

East Alameda County Conservation Strategy

Community Meeting

Tuesday, September 14, 2010; 7:00 pm – 9:00 pm
Dublin Library – Community Room
200 Civic Plaza, Dublin

7 – 7:30 pm: Open House

Meeting Commenced: 7:30 pm

Troy Rahmig from ICF Jones & Stokes, consultant assisting with the preparation of the Conservation Strategy, provided a presentation about the purpose and benefits of the East Alameda County Conservation Strategy, including those involved in its preparation, summary of the draft document and opportunities to comment, and the next steps for the Conservation Strategy. A copy of the presentation has been posted on the project website at www.eastalco-conservation.org.

Following the presentation, members from the Steering Committee (Steve Stewart, City of Livermore and Liz McElligott, Alameda County), California Department of Fish and Game (Liam Davis), U.S. Fish and Wildlife Service (Cay Goude) and the User's Advisory Group (Allison Batteate, landowner, and Lech Naumovich, California Native Plant Society – East Bay Chapter) provided their perspectives about how the Conservation Strategy would benefit local agencies, regulatory agencies, and other environmental/conservation groups.

PUBLIC COMMENT

Following the presentation and perspectives of participants portion of the East Alameda County Conservation Strategy (EACCS) Community Meeting, there was a public question and answer period. What follows is a general summary of the questions and comments and the responses by members of the Steering Committee.

Steering Committee members present: Liz McElligott, Steve Stewart, Mary Lim, Janice Stern, Jim Robins, Kent Reeves, Terry Huff, John Hemiup, Marcia Grefsrud, Liam Davis, Kim Squires, Cay Goude.

Commenter: Joe Didonato – Wildlife Biologist

Mr. Didonato stated that he will be sending technical comments separately. He asked California Department of Fish and Game (CDFG) and U.S. Fish and Wildlife Service (USFWS) about what the process will be between the two agencies and how they will work with each other to ensure consistency.

Ms. Cay Goude, USFWS, responded from the Federal perspective. She stated that USFWS already had a regulatory meeting with U.S. Army Corps of Engineers (USACE), CDFG, and the Regional Water Quality Control Board on developing a programmatic biological opinion. The USACE is okay with the idea. California Tiger Salamander is both Federally and State listed (along with Alameda Whip Snake and San Joaquin Kit Fox).

Mr. Liam Davis, CDFG, added that for jointly listed species, the State would look at the biological opinion to decide if a consistency determination is needed or if they can amend the existing biological opinion in order to meet the State's permitting needs. CDFG wants to, as much as possible, streamline the process and provide certainty.

Mr. Didonato asked about the ability to overlap kit fox and non-wetland species into the programmatic biological opinion.

Ms. Goude said that they are looking to overlap as much as possible. When they wrote the programmatic biological opinion for the Santa Rosa Plain Conservation Strategy, USFWS included language for CDFG about California tiger salamander in anticipation that this species would be listed by CDFG). The kit fox will need a consistency determination.

Mr. Didonato asked if the agencies foresee using the scoring sheets to assess value of land for potential mitigation banks.

Ms. Goude stated that the value of mitigation banks will be site-specific and the mitigation banking process that is currently used will remain in place. Mr. Davis pointed to the document's appendix for guidance on mitigation banks.

Mr. Didonato stated that EACCS is determined to keep mitigation within East Alameda County. He asks how committed are we to this and under what circumstances will mitigation outside the study area be approved?

Ms. Goude replied that the programmatic biological opinion will cover only the EACCS study area. Anything outside this area will require an individual biological opinion.

Mr. Troy Rahmig pointed out that the scoring tables expressly state that mitigation outside the area will need agency approval.

Commenter: Bob Fullman – Sunol Resident

Mr. Fullman stated that Alameda County is currently tweaking the Williamson Act documents. He asks how will EACCS be folded into that process and how will the land saved under EACCS will be valued?

Ms. Liz McElligott, Alameda County, responded that the Williamson Act and EACCS are different programs. She stated that the Williamson Act will allow for different contracts. The open space/recreation contracts, there is no dollar value or income generation needed. This would allow for a reduction in taxes.

Mr. Jim Robins, consultant assisting the Alameda County Conservation Partnership, stated that conservation of land is the highest and best use for it but would require granting a piece of land for conservation. Alameda County Resource Conservation District is currently developing a list of appraisers that can appraise the land for the conservation as the highest and best use.

Mr. Rich Fletcher, Fletcher Conservation Properties, stated that conservation values do not come into play with the Internal Revenue Service as it is different than the agricultural value of the land. He opined that one should be able to enter into a Williamson Act contract and that it is likely easier to do before establishing a conservation bank.

Mr. Fullman added that the language in the Williamson Act states that if income is below a certain level, then it is not applicable. He asked if he finds prime habitat on his land, how will that factor into his ability to stay in the Williamson Act.

Ms. McElligott responded that income levels account for only commercial agricultural side to get a tax benefit and will not include conservation.

Mr. Didonato noted that some species require some level of grazing that commercial agriculture can provide.

Commenter: Dolores Bengtson – Alameda County Agriculture Advisory Committee

Ms. Bengtson inquired about the process the local agencies will be taking in order to accept or adopt the EACCS.

The process will depend upon the jurisdiction but in almost every case, there will be a formal agenda item for the EACCS document at each respective board or council meeting. The EACCS is likely to come up on board and council agendas in January or February, 2011.

Meeting Adjourned: 9:00 pm