

**MINUTES
EI DORADO COUNTY
INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN
STAKEHOLDERS ADVISORY COMMITTEE (ISAC)
February 4, 2010**

Members in Attendance:

Chris Alarcon
Jamie Beutler
Bill Center
Francesca Loftis
Art Marinaccio
Kathye Russell
Cynthia Shaffer
John Zentner

Rick Lind, SEA
Ethan Koenigs, SEA
Fraser Shilling, Ph.D., SEA
Robert Smart, SEA
Peter Maurer, EDC
Beverly Savage, EDC
Richard Boyland, Ph.D.

Others in Attendance:

Kris Kiehne, SEA
Jordan Postlewait, SEA

Members Absent:

David Bolster
Kimberly Beal

The February 4, 2010 meeting was called to order by Committee Chair John Zentner at 1:08 PM.

Peter Maurer announced that the Superior Court ruled in favor of El Dorado County and upheld the Board of Supervisor's (BOS) action to adopt the Oak Woodland Management Plan. Art Marinaccio asked if the Court's decision was tentative. Mr. Maurer answered that the Court issued a 19-page final Decision. The Decision will soon be available for public reading on the County website.

A. Approval of Minutes – January 7, 2010

Bill Center noted an error on page two of the Minutes. The text should read “100-year flood plain.” Several Committee members did not notice the Minutes attachment in the e-mail sent by Mr. Maurer. A Motion to continue approval of the January 7 Minutes to the March meeting was raised, seconded and carried unanimously.

B. Public Comment

There was no comment from the public.

C. INRMP

Chair Zentner reminded the SEA team that he had at the January meeting requested revisions to the Focus Points handout be highlighted. Changes had been made to the handout since distribution last month. The changes are not highlighted. Jordan Postlewait committed to highlighting changes for the next meeting.

Mr. Postlewait provided an overview of the process the SEA team proposes to follow for this meeting. The SEA team proposes a 30-minute discussion of the three key term definitions, Agenda item C. 1. Mr. Postlewait reported that at the PAWTAC morning meeting, a majority approved the terms, with some revision. Item C. 2. on the Agenda, Inventory Map update, is presented for the second time. Today's meeting will follow a workshop format. Item C.3. will include an introduction of Indicator Species criteria for selection. The Committee will be asked for their input.

1. Committee position on key definitions

Kris Kiehne, SEA, led the discussion, referring to the handout, "Key Term Definitions Administrative Draft." General Plan Glossary and General Plan Draft EIR references to the terms were included in the document, beneath the draft definitions. Ms. Kiehne explained that some, but not all, of the mitigation measures from the Draft EIR were incorporated into the General Plan. Art Marinaccio stressed that the approved definitions must be consistent with the Final EIR, not the Draft EIR. Mr. Maurer replied that the Draft EIR, in its entirety, comprises a component of the Final EIR.

Native Vegetation

Native Vegetation was presented for discussion. PAWTAC approved the definition with no revision. Ms. Kiehne asked for Committee discussion.

Cynthia Shaffer distributed written comments. She attempted to submit the comments to Mr. Maurer in advance of the meeting. However, the e-mail failed. Ms. Shaffer referred to her written comments suggesting that the General Plan definition (G.P. Glossary, page 245) of "Natural Communities" be modified and applied to Native Vegetation.

Mr. Marinaccio referred to the last sentence of the draft definition, specifically the phrase, "for the purposes of the INRMP process." Mr. Marinaccio urged that the draft definition should be taken to the BOS for clarification regarding their intent. The definition of Native Vegetation plays an important role in the INRMP process. The Committee requires further clarification regarding no net loss and 2:1 mitigation, he continued.

Chris Alarcon feels there should be a clear distinction between native and natural. He asked the SEA team what was meant by "for the purposes of the INRMP process," in the last sentence of the draft definition. Ms. Kiehne responded that the definition would apply to General Plan Policy 7.4.2.8 and would not apply to General Plan Policy 7.4.1.6.

Mr. Marinaccio commented that the BOS was very clear regarding their meaning in General Plan Policy 7.4.2.8 of "large expanses of native vegetation." Mr. Marinaccio feels strongly that if the definition is to be expanded to include natural vegetation, the BOS needs to be involved in that decision. Francesca Loftis commented that the BOS who adopted the General Plan is not comprised of the same members as today's BOS. Mr. Postlewait interjected that the goal of the definition is not to expand the scope of the term. The goal is to interpret the intent of the General Plan.

Bill Center asked why the BOS appointed the ISAC if all they wanted from the Committee was for them to try and ascertain the BOS' intent. Mr. Center continued that the mission of ISAC, as he sees the BOS intent, is to identify the best broad citizenry approach to land management in El Dorado County. Mr. Center feels the BOS looks to ISAC for recommendations.

Kathye Russell feels it is very important as the process moves forward that the key term definitions form a solid basis for the INRMP. If a strong dispute exists, ISAC must go before the BOS before building on a foundation that may not progress in the direction the BOS intends. Mr. Maurer agreed and stated that staff will be working with SEA to develop BOS presentations at project milestones.

Chair Zentner noted that discussion seemed to be directed towards generalities and suggested that specific suggestions to the draft definition of Native Vegetation be heard. Mr. Alarcon reminded the Committee that General Plan Policy 7.4.2.8 refers to "native." He asked if there was a reason to expand the definition to include "natural." Ethan Koenigs explained that a great number of species depend on natural vegetation. Ms. Loftis reminded the group about blended habitats, adding that all things natural eventually become native. She went on to caution that the definition should not be looked at in a minute manner since it will be applied to the bigger process. Mr. Alarcon asked at what point a plant will be considered native.

Mr. Center suggested that disagreement with the definition centered around the last sentence and the terms "native" and "natural." He noted that earlier in the definition allowances are made for intrusion by non-native or natural vegetation. Ms. Kiehne replied that if the Committee feels the definition is more accurate without the last sentence, a Motion on that revision can be raised.

Mr. Marinaccio feels stating that native and natural are synonymous expands the very narrow definition of Native Vegetation. Only the BOS has authority to do this, he continued. One of the most important reasons to define Large Expanses of Native Vegetation is to ensure that connections exist so no gene-pool pockets of species exist.

Mr. Alarcon stated that deleting the last sentence would be a good start. He also recommended removal of the word "typically" in the second sentence.

Jamie Beutler suggested a Motion be raised to accept the draft definition as written. Ms. Loftis raised a Motion to accept the draft definition of Native Vegetation as written. Ms. Beutler seconded. The Motion failed: three votes affirming, five votes dissenting.

Mr. Center raised a Motion to accept the draft definition of Native Vegetation as written with deletion of the last sentence. Ms. Loftis seconded. Motion failed: four votes affirming, four votes dissenting.

Mr. Center referred the Committee to the definition of Natural Communities which is found in the General Plan, Glossary, page 245. He feels this definition is more broad than the draft definition of Native Vegetation. Ms. Loftis stated that the task at hand is to establish a scientific

definition, not to restate the General Plan. Mr. Alarcon raised discussion regarding the Jepson Manual definition of native, as the generally-accepted scientific definition.

Mr. Alarcon raised a Motion to adopt the following definition of Native Vegetation: "Native vegetation is dominated by native plant species and may include non-native plants or naturalized plants." There was no second. Motion failed.

Ms. Shaffer asked staff if PAWTAC had reached consensus on a definition during their meeting that morning. Mr. Maurer replied that the draft definition was recommended to the BOS as written, with eight votes affirming and one dissenting.

Mr. Center raised a Motion to adopt the following definition of Native Vegetation: "An assemblage of plants in a specific place or region that has adapted to environmental and biological conditions. Native vegetation is dominated by native plant species and may include non-native plants or naturalized plants. Vegetation may be classified by type based on characteristics such as dominant plant communities or dominant plant species. Some native vegetation assemblages may contain significant numbers of introduced plant species that have adapted to local conditions." The Motion was seconded by Ms. Shaffer.

Chair Zentner raised a Motion to amend the Motion to the following: "An assemblage of self-perpetuating plants in a specific place or region that has adapted to environmental and biological conditions. Native vegetation is dominated by native plant species and may include non-native plants or naturalized plants. Vegetation may be classified by type based on characteristics such as dominant plant communities or dominant plant species. Some native vegetation assemblages may contain significant numbers of introduced plant species that have adapted to local conditions." The amendment to the Motion was seconded by Mr. Center. The amended Motion was unanimously carried. The main Motion then carried: six affirming, one dissenting, one abstaining.

Important Habitat

Ms. Kiehne introduced the draft definition of Important Habitat. She explained that the definition was pulled directly from the General Plan Draft EIR and is consistent with the General Plan. Ms. Shaffer stated that the original source of the definition in the Draft EIR was from the environmentally-constrained and traffic-constrained alternatives, but was not adopted by the BOS.

Ms. Kiehne informed the Committee that PAWTAC accepted the draft definition with the following addition at the end: "Degree or extent of importance will vary depending on proximity or connectivity to other areas of the same or similar habitat that support (the) same flora and fauna. Higher density of such habitats will have greater conservation values than those isolated from same or similar habitats."

Mr. Marinaccio noted that this term needs two definitions: "little i" for use in Policy 7.4.2.8 and "capital I" for use in Policy 7.4.1.6 and Measure CO-M where it applies to 2:1 replacement requirements and other regulatory measures.

Mr. Center noted that the term is used in two entirely different ways in the General Plan, referencing General Plan Policies 7.4.2.8 and 7.4.1.6. Therefore, it is not possible to adopt one definition. Mr. Center recommends this issue be brought to the attention of the BOS from ISAC. He added that the draft definition meets his approval in that it does not elevate the definition to special status species. Mr. Marinaccio noted that special status species can be separated from general species. Important Habitats are not just important for special status species but also for connectivity. Mr. Marinaccio would approve the draft definition for the purposes of General Plan Policy 7.4.2.8. However, a definition for Policy 7.4.1.6 must address no-net-loss. Mr. Postlewait suggested that the Committee raise a Motion to approve the draft definition with a recommendation to the BOS that the definition does not support General Plan Policy 7.4.1.6.

Mr. Center raised a Motion that the following definition of Important Habitat be approved (identical to that recommended by PAWTAC):

"Important habitat is defined as habitats that support flora and fauna, including deer winter, summer, and fawning ranges and migration routes; stream, river, and lakeshore habitat; fish spawning areas; seeps, springs, and wetlands, oak woodlands; large expanses of native vegetation; and other unique plant, fish, and wildlife habitats.

"Degree or extent of importance will vary depending on proximity or connectivity to other areas of the same or similar habitat that support (the) same flora and fauna. Higher density of such habitats will have greater conservation values than those isolated from same or similar habitats. The definition specifically relates to General Plan Policy 7.4.2.8, but not to Policy 7.4.1.6."

Ms. Beutler seconded the Motion.

Ms. Russell objected to the term "seeps." She referred to Ms. Shaffer's handout, page three, third paragraph. Chair Zentner suggested that the statement from PAWTAC, incorporated into the definition on Motion, addressed this concern.

Mr. Marinaccio stated that he will vote against the Motion, explaining that PAWTAC developed a technical definition without regard to the General Plan. He continued that the task for ISAC is to determine the intent of the General Plan. Mr. Marinaccio does not disagree with the proposed definition but feels it does not address the intent of the General Plan.

Mr. Center expressed difficulty in developing a definition without a map but added that it is not possible to map Important Habitats without a definition. He stated that the General Plan was written to protect the quality of life in this area. The definition, therefore, is a political definition.

Ms. Russell feels there is no way the group cannot consider consistency with the General Plan in light of recent and pending lawsuits. Mr. Center agreed that General Plan consistency is important.

Mr. Alarcon called for a vote to accept the definition of Important Habitat as stated in General Plan Policy 7.4.2.8. Mr. Alarcon asked why a definition of the term is being developed when the term is defined in the General Plan. Ms. Kiehne replied that the BOS included definition of key terms as a task in the RFP. Mr. Maurer added that the General Plan lists five Important Habitats but does not say the list is all-inclusive.

Ms. Russell interprets General Plan Policy 7.4.2.8 as concerning connectivity. The goal of the Policy is to identify where habitats are not connected and to connect important habits. With that as the goal, the definition becomes clearer.

Ms. Shaffer raised a Motion for amendment to the Motion on the floor: delete the words "seeps," "springs," and "oak woodlands" in the second paragraph. Ms. Russell seconded the amendment. The Motion failed: four affirming, three dissenting, one abstaining.

Chair Zentner raised a Motion for an amendment to the Motion on the floor: delete the word "including" in the first sentence and replace with "which may include." Ms. Russell seconded the amendment for discussion.

Ms. Russell now struggles with definitions of "important flora and fauna." Mr. Marinaccio asked if the group is now attempting to define what will be added to the map. Mr. Center replied that Policy 7.4.2.8 talks about mapping, continuing that the term Important Habitat is used 21 times in the General Plan. He asked if the definition could apply to all instances except Policy 7.4.2.8. Mr. Maurer answered that Policy 7.4.2.8 (A) talks about mapping while 7.4.2.8 (B) deals with preservation. Mr. Center suggested defining the general term before addressing exceptions and exclusions such as Policies 7.4.2.8 and 7.4.1.6.

A vote on the Motion, as amended above, failed: two affirming, four dissenting, two abstaining.

A vote on the original Motion, without amendment, failed: four affirming, four dissenting.

Chair Zentner raised a Motion that ISAC submit a statement to the BOS that consensus on the definition of Important Habitat could not be reached. Mr. Center seconded and added that the statement include language that "important flora and fauna" in the draft definition are not defined. The Motion carried unanimously. Ms. Kiehne suggested that members submit comments directly to the BOS.

Mr. Postlewait suggested that, in the interest of time, items two and three on the Agenda be presented by the SEA team in an abbreviated format, with minimal discussion. Comments from Committee members can be submitted electronically. The same suggestion was made for the definition of Large Expanses.

2. Discussion of data sources for Inventory Map update

Ethan Koenigs presented this item on behalf of the SEA team. Mr. Koenigs displayed sample maps using different data sources for mapping vegetation data: CWHR 2009 Vegetation Data; USFS/CalFire 2005 Cal Veg Data; and USGS 2008 Landfire Data. Advantages and

disadvantages of each data source were outlined in the handout, "Working Draft, Mapping Discussion, ISAC and PAWTAC Committees." As a preliminary mapping exercise, the USFS/CalFire Cal Veg data was used to map large contiguous blocks of vegetation based on vegetation types, as displayed in Map 2. Mr. Koenigs pointed out the small, irregular, often narrow and elongated areas that are mapped using the Cal Veg data.

An alternative source for data in defining large expanses of vegetation is road density. Mr. Koenigs displayed Maps 3 through 5 as examples of large expanses mapped using road density as an indicator of disturbance. Large expanses of vegetation are those areas with low road density in the examples. A threshold of .15 miles/acre was chosen for the examples. A more sophisticated approach would to combine datasets, such as parcel size and/or land use. Mr. Koenigs displayed Map 6 as an example of using parcel size as an indicator of disturbance, with smaller parcel sizes equating to more disturbance.

The Committee was asked if they felt that using road density and/or parcel size data sources was a reasonable approach to mapping large expanses of vegetation. They were asked for suggestions. There was general discussion regarding road density and whether data on small private roads should be mapped. The examples used data on all roads, large and small, public and private. There was also discussion regarding parcel size. Mr. Marinaccio suggested that parcels of five acres and under be considered to have disturbed the habitats. Mr. Center suggested that road data be removed and that only parcel data be used.

The Committee was asked to consider mapping sources and to submit suggestions for sources. Ms. Shaffer noted that not much data exists for mapping habitats of special status species. The CNDDDB is one source. The General Plan EIR contains a list of special status species.

3. Introduction to indicator species criteria for selection

Fraser Shilling presented on behalf of the SEA team. Referring to a PowerPoint presentation, Dr. Shilling posed the following questions for the Committee to consider in defining indicator species: What do we need them for? What is our goal? What Policy decisions will we use them for? How will we use them in our planning efforts? Dr. Shilling asked Committee members to send comments and suggestions via e-mail to Mr. Maurer.

Mr. Alarcon asked if the terms Focal Species and Indicator Species are synonymous. Dr. Shilling replied that Focal Species encompasses a broader definition, whereas the term Indicator Species implies monitoring and reporting. Dr. Shilling will provide his PowerPoint presentation to Mr. Maurer who will forward it to Committee members. Mr. Maurer commented that PAWTAC felt the BOS intended a Focal Species be identified when they used the term Indicator Species. Since an Indicator Species requires monitoring and reporting and funds do not exist for these tasks, the County may want to consider using Focal Species.

Chair Zentner requested Committee members provide comments to Mr. Maurer regarding Focal Species and mapping data sources. Rick Lind, SEA, requested that comments from members be submitted within one week, by February 11, allowing the team time to prepare materials for the March meeting.

Ms. Russell asked if it is appropriate to include overlay of General Plan land-use designations on the maps. Mr. Center suggested that it would not be appropriate to impose General Plan land-use designations on mitigation measures which are based on important habitats. Ms. Russell mentioned the issue of density transfers. Mr. Center agreed that General Plan amendments will likely result from the INRMP, adding that the INRMP may address some General Plan constraints to development. Mr. Maurer commented that this topic is the focus of Phase II.

4. Guiding principles for Phase I INRMP actions and recommendations

Mr. Lind presented on behalf of the SEA team. The principles were disseminated in the handout "Working Draft – Proposed Guiding Principles for Phase I INRMP Actions and Recommendations." The principles were derived from discussions by both PAWTAC and ISAC.

Mr. Center feels hesitant to use the word "supports" in principle number nine. Mr. Marinaccio suggested replacing "supports" with "asses its impact on." Mr. Lind suggested leaving the word "supports" and adding "when possible" to the beginning of number nine. Mr. Center suggested that the Committee does not reach consensus regarding principle number nine.

C. 1. Committee position on key definitions (continued)

Large Expenses

Chair Zentner suggested the Committee discuss the definition of Large Expenses.

Ms. Kiehne noted that PAWTAC accepted the draft definition with "land" changed to "habitat." Chair Zentner and Mr. Center felt the term could not be defined, as the definition varies by species. Mr. Marinaccio felt that some reference to land size parameters needs to be included in the definition. Ms. Shaffer feels that large expanses of native vegetation are not necessarily exclusively discrete vegetation types capable of supporting large species. She does not feel that the Committee must define separately large expanses for smaller species. Mr. Marinaccio noted that the draft definition does not address the minimum acreage required for mapping a habitat, i.e. 600 acres minimum to map serpentine outcrops. Ms. Shaffer has seen undisturbed blocks ranked according to size, for instance A would designate blocks of 5,000 acres or greater, B would indicate blocks of 3,000 acres or greater, etc.

Mr. Center explained to Mr. Koenigs that he should not be concerned that in the original Cal Veg map the vegetation blocks appeared in hallway shapes. The reality may be that there are more hallways than living rooms and bedrooms in the County. Mr. Center continued that the data should be analyzed before modifications are made. In order to comprehend the mosaic that exists, we must look at the actual data, without considering the ramification on development, he concluded.

Mr. Center raised a Motion that the draft definition with PAWTAC's change (noted above) be approved. Chair Zentner seconded. The Motion failed; four votes affirming, two votes dissenting.

Chair Zentner asked that the Minutes reflect two members of the Committee had departed prior to this vote. He requested that staff research prior Minutes for decisions regarding quorum rules. Mr. Maurer informed the Committee that the intent is to present key definitions to the BOS as soon as possible. Staff will move forward with the BOS Agenda item. PAWTAC and ISAC comments will be included. Mr. Maurer recommended that draft Minutes, incorporating Mr. Center's correction, be included and noted as draft.

A Motion was raised by Mr. Marinaccio to submit draft Minutes of this meeting and the revised draft Minutes of the January 7 meeting, along with the BOS Agenda item regarding Key Term Definitions. The Motion was seconded by Mr. Center. The Motion carried unanimously.

Chair Zentner adjourned the meeting at 4:02 p.m.