelines for Phase II – INRMP Preparation". He stated that he expected feedback from the Board and those comments would be included in the final draft of the report.

The committee then returned to Item A, minutes. It was moved by Kathye Russell, seconded by Jamie Beutler, to approve the minutes as provided in the agenda packet. The motion carried unanimously.

E. Committee member comments; next meeting agenda items.

Peter Maurer stated he was having difficulty finding a time to hold a joint meeting, and stated some members of PAWTAC were not interested in holding a joint meeting.

The issue of a quorum (Agenda Item C) was then discussed. It was noted that only seven members regularly attend. John Zentner proposed that the number of members that constitute a quorum be reduced to five. It was suggested that instead of changing the rules, that alternates be selected. John Zentner moved that staff contact the Board to suggest that alternates be appointed. The motion was seconded by Bill Center and carried unanimously. Staff was also requested to contact Cris Alarcon to determine if he is still interested in serving on the committee.

The meeting was adjourned at 2:50 p.m.

**MINUTES of the
PLANT AND WILDLIFE TECHNICAL ADVISORY COMMITTEE
(PAWTAC)
December 6, 2010**

Members in Attendance:

Sue Britting
Dan Corcoran
Bill Frost
Todd Gardner
Ray Griffiths
Mahala Guggino

Peter Maurer, EDC
Patrick Moeszinger, CDFG
Janelle Nolan, Roberson-Bryan
Jordan Postlewait, SEA
Fraser Shilling, SEA
Bob Smart, SEA

Others in Attendance:

Peggy Cranston, BLM
Tracey Eden-Bishop, EDCWA
Kris Kiehne, SEA
Ethan Koenigs, SEA
Rick Lind, SEA

Members Absent:

Jim Brunello
Jim Davies
Elena DeLacy
Jeremiah Karuzas
Valerie Zentner

The December 6, 2010 meeting was called to order by Chair Ray Griffiths at 2:10 p.m. with five members present. Todd Gardner introduced Patrick Moeszinger, who will be his replacement on the committee due to reassignments within his agency.

A. Approval of Minutes

As there was no quorum, the minutes were carried over to the end of the meeting.

B. Public Comments

There were no comments from the public.

Dan Corcoran arrived at 2:12. A quorum was present so the committee was able to conduct business.

C. INRMP

1. Status report on progress of project to date

Jordan Postlewait reviewed progress to date. He indicated the Wildlife Movement and Corridor Report would be presented to the Board of Supervisors on December 7, 2010.

2. Presentation of, discussion and committee input on Administrative draft of the INRMP Implementation Options Report (Task 2.a)

Jordan Postlewait provided an overview of the report changes accompanied by a power point presentation. He focused on the new items that were not in the first draft document. Kris Kiehne then reviewed Appendix A of the report, a comparison of programs that other jurisdictions have adopted or are preparing. Most are HCP/NCCPs. The Tuolumne County's Biological Resources Conservation Handbook appeared to be the most similar approach to what El Dorado County is undertaking.

Peggy Cranston of BLM arrived and Rick Lind introduced her. He indicated that she will be attending the meetings in the future to provide input on potential coordination issues between BLM programs and INRMP preparation.

Ethan Koenigs and Fraser Shilling reviewed Appendices B and C, respectively. Mr. Shilling noted that it is important for the County to establish clear goals and objectives for the program. This will dictate the prioritization and timing of future actions. Rick Lind distributed a copy of a document that was attached to a letter to Board members, entitled "Guidelines for Phase II – INRMP Preparation." There was discussion amongst the members regarding what this document was, how it correlates with the rest of the draft report, and what the Committee's role is in making a recommendation to the Board and developing the scope of work for Phase 2.

Sue Britting noted that the County needs to determine what the purpose of the INRMP is and how it will be used to address CEQA compliance for development projects. Discussion ensued regarding the following:

- PAWTAC's role in recommending a course of action to the Board of Supervisors
- CEQA and other regulatory compliance requirements for development projects and how the INRMP is intended to address those issues
- The need to identify the purpose of the plan:
 - What the County might be trying to accomplish with the plan
 - Is the intent to provide a "bullet-proof" program that will satisfy CEQA cumulative impact analysis requirements for impacts to loss and fragmentation of habitat for future development projects.

It was suggested that the Committee cannot proceed with further recommendations until the Board provide clear direction on how the County intends to use the plan. Dan Corcoran referred to a letter sent by Peter Maurer in 2008 describing the duties and responsibilities of PAWTAC. He suggested that a bulleted list of items to be addressed in the INRMP would be better than a more fully developed work program. Ms. Britting stated that Appendix B should be the main part of the report. The main text is too detailed.

On a motion by Sue Britting, seconded by Todd Gardner, the committee recommended that staff prepare an agenda item for Board consideration, requesting direction as follows:

Is the intent of the INRMP to:

1. Meet the mitigation measure requirements for the General Plan EIR;

2. Meet the requirements for project level CEQA obligations; or
3. Both.

The motion passed unanimously.

D. Committee member comments; next meeting agenda items

Peter Maurer indicated that he was unable to determine a date on which a joint PAWTAC/ISAC meeting could be scheduled, and that ISAC abandoned the idea. Bob Smart noted that members of the SEA team had attended last week's County Fish and Game Commission meeting and provided information to the Commission. Additional meetings are to be scheduled with the Transportation Commission and other entities. Sue Britting suggested that the Resource Conservation Districts should be added to the presentation list.

Since there was a quorum, Item A was addressed. Sue Britting moved to approve the minutes of November 1, 2010. Mahala Guggino seconded the motion which passed 4-0, with 2 abstentions.

The meeting was adjourned at 3:54 p.m.

**DRAFT MINUTES of the
PLANT AND WILDLIFE TECHNICAL ADVISORY COMMITTEE
(PAWTAC)
JANUARY 3, 2011**

Members in Attendance:

Sue Britting
Elena DeLacy
Bill Frost
Ray Griffiths
Mahala Guggino
Patrick Moeszinger
Valerie Zentner

Rick Lind, SEA
Peter Maurer, EDC
Jordan Postlewait, SEA
Fraser Shilling, SEA
Bob Smart, SEA

Members Absent:

Jim Brunello
Dan Corcoran
Jim Davies
Jeremiah Karuzas

Others in Attendance:

Kris Kiehne, SEA

The January 3, 2011 meeting was called to order by Chair Mahala Guggino at 2:03 p.m.

A. Approval of Minutes

Sue Britting moved to approve the minutes as presented. Elena DeLacy seconded the motion which passed 5-0 with one abstention.

B. Public Comments

There were no comments from the public.

C. INRMP

- 1. Status report on process of project to date**
- 2. Draft Goals and Objectives for Phase II - INRMP Preparation (Attached)**
- 3. Integration of Goals and Objectives with Draft INRMP Implementation Options Report**

These three sub-items were discussed together. Jordan Postlewait reviewed the purpose of the goals and objectives statement. The intent was to respond in part to the Committee's motion of last meeting, and prior Board direction.

The following discussion points and comments on the draft were made:

- Under Elements Common to all Approaches, incorporation of the OWMP and rare plant protection strategy should be included.
- Clarification of the term "flexibility", meaning plan could be readily modified for updates determined by the General Plan.

- The wording of item 6, INRMP Preparation, should be changed to "Not in conflict" or "Consistent with" other 2004 GP policies; delete "where possible".
- Suggested that the INRMP could provide developers confidence of meeting CEQA requirements for biological resources when working with Planning Services. CEQA compliance would be assured and an EIR not required for projects if provisions of INRMP are met. Suggested that the Goals and Objectives document should state this clearly, if it is the intent of the County to meet this level of CEQA review for the INRMP.
 - Discussion by several members that an explicit statement of CEQA review of the INRMP should be included in the Goals or Purpose sections of the INRMP/GO document(s). There was further discussion of the procedural approach of writing and reviewing the INRMP, questions regarding the level of CEQA review necessary for the Plan.
 - The issue of adequacy of the CEQA review for the OWMP was raised and how similar concerns are likely to be an issue with the INRMP.
 - The INRMP process needs to identify what mitigation would be needed to fulfill CEQA requirements.
- Discussion of the "Examples of Optional Elements for Consideration" section:
 - Some of the bullet points are not optional, some are required by other elements of the GP. Suggested that the word "optional" be removed or changed
 - Suggested expanding restoration efforts to include additional habitat types, change wording "stream zone habitats" to general term.
 - Importance of providing options for the BOS to consider; show various ways to meet goals (incl. voluntary efforts, easements, etc.)
 - Suggested grouping the bullet points under the 8 elements required by the INRMP so that it doesn't appear as a laundry list.
 - Re-word heading from "Optional" Suggestions of "Various" or "Specific Components for Consideration"
 - Prioritize the bullet list
 - Link to other GP elements
 - Need to develop a method to monitor or measure program success.
- Procedural issues relating to how Phase 2 and the associated CEQA document would be prepared were also discussed. Specific points included:
 - Does County/BOS want to break the INRMP process into smaller segments so that certain components could be developed over time?
 - Plan could be developed while the CEQA analysis is being conducted.
 - As alternatives are being analyzed, components could be included in the INRMP (if Neg Dec is not chosen.)
 - County has not determined the level of CEQA analysis for the Plan.
 - Suggested that staff report to the BOS discuss the procedural component when these goals and objectives and other final documents are presented to the BOS.
 - Scoping of plan could take place concomitantly or sequentially w/CEQA review.

- Important to show BOS that completing Ph2 is affordable, that components could be prioritized.
- Generally the Committee agreed with the document, with changes noted and assurance that the next draft would be circulated in timely manner for review and comment prior to submitting it to the BOS. Some discussion of including ISAC comments in final, whether ISAC would see the modified document.

A motion was made by Elena DeLacy to conceptually approve the goals and objectives document as presented, with modification to be made as noted in the discussion. The revised document would be distributed to Committee members. Mahala Guggino seconded the motion which carried 7-0.

4. Introduction to Draft Scope of Work for Phase II – INRMP Preparation

Rick Lind discussed the procedural issues and the scope of work. He asked how the committee thought the scope would show the Plan moving through the County for review. Would it be concurrently with CEQA or sequentially? How does the Committee envision the sequence of these elements? Additional comments from committee members included the following:

- County Counsel needs to advise regarding level of CEQA review.
- General Plan amendments invoke CEQA
- If amending the IBCs is a key component of the INRMP, that necessitates an amendment to the General plan, which could change the level of CEQA review.
- Emphasized the importance of public involvement to gain support; needs well-publicized meetings to smooth out the process of developing the final INRMP document.

D. Committee member comments; next meeting agenda items.

No additional comments were made. The next meeting is scheduled for February 7, 2011. The meeting was adjourned at 3:07 p.m.

**DRAFT MINUTES of the
EI DORADO COUNTY
INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN
STAKEHOLDERS ADVISORY COMMITTEE (ISAC)
January 6, 2011**

Members in Attendance:

Jamie Beutler
Bill Center
Danny Marquis
Kathye Russell
Cindy Shaffer
John Zentner

Kim Beal
Dave Bolster
Francesca Loftis

Others Present

Rick Lind, SEA
Peter Maurer, EDC
Jordan Postlewait, SEA
Fraser Shilling, SEA
Bob Smart, SEA

Members Absent

Cris Alarcon

Chair John Zentner called the December 2, 2010 meeting to order at 1:07 p.m. with four members present.

A. Approval of Minutes

A motion to approve the minutes was made by Bill Center, seconded by Jamie Beutler. The motion carried 6-0.

B. Public Comment

There were no comments from the public.

C. INRMP

- 1. Status report on process of project to date**
- 2. Draft Goals and Objectives for Phase II - INRMP Preparation (Attached)**
- 3. Integration of Goals and Objectives with Draft INRMP Implementation Options Report**

These items were discussed concurrently. Jordan Postlewait provided an overview of the draft goals and objectives document. The intent is that there is a clear indication of the goals and the CEQA implications of what is intended with Phase II. Cindy Shaffer asked if this document was intended to be presented to the Board of Supervisors. Peter Maurer responded that the document is intended to meet the Board's direction to provide a two or three page summary document regarding the purpose and next steps to the INRMP. Mr. Postlewait continued by clarifying that whatever is provided as options to the Board will not change the finding in the General Plan EIR that the original impacts to habitat loss and fragmentation were found to be significant and unavoidable.

Kathye Russell suggested that the document should include language from the General Plan. Mr. Postlewait stated that the plan is to follow the General Plan direction via the 8 components listed in Policy 7.4.2.8. John Zentner suggested that language be added to show that the listed components are mandatory. Jamie Beutler stated that the committee should make recommendations to the Board regarding priorities for the optional elements contained in the last list of bulleted items on the draft memo.

There was a lengthy discussion of CEQA implications and effects of preparing an EIR for Phase II. Fraser Shilling described the trade-offs between development impacts and the level of mitigation as a balance sheet. Bill Center expressed concern that a balance sheet approach addresses profit and loss or gain and loss. He asked what level of significant and unavoidable impact is acceptable. He compared it to traffic impacts, and how Measure Y has defined what the threshold is. There is no bright line established for habitat loss and fragmentation. He stated that fragmentation is important because it cannot be mitigated by paying a fee as is done with the OWMP. Mr. Shilling stated that the County will need to adopt goals that are both pragmatic and targeted. Development applicants need certainty.

Mr. Center asked if there is guidance in the General Plan EIR. The Board needs to be intentional and logical in deciding where to build. He declared that past sins have created problems that cannot be solved with fees on new development. Mr. Shilling suggested that it is possible to establish quantitative thresholds. El Dorado County has an advantage over other jurisdictions because we are actively working on a program.

Ms. Shaffer expressed a concern that other agency requirements (i.e. Department of Fish and Game or Army Corps of Engineers) will result in another bite of the apple, even if the County's program is intended to fully mitigate cumulative impacts for projects. Mr. Center indicated that trying to solve all agency issues bring us closer to doing an HCP/NCCP. He suggested what the County needs to do is compare important habitat areas and identified growth areas of the General Plan, and identify where the conflict areas are. Then the committees and staff can work on developing a plan that addresses those concerns, providing connectivity and permeability, while allowing the development to proceed. The INRMP should be a combination of carrot and stick. The County will need to look at on-site protection strategies with new development, but should have a menu of measures that will protect wildlife.

Mr. Zentner reminded the committee that it needs to consider small land owners, and not just think about larger development projects. He asked how the INRMP will affect ministerial permits. Mr. Shilling responded that stewardship provisions in the plan are critical to addressing small landowner concerns. Mr. Zentner agreed that the conflict areas need to be mapped and identify what is truly important. Mr. Center stated that there will be a range of importance. Ms. Beutler suggested that the consultant should present to the committees what areas they consider important as a place to start. There should be a prioritization. Mr. Center stated that the intersection of high quality habitat and areas with high development potential are the critical areas that need to be considered

politically. He also expressed concern that agency coordination needs to be a component for consideration with all government actions. There needs to be a review process so that each agency knows what the impacts are of other's actions and a rational engineering process to accommodate growth while considering biological needs.

John Zentner moved to recommend to the Board of Supervisors that the first step in Phase II is to prioritize important habitat areas and overlay that onto development areas to identify conflict areas. Kathye Russell seconded the motion, and proposed an amendment that the consultants provide a rationalization of why the identified wildlife areas are important. The motion maker accepted the amendment. The amended motion carried 5-1.

Bill Center moved to support the draft goals and objectives document in concept as recognizing the opinion of the committee while recognizing that specific implementation measures to be developed in Phase II may change as the process evolves. Jamie Beutler seconded the motion which carried 4-2.

On the motion, Ms. Russell expressed concerns about specific components of the document. She stated that on-site mitigation for projects is a problem. Mr. Center responded that he does like off-site mitigation.

4. Introduction to Draft Scope of Work for Phase II – INRMP Preparation

This item was continued to the February ISAC meeting.

E. Committee member comments; next meeting agenda items.

The committee asked staff to let Supervisor Nutting know that his appointee, Cris Alarcon has not been attending the meetings and to consider appointing an alternate.

The committee asked that the next meeting include a discussion of how the advisory committees will be involved in the consultant selection process and finalizing the scope of work for Phase II. The next meeting is scheduled for February 3, 2011.

The meeting was adjourned at 3:40 p.m.