



# San Benito County Conservation Plan

Public Advisory Committee

Workshop #2

Meeting Notes

Wednesday, August 31, 2022, 4:00 pm PST

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**SBCCP PAC Committee Members in Attendance:** San Benito County Planning Commissioner **Robert Gibson**, City of San Juan Bautista **Brian Foucht**, Tribal Representative **Valentin Lopez**, Business and Landowner Representative, **Rachel Reed**, Member of the Public Representatives **Sara Steiner**, **Jason Lingo**, **Jeff Micko**, and **Robb Rodriguez**, Head of Legal Committee Protect San Benito County **Andy Hsia-Coron**

**SBCCP Planning Team Members in Attendance:** County Resource Management Agency Principal Planner **Arielle Goodspeed**, ICF SBCCP Project Manager **Aaron Gabbe**, ICF SBCCP Deputy Project Manager **Bernadette Clueit**, ICF SBCCP Lead Facilitator **Jennifer Piggott**, ICF SBCCP Public Outreach Lead **Tiffany Mendoza**; U.S. Fish and Wildlife Service (USFWS) Senior Fish and Wildlife Habitat Conservation Plan Coordinator **Rachel Henry**, USFWS Senior Fish and Wildlife Biologist **Mark Ogonowski**, California Department of Fish and Wildlife (CDFW) Central Region Supervisor, Senior Environmental Scientist **Craig Bailey**, CDFW Central Region Senior Environmental Scientist **Renee Robison**, CDFW Central Region Senior Environmental Scientist, Natural Community Conservation Plan Program Coordinator **Sara Kern**

**Other Attendees:** Stefanie Kramer, Steve Wittry, Steve Loupe, Betty R., Sara Keeler (CDFW), Karminder Brown (San Benito Working Landscapes Group), Ken Griffin, Point Blue Conservation Science, Kanyon CoyoteWoman, Jeff Phillips (USFWS), Juan Estrada (Green Foothills), Lynn Overtree (San Benito Ag Land Trust), Mary Hsia-Coron, two individuals on call-in numbers.

1. **Welcome** (Jennifer Piggott, ICF)

## 2. Meeting procedures and ground rules (Jennifer Piggott, ICF)

### 3. Introductions

#### 4. Project status updates

- a. Information and data gathering (Aaron Gabbe, ICF)
  - Presented overview of types of data being gathered that will form the foundation of the plan.
- b. Planning agreement (Craig Bailey, California DFW)
  - Presented overview of the purpose of an NCCP as a conservation tool, including large-scale landscape conservation and coverage of non-listed species and fully protected species.
  - Public participation is key for NCCP process, and the entire process needs to be transparent.
  - Planning Agreement forms the foundation of the plan and will be circulated for public review to give public a chance to comment on the scope of the plan.
  - Planning Agreement is going back to the Planning Team very shortly with CDFW comments and expect that it will circulate for public review in the very near future (Oct/Nov timeframe).
  - PAC Q&A
    - i. No questions/comments received
- c. HCPs and USFWS' role (Rachel Henry, USFWS)
  - Presented overview of the purpose of the HCP in terms of full compliance with the federal Endangered Species Act (ESA) and limitations of HCP in terms of future project approvals.
  - HCP is a comprehensive and wholistic approach to long term conservation that reduces regulatory burden.
  - Ancillary benefits of developing the HCP for the community include leveraging federal funding, supporting other conservation opportunities, open space protection and many others.
  - CDFW noted that there are similar ancillary benefits under the NCCP.
  - PAC Q&A
    - i. Sara Steiner requested clarification on limits and implementation of the plan.
      - USFWS responded that the plan will map areas where development is more appropriate and identify areas that are important to conserve, including areas with important cultural resources. There is a take limitation to the plan, which is often an amount of habitat, and the take authorization can be reached. The take limitation forms the boundary for what is being analyzed and allowed under the plan.
      - USFWS explained that part of any HCP is a conservation strategy to address the conservation needs of all species covered under the plan which is developed with the expertise of species experts. Under the NCCP there is a formal Science Advisory Process that includes soliciting input on the plan from relevant experts. The plan will include habitat mapping of areas that are high value for conservation – however, these are not areas identified as “must be conserved”. Agency works with willing sellers in a collaborative

- process to conserve these lands. Willing landowners can acquire funding to put land in conservation easements, and this plan provides a comprehensive framework for that opportunity.
- ii. Sara S. expressed that the plan seems very flexible and that she has hopes that the plan will be very definitive and a document people in the community can rely on and have faith in.
    - ICF described that the SBCCP will be aligned with the County General Plan in determining which areas will be identified for conservation and development. The limits of the plan will be strongly defined within the plan and within the permits, including how much impact to each habitat or species will be allowed and how much habitat has to be protected.
    - CDFW added that conservation of habitat has to stay in-step with impacts (called the “stay-ahead provision”). We want to develop a plan that remains flexible enough to implement the best science in the future and to take advantage of conservation opportunities as they arise which is why adaptive management is an important component of the plan. Flexibility of this kind does not mean lack of enforceable boundaries.
  - iii. Sara S. expressed a specific concern with development that fragments habitat into islands surrounded by development. Corridors and connectivity require long term commitment.
    - When issuing an incidental take permit for the NCCP, CDFW has to make findings related to corridors and habitat connectivity.
    - CDFW and USFWS don’t regulate local land use. Under the SBCCP, the wildlife agencies will provide the County with the limited authority to extend the County’s incidental take coverage to projects that are consistent with County zoning and code.
  - iv. Andy Hsia-Coron expressed that there is a perception that the County will approve projects despite concerns raised by environmental groups. He provided an example of development along the strip of Highway 101 creating a wildlife barrier, and expressed concern that by the time the SBCCP is finished, areas will already be approved for development.
    - Jennifer P. reiterated that an important purpose of the PAC is to provide an opportunity for members to voice these types of concerns and thoughts early and often for the project team to take into consideration when developing the plan.
    - The example of development nodes along Highway 101 illustrates some of the subtleties of what an HCP does and does not do. The SBCCP is an overlay on top of the County zoning and ordinances. The SBCCP will allow incidental take of listed species that occurs during otherwise lawful activities – lawful in this case is determined by the County in their zoning and ordinances. Whether or not we go forward with the SBCCP, these projects will continue and will each need to have an incidental take permit. The SBCCP will allow for a broader programmatic approach to that permitting.
    - Arielle Goodspeed emphasized that the SBCCP will add the benefit of addressing conservation on a regional level rather than a project-

by-project level, and over the long-term. This will be a benefit to San Benito County that is not currently available.

- v. Jeff Micko suggested that PAC members may find the Santa Clara HCP/NCCP of interest an example.

## 5. PAC Statement of Purpose

- a. Overview of PAC Statement of Purpose (Arielle Goodspeed, County of San Benito)
  - Focus on long-term sustainability of the County.
  - Emphasizes a collaborative approach and open communication.
  - Reviewed roles of the various entities involved in development of plan (County, Wildlife Agencies, Planning Team, PAC).
  - PAC Q&A
    - i. Brian Foucht – City of San Juan Bautista is looking at the City Sphere of Influence (SOI) in a planning process that is currently underway, and is grappling with defining the community character that is valuable to preserve. A lot of the character value is at the landscape level. The SBCCP will be helpful for the City to identify what sensitivities there might be in the SOI and help understand how these undeveloped areas will be protected and how that will preserve community character to inform the City’s efforts.
      - The SBCCP permit area currently includes the entire unincorporated area of the County.
      - One purpose of the PAC is to inform member’s constituencies, and to help the Cities see how the SBCCP could be of benefit to the Cities and help them evaluate whether to participate in the Plan. For HCP/NCCP landscape level planning it is important to consider areas in the Cities’ SOIs.
      - San Juan Bautista is considering modifications to the SOI so this is critical time for the City to understand how the plan will affect those areas.
    - ii. CDFW clarified that San Juan Bautista is currently outside the permit area and is not a plan participant, but project team is happy to discuss further how participation for the City would be different as a plan participant.
    - iii. Rachel Reed suggested that PAC members might find reviewing other plans to be helpful. Placer County has a video that describes the benefits of the Placer County Conservation Plan and how it balances competing interests.
      - Project team can assemble resources of this type to make available to the PAC and other interested parties.
- b. Facilitated Discussion (Jennifer Piggott, ICF)
  - PAC is open to members, does anyone have suggestions of any other perspectives that could round out the PAC?
    - i. Brian F. – historical/cultural landscape perspective would be important to have on the PAC. Members of historical society might be helpful.

## 6. Frequently Asked Questions (FAQ) Document (Aaron Gabbe, ICF)

- a. Presented overview of FAQ document purpose and content.
  - Resource for PAC members and public
  - General FAQ are pretty set
  - SBCCP FAQ is a living document that will be updated as we develop the plan
  - PAC Q&A

- i. Mark O. – There is a lot of information to digest in the FAQ. If there are questions after this meeting, is there a channel for PAC members and public to provide input/questions to the Planning Team?
- ii. Jennifer P. – everyone can always reach out to Arielle and the ICF team, but we need to find a way to streamline that communication and will provide that contact once established.

**7. Public comment**

- a. No comments received.

**8. Next steps**

- a. Next PAC Meeting, November 30, 4:00 PM (possibly at 3:00pm)

**9. Action Items:**

- a. PAC members please email Arielle if starting the next PAC meeting at 3pm will work for your schedules.
- b. PAC members representing the public, please email Arielle with the constituency that you represent.
- c. ICF Team will provide a method for PAC members and other interested parties to communicate questions and comments to the Planning Team.