

MEETING NOTES
East Alameda County Conservation Strategy
Steering Committee Meeting
May 4, 2010

Attendees

Liz McElligott – Alameda County Community Development Agency

Terry Huff – Alameda County Conservation Partnership

Jeff Baker – City of Dublin

Steve Stewart – City of Livermore

Janice Stern & Alison Ryan – City of Pleasanton

Marcia Grefsrud – DFG

Brad Olson & Chris Barton - EBRPD

Troy Rahmig – ICF Jones & Stokes

Brian Wines - RWQCB

Cay Goude & Kim Squires – USFWS

Mary Lim - Zone 7

1. April 22nd UAG Meeting Debrief
 - a. Went over the revised species scoring sheets and map and the Implementation Chapter
 - b. Concerns on Implementation Chapter
 - i. Willing sellers paragraph
 1. Concerned about eminent domain and that the EACCS will be used to start condemning land; one UAG member shared their experience with condemnation
 2. There are public lands suitable for mitigation upon approvals from Federal and state resource agencies.
 - ii. Appraisal process
 1. UAG would like the appraisal process highlighted in the document
 2. Note that public agencies acquiring property are bound to the appraised value determined by a certified appraiser. Whereas a transaction between two private parties have no limits as to the price to purchase property.
 - c. Mock project
 - i. UAG would like to see how the EACCS will be used to implement a project (i.e. in CEQA and permitting)
 - ii. A mock project will be developed and presented at the next UAG meeting.
 - d. The May 20th Community Meeting has been deferred until the major concerns about Chapter 5 have been addressed.
2. Revisions to Chapter 5 – Implementation
 - a. Change title of Section 5.2.3, “Regional Governments” to “Special Districts.” This section will include all special districts such as Zone 7, EBRPD, Waste Management Authority, etc.
 - b. Add Regulatory Process Chart (from Chapter 1) in order to show where the information in EACCS document is used throughout project implementation

- c. Under Section 5.3.2 – CEQA, the language stating that EACCS “can” provide baseline information will be changed to “will” provide baseline information. In addition, this subsection should describe how the information in the EACCS document is incorporated in a CEQA document, particularly in the cumulative effects section.
 - d. In the “Willing Sellers” paragraph, add language stating that USFWS/DFG do not use eminent domain.
 - e. Add standard language paragraph stating that no agency gives up their current land use or other authority as a result of EACCS. (Suggested adding this in Section 5.3.) There are public lands suitable for mitigation upon approvals from Federal and state resource agencies. The acquisition of sensitive resources and habitat, regardless of the method, may contribute to regional conservation and the implementation of the Conservation Strategy. However, utilizing eminent domain to acquire lands for mitigation is contrary to the intent of the Conservation Strategy to facilitate mitigation only through willing sellers. Further discussion, and language in the Implementation Chapter is necessary to address private property owner and public agency concerns regarding the use of eminent domain.
 - f. Add existing planning efforts (i.e. Altamont Wind Resources HCP/NCCP) to show that EACCS is consistent
 - g. Make the following revisions in Section 5.6.2 New Stewardship Programs and Tools
 - i. Delete #8 since anything funded by USFWS cannot be used as mitigation.
 - ii. For #10 & #11, safe harbor agreements are not mitigation, therefore these items should removed from this section.
 - iii. Suggested that #12 since conservation actions as a result of both mitigation and voluntary (non-mitigation) conservation must be tracked as part of the EACCS.
 - h. Add Adaptive Management section
 - i. Suggest adding a paragraph describing non-profits and their role in EACCS
 - j. After incorporating the comments received by both the Steering Committee and the UAG, a revised red-lined version of this chapter will be distributed.
3. Implementation Committee
- a. Several comments have been received stating that the Implementation Committee be expanded to include landowners, environmental groups, businesses, and other local agencies.
 - b. The group recognized the need for the UAG, or something similar, to have an ongoing role during implementation.
 - c. Suggestions for consideration include meeting with the UAG (or its equivalent) annually and/or providing updates on the EACCS to existing regional forums (e.g. Alameda Creek Watershed Council).
 - d. The municipalities will be providing EACCS updates to their Councils, which provides another opportunity for the public to keep informed about the implementation.
 - e. USFWS will convene a regulatory meeting with CDFG, USACE, and Regional Board to discuss how to implement the EACCS from the resources agencies side.

4. Budget

- a. As of May 4th, there is approximately \$15K remaining in the budget.
- b. Based on the last UAG meeting, the Steering Committee acknowledges that an additional UAG meeting, perhaps two, focusing on Implementation is needed. The public draft EACCS document release will need to be deferred another month or two as a result.
- c. Troy prepared a cost augment memo that indicates that an additional \$14,645 may be needed to complete the document. See cost augment memo. This assumes that ICF Jones & Stokes will be doing the work outlined in this memo.
- d. Due to budget constraints and the length of time already spent on EACCS, the local funding agencies will most likely not be able to contribute additional funds. However, some will be able to provide their time to assist with editing, outreach, etc.
- e. USFWS offered to assist with printing, outreach and editing.
- f. The Steering Committee will continue to monitor the budget.

5. Schedule

- a. UAG Meeting – May 20th, 2 – 4 pm (Location: Dublin Library Community Room)
- b. Steering Committee Meeting – June 1, 10 am – noon (Location: Zone 7)
- c. Tentative Community Meeting – June 22, 7 – 9:30 pm (Location: TBD). This date may change depending upon comments received at the May 20th UAG meeting.