

## Technical Advisory Committee Meeting (TAC) Notes – September 12, 2006

Chair - Ajay Singh

Acting Vice Chair–Beverley Anderson-Abbs

TAC Chair Ajay Singh opened the meeting with self introductions. The following were in attendance: John Merz, Ryan Luster, Susan Kester, Shannon Holbrook, Woody Elliott, Tom McCubbins, Lady Bug Doherty, Dan Efsseaff, Basia Trout, Burt Bundy, Beverley Anderson, and Ellen Gentry.

### Announcements

The SB 1086 20<sup>th</sup> Anniversary Celebration will be held Monday, Sept. 18. Co-presenters are SRCAF and Sacramento River Preservation Trust. Day tours are available, including a river float and guided site tours, followed by a buffet dinner at the Red Bluff Elk's Lodge. Details are available by contacting Ellen Gentry, SRCAF, or John Merz, SRPT.

The Sacramento River Preservation Trust's 22<sup>nd</sup> Annual Dinner is scheduled for Thursday, September 21 at Sierra Nevada Brewery in Chico. The program will include guest speaker Michael Jackson, General Counsel.

### Activity Reports

Woody Elliott reported that all permits have been submitted to USACE for the Big Chico Creek Sacramento River Access on River Road. Completion is expected on the car top boat launch facility before winter storms hit. The anticipated trail will go around the Peterson addition.

Burt Bundy reported on the GNP and added that a Programmatic Safe Harbor Agreement will help with permit streamlining. Federal nexus projects fall under a Section 7 Consultation. Having the entire conservation area as a comprehensive planning unit will help work toward unity. Beverley Anderson-Abbs added that there is money in the Working Landscapes grant to work with Sustainable Conservation on permit streamlining for the SRCA. Burt also announced that a new USACE board member will be introduced at the upcoming board meeting later this month.

Dan Efsseaff gave an update on the Drumheller Slough (231 acres – *RM 164*) [Project Tracker #43] and La Barranca (250 acres – *RM 237*) [Project Tracker #86] restorations. Both restoration projects are moving forward with irrigation systems in place.

The public comment period for the Shasta Ranch Mining and Reclamation Plan Project (*RM 279*) has been extended another 30 days, due to an incomplete printing of the Draft EIR. For details on this project go to [www.sacramentoriver.ca.gov](http://www.sacramentoriver.ca.gov) and view *TAC notes, August 1, 2006*.

John Merz announced the Stillwater Sciences State of the Sacramento River Report, will be available for public release November 1, for a 30 day review. A workshop, by invitation, is being scheduled for early December.

### Current Projects/Updates

*Hamilton City (RM199)* – An update was given on the Preliminary Engineering and Design (PED) for Hamilton City, restoring 2,000 acres in habitat with setback levees. Soils surveys, environmental surveys, and core borings are being done. The flood protection for Hamilton City will be increased to at least a 75 year level. Workgroup meetings and access to landowners to do surveys with USACE are being coordinated by the SRCAF. The PED will be the design the project is built from with construction to begin in 2008. Locals have put in place a reclamation district for maintenance of the project. The ecosystem restoration portion of the project needs a non-federal sponsor unless the Reclamation Board is allowed to do that. The Corps and locals have asked that SRCAF continue to organize the workgroup meetings.

### New Projects or Proposal Review

*Barge Hole River Access (RM271)* – No funding is required for this Tehama County project. The property is owned by the State Lands Commission (SLC), but does not have someone local to manage it. Reports indicate illegal dumping of cars, appliances, furniture, and trash as well as illegal camping

and 4x4 misuse; however river access needs to be maintained. A clean-up is scheduled for November 14-16. State Lands Commission is purchasing large boulders to place along the sides of the entry road to discourage illegal dumping and 4-wheel drive access into the riparian vegetation. There is also a plan to put in more signage. This will be a joint effort between SLC, DFG, BLM, CDF, SRCAF, California Water Board, and Tehama County/Red Bluff Landfill Agency. John Merz suggested that ongoing clean-up could be community assisted. Tom McCubbins added that Tehama County RCD signed with BLM for South of Barge Hole arundo eradication in the next month or two.

### **Safe Harbor “101” Discussion**

Dan Efseaff gave a PowerPoint presentation on “Safe Harbor Agreements 101”, Case Study Del Rio Wildland Preserve, 27 acres of existing riparian and 96 acres of current restoration. The proposed restoration and enhancement area is 163 acres. Funding was received in May 2006 from a combination of sources. In July a Reclamation Board encroachment permit was submitted. The Safe Harbor agreement was outlined: introduction, list of covered species, description of enrolled lands, baseline determination, management activities, net conservation benefits, other responsibilities of the parties, other landowners who may secure incidental take, duration, assurances to the applicant, other measures, text, tables, photos and maps (18ps). The agreement is to provide habitat for VELB because there is currently a ban on planting within the floodplain. DWR elderberry have been planted there as mitigation for the emergency levee repairs. Monitoring will be done for the term of the agreement.

Shannon Holbrook, Safe Harbor (SH) Coordinator for the USFWS Sacramento office gave a PowerPoint presentation on Safe Harbor Agreements (SHA) as a conservation tool. This is an agreement between the service and landowners that benefits listed species in exchange for authorization to return to pre-agreement conditions at the end of the agreement, and authorization to take federally listed species incidental to ongoing lawful activities. SHA provide assurances against additional future regulatory restrictions, authorize incidental take for lawful ongoing activities (farming, recreational), authorize returning to pre-agreement conditions at the term of the permit, and provide for assurances to neighboring landowners. A SHA will not provide for take of species or habitat below the initial baseline (a description of area is required for the agreement and negotiated) or take the place of a Habitat Conservation Plan (HCP). Federal property owners cannot enroll.

Types of agreements include: Individual-one permit, one landowner; and Programmatic-one permit holder, multiple landowners. The Agreement is developed to provide a “net conservation benefit” for a listed species, then application is made to USFWS for an Enhancement of Survival Permit under Section 10(a)(1)(A) of the Endangered Species Act. A SHA is designed to be simple certain elements are required including: 1) species to be covered, 2) baseline conditions/methods to determine baseline, 3) net conservation benefit, 4) management actions and/or conservation measures, 5) anticipated incidental take levels from management actions, 6) agreement/permit duration, and 7) notification requirements, 8) monitoring plan (compliance, biological). A Section 7 Consultation, on the other hand, involves a federal agency proponent willing to take jurisdiction or federal funding.

Susan Kester, Project Manager for Sustainable Conservation (SusCon) also gave a report. Projects she works with include: Sustainable Agriculture (biofuels, conservation tillage, dairies projects); Sustainable Business (auto recycling, invasive plants); and Restoration on private lands (permit coordination, landowner assurances). Landowner assurances are bridged between private landowners, landowner groups, and regulatory agencies to create win-win situations. SusCon identifies projects; brings stakeholders together; facilitates dialogue between agencies, species experts, landowners, and groups; writes up agreements; assists as needed with processing and ensures progress of SH projects.

### **Next Meeting Date and Location**

The next TAC meeting was set for October 3. John Merz suggested Henry Lomeli give a discussion at the TAC regarding public access issues (i.e., Rds. 48, 23, over levees, etc.).