GOVERNING BOARD
REGULAR MEETING

Monday, March 6, 2017
2:00 p.m.

City of Brentwood
Brentwood City Hall, Council Chambers
150 City Park Way, Brentwood, CA 94513

AGENDA

2:00 p.m. Convene meeting.

Adjourn to Closed Session

CS1) Conference with Legal Counsel – Existing Litigation (Gov. Code, § 54956.9(d)(1))
Discovery Builders, Inc. v. City of Brentwood, California; City Council of the City of Brentwood, et al.; Contra Costa County Superior Court, Case No. N13-1781

Reconvene Open Session. Will not start before 2:15 p.m.

1) Report on any actions taken in Closed Session.

2) Introductions.

3) Public Comment on items that are not on the agenda (public comment on items on the agenda will be taken with each agenda item).

4) Consider the following CONSENT items:
   a) APPROVE the Meeting Record from the East Contra Costa County Habitat Conservancy (“Conservancy”) Governing Board meeting of December 9, 2016.
   b) ACCEPT update on media coverage of Conservancy activities.
      (Abigail Fateman)

5) Consider APPOINTING one person to fill the vacant “Rural and Suburban Resident” seat on the East Contra Costa County Habitat Conservancy Public Advisory Committee effective March 6, 2017 and expiring in December 2020.
   (Abigail Fateman)

6) Consider SETTING the Governing Board meeting schedule for the remainder of 2017.
   (Abigail Fateman)
7) Consider ACCEPTING update on planning and activities related to the Conservancy’s 10-year anniversary.
   (Abigail Fateman)

8) Consider AWARDING a contract not to exceed $240,000 to Environmental Science Associates for work on the Knightsen Wetland Restoration and Flood Protection Project for the term of March 6, 2017 through September 30, 2019.
   (Abigail Fateman)

9) Consider APPROVING the conveyance of an 867 square foot perpetual easement, and two temporary construction easements on land acquired for the HCP/NCCP Preserve System to Contra Costa County as needed for the Morgan Territory Road Bridges 4.30 and 4.40 Scour Repair Project.
   (Joanne Chiu)

10) Consider the following actions related to extending take coverage to Phillips 66 Pipeline, LLC for the Phillips 66 Line 200 Anomaly Investigation and Repair, Spring 2017:
    a) AUTHORIZE staff to execute a Participating Special Entity Agreement with Phillips 66 Pipeline, LLC for take coverage of the Phillips 66 Line 200 Anomaly Investigation and Repair, Spring 2017 Project;
    b) AUTHORIZE staff to file a Notice of Exemption with the County Clerk for the Project.
   (Allison Cloney)

11) Consider ACCEPTING update on the U.S. Army Corps of Engineers Regional General Permit 1 renewal.
   (Abigail Fateman)

12) Adjourn. The next Governing Board meeting is April 2017 (TBD).

---------------------------------------------------------------------------------------------------------------------------------------

If you have questions about this agenda or desire additional meeting materials, you may contact Maureen Parkes of the Contra Costa County Department of Conservation and Development at 925-674-7203.

The Conservancy will provide reasonable accommodation for persons with disabilities planning to participate in this meeting who contact staff at least 24 hours before the meeting.
DATE: March 6, 2017
TO: Governing Board
FROM: Conservancy Staff
SUBJECT: Governing Board Meeting Record for December 9, 2016

RECOMMENDATION

APPROVE the Meeting Record from the East Contra Costa County Habitat Conservancy (“Conservancy”) Governing Board meeting of December 9, 2016.

DISCUSSION

Please find the draft meeting record attached.
The Governing Board convened the meeting at 11:00 a.m. and announced adjournment to Closed Session.

The Governing Board reconvened in Open Session at 11:20 p.m.

1) **Report on any actions taken in Closed Session.** There were no actions to report.

2) **Roll Call/Introductions.**

   **Governing Board members in attendance were:**
   - Joel Bryant (Vice Chair)  City Council, City of Brentwood
   - Salvatore Evola (Chair)  City Council, City of Pittsburg
   - Keith Haydon  City Council, City of Clayton
   - Mary Piepho  Contra Costa County Board of Supervisors
   - Randy Pope  City Council, City of Oakley

   **Other attendees (who signed the sign-in sheet):**
   - Ted Clement  Executive Director, Save Mont Diablo
   - Jamie Tull  Arcadis U.S., Inc on behalf of Phillips 66 Pipeline, LLC

   **Conservancy staff and consultants in attendance were:**
   - John Kopchik  Conservancy Secretary
   - Abigail Fateman  Conservancy Executive Director
   - Joanne Chiu  Conservancy Staff
   - Allison Van Dorn  Conservancy Staff
   - Chris Beal (via phone)  Conservancy Counsel, closed session only

3) **Public Comment on items that are not on the agenda.** Ted Clement from Save Mount Diablo thanked the Board for their support and partnership on the Viera North Peak property acquisition.

4) **Consider the following CONSENT items:**
   a) **APPROVE** the Meeting Record from the East Contra Costa County Habitat Conservancy (“Conservancy”) Governing Board meeting of October 24, 2016.
   b) **ACCEPT** update on recently installed signs in the Vasco/Byron Corridor.
   c) **ACCEPT** update on media coverage of Conservancy activities.

   (Abigail Fateman)

   The consent items were approved as recommended by staff. (5-0: Bryant, Evola, Haydon, Piepho, Pope)
5) Consider the following Governing Board administrative matters:
   a) CONFIRM Conservancy Chair and Vice Chair for 2017;
   b) AUTHORIZE staff to schedule the next Governing Board meeting for February 2017 once Board membership for the year has been set. SET the schedule for the remainder of 2017 at the February meeting.

(Abigail Fateman)

Items 5a and 5b were approved as recommended by staff. The Chair for 2017 rotates to the City of Brentwood (Joel Bryant) and the Vice Chair rotates to the City of Clayton (Keith Haydon). (5-0: Bryant, Evola, Haydon, Piepho, Pope)

6) Consider the following actions related to the Conservancy’s Public Advisory Committee (PAC):
   a) ACCEPT resignation of Dick Vrmeer and ACKNOWLEDGE Mr. Vrmeer’s contributions to the East Contra Costa County Habitat Conservancy and DIRECT staff to open recruitment for a Suburban/Rural Resident PAC member;
   b) REVIEW the composition requirements of the Conservancy’s PAC and attendance of Committee Members;
   c) ADOPT PAC attendance policy, DETERMINE member selection process, and REVIEW current composition of PAC;
   d) ACCEPT update on PAC 2016 activities.

(Abigail Fateman)

The Governing Board acknowledged Dick Vrmeer’s contributions to the Conservancy, accepted his resignation and directed staff to open the recruitment for a Suburban/Rural Resident PAC member.

The Board discussed the composition requirements of the PAC (per the HCP/NCCP) and reviewed the 2016 meeting attendance record. The Board noted the increased attendance and participation at PAC meetings and encouraged staff to work with PAC members to make sure that meeting dates and expectations are communicated.

The Board adopted an attendance policy that PAC members are expected to attend every PAC meeting. If a member misses more than one PAC meeting, the issue will be referred to the Board for consideration of re-opening that seat. Chair Evola recommended adopting terms for each PAC seat. Board Member Piepho supported this recommendation. Board Member Pope suggested implementing four-year staggered terms. The Board discussed the specific composition of the PAC membership and determined that no adjustments are necessary at this time. The Board also discussed the PAC member interview process. Chair Evola suggested the full Governing Board interview candidates during the next Governing Board meeting. The Board concurred.

Items 6a, 6b and 6d were accepted as recommend by staff. Item 6c was approved with additional direction to staff to set up a rotating schedule for PAC membership with staggered four-year term expiration dates, East Bay Leadership Council to retain their seat on the PAC in the Private Permit Seeker category, and to revise the PAC member selection and interview process. (5-0: Bryant, Evola, Haydon, Piepho, Pope)
7) **Consider APPROVING recommendations from the Public Advisory Committee for the allocation of 2016 East Contra Costa County Habitat Conservancy Science and Research Grant Program grant funds for two projects totaling $15,000.**

(Abigail Fateman)

Ms. Fateman presented the PAC recommendations for grant funding of the 2016 ECCCHC Science and Research Grant Program. The item was approved with the recommendation that the PAC consider revising the Request for Proposals to include outreach and public engagement as part of the selection criteria. (5-0: Bryant, Evola, Haydon, Piepho, Pope)

8) **Consider APPROVING the 2017 Conservancy Work Plan.**

(Abigail Fateman and Allison Cloney)

Ms. Fateman introduced the item and Ms. Cloney provided a summary of the work performed in 2016 and described the goals and types of work planned for 2017. The item was approved as recommend by staff. (5-0: Bryant, Evola, Haydon, Piepho, Pope)

9) **Consider the following actions related to legislative matters:**

   a) **ADOPT the 2017 Legislative Platform;**
   
   b) **SUPPORT the California Habitat Conservation Planning Coalition 2017 Legislative Platform;**
   
   c) **ADOPT Resolution 2016-04 to support working together with agencies from across California to request that the United States Congress restore overall funding of the U.S. Fish and Wildlife Service Cooperative Endangered Species Fund from approximately $50 million to $85 million in the Fiscal Year 2018 Interior and Related Agencies Appropriations bill;**
   
   d) **AUTHORIZED the Chair or staff, as appropriate, to communicate items on the Platform to relevant members and staff of the U.S. Congress and the California Legislature, relevant federal and state agencies, potential advocacy partners and others;**
   
   e) **AUTHORIZED payment of $5,000 as membership dues for the California Habitat Conservation Planning Coalition in 2017;**
   
   f) **AUTHORIZED payment of $1,000 as membership dues for the National Habitat Conservation Plan Coalition;**
   
   g) **AUTHORIZED payment of $2,500 as membership dues for the Bay Area Open Space Council.**

(Abigail Fateman)

Ms. Fateman presented the 2017 Legislative Platform highlighting two new items that will support advocating for the protection of HCP and NCCPs in legislation that address advanced mitigation and increased funding for CDFW’s local assistance grant program. Items 8a, 8b, 8c, 8d and 8e were approved as recommended by staff. (5-0: Bryant, Evola, Haydon, Piepho, Pope)
10) Consider the following actions related to Conservancy finances:

a) APPROVE the 2017 Conservancy Budget;

b) AUTHORIZE staff to execute annual contracts for on-going consulting services with:
   - ICF Jones and Stokes: not to exceed $95,000 for the term from January 1, 2017 to December 31, 2017;
   - H.T. Harvey and Associates: not to exceed $40,000 for the term from January 1, 2017 to December 31, 2017;
   - Monk and Associates: not to exceed $60,000 for the term from January 1, 2017 to December 31, 2017.
   - Nomad Ecology: not to exceed $205,000 for the term from January 1, 2017 to December 31, 2017.
   - Sapere Environmental: not to exceed $25,000 for the term December 9, 2016 to December 31, 2017.
   - Habitat Restoration Services (formerly Restoration Resources): not to exceed $100,000 for the term from January 1, 2017 to December 31, 2017;
   - Thunder Mountain Enterprises: not to exceed $50,000 for the term from January 1, 2017 to December 31, 2017;
   - California Retaining Walls, Co.: not to exceed $50,000 for the term from January 1, 2017 to December 31, 2017.

   d) AUTHORIZE staff to execute contract amendments for on-going consulting, restoration and land management services with:
   - Go Native, Inc.: extend the contract term from December 31, 2016 to December 31, 2017;
   - Vollmar Natural Lands Consulting: increase the contract amount by $45,000 from $105,000 to $150,000 and extend the term from December 31, 2016 to December 31, 2017;

   d) AUTHORIZE staff to execute a contract for legal services with Resources Law Group: not to exceed $110,000 for a term from January 1, 2017 through December 31, 2017;

   e) AUTHORIZE staff to amend an existing contract for legal services with Abbott and Kindermann to extend the contract term one year to December 31, 2017.

   f) AUTHORIZE staff to execute a cost-sharing agreement with the East Bay Regional Park District for $100,000 for land acquisition through December 2017.

(Joanne Chiu and Abigail Fateman)

Ms. Chiu presented the 2017 Conservancy Budget and Ms. Fateman provided an overview of contracts for various services. Chair Evola raised concerns regarding reduction of legal costs in the 2017 budget. Ms. Chiu noted this item can be re-evaluated during the mid-year budget review. Chair Evola also raised concerns regarding the program administration percentage of overall budget. Mr. Kopchik clarified that the administration budget category includes general administration and the permitting program. All items related to Conservancy finances were approved as recommended by staff. (5-0: Bryant, Evola, Haydon, Piepho, Pope)
11) Consider AUTHORIZING staff to execute a funding agreement with the East Bay Regional Park District, one state grant agreement with the Wildlife Conservation Board, and one federal subgrant agreement with the Wildlife Conservation Board for federal funds for acquisition of the Campos property (APN 001-011-021; unincorporated Contra Costa County, CA).

(Joanne Chiu)

Ms. Chiu presented on the Campos Property acquisition. Board Member Piepho requested that staff contact the County Airport to investigate any management or use concerns on the Campos property as it is near one of the Byron Airport’s runways. The item was approved as recommended by staff. (5-0: Bryant, Evola, Haydon, Piepho, Pope)

12) Consider AUTHORIZING staff to execute a funding agreement with the East Bay Regional Park District, one state grant agreement with the Wildlife Conservation Board, and one federal subgrant agreement with the Wildlife Conservation Board for federal funds for acquisition of the Save Mount Diablo Nortonville property (APN 075-070-002; unincorporated Contra Costa County, CA).

(Joanne Chiu)

Ms. Chiu presented on the Save Mount Diablo Nortonville Property acquisition. The item was approved as recommended by staff. (5-0: Bryant, Evola, Haydon, Piepho, Pope)

13) Consider the following actions related to the acquisition of the Viera North Peak Property:

a) AUTHORIZE East Contra Costa County Habitat Conservancy (Conservancy) staff to enter into an Option, Purchase and Sale Agreement with Save Mount Diablo (Seller).

b) AUTHORIZE Conservancy staff to enter into one state grant agreement with the Wildlife Conservation Board (WCB), and one federal subgrant agreement with the WCB for acquisition of the Viera North Peak property (APN 078-110-005; Unincorporated Contra Costa County, CA).

c) AUTHORIZE Conservancy staff to exercise the Option, Purchase and Sale Agreement after receiving grant funding approval from WCB.

(Joanne Chiu)

Ms. Chiu presented on the Viera North Peak Property acquisition. The item was approved as recommended by staff. (5-0: Bryant, Evola, Haydon, Piepho, Pope)

14) Consider the following actions related to extending take coverage to Phillips 66 Pipeline LLC for the Phillips 66 Line 200 Anomaly Investigation and Repair, Winter 2016:

a) AUTHORIZE staff to execute a Participating Special Entity Agreement with Phillips 66 Line 200 Anomaly Investigation and Repair, Winter 2016;

b) AUTHORIZE staff to file a Notice of Exemption with the County Clerk for the project.

(Allison Cloney)

Ms. Cloney provided an overview of the Phillips 66 Pipeline project noting the temporary impact calculation associated with the rural road usage portion of the project needed further resolution. Due to a request from the project applicant to expedite the permitting process, there was not time to consult with U.S. Fish and Wildlife Service and California Department
of Fish and Wildlife regarding the buffer on the ranch road component of the project. Conservancy staff was conservative and used the previously recommended buffer from the wildlife agencies. Jamie Tull, the project representative, spoke on behalf of the Project and requested a reduction of the 25-foot buffer for use of the ranch road. Chair Evola suggested the buffer issue be further discussed with the wildlife agencies and any reduction be retroactively applied to the project and excess fees could be applied to future pipeline projects in the area. Item 14a was approved as recommended with the following correction: “AUTHORIZE staff to execute a Participating Special Entity Agreement with Phillips 66 Pipeline, LLC for the Phillips 66 Line 200 Anomaly Investigation and Repair, Winter 2016 Project” and additional direction for staff to work with the wildlife agencies to develop guidance related to rural road use and associated impacts. (4-0: Bryant, Evola, Haydon, Piepho; Pope absent)

15) RECOGNIZE Conservancy Board Member Piepho for her service to the East Contra Costa County Habitat Conservancy.

Ms. Fateman acknowledged Board Member Piepho for her service on the Conservancy Board. Mr. Kopchik expressed his gratefulness for her dedication to the Plan over the past 10 years from the Plan signing celebration to hosting U.S. Secretary of the Interior, Sally Jewell. Other Governing Board members also provided acknowledgement of Board Member Piepho’s service to the Conservancy and the County. Ms. Piepho was presented with a place holder photo of the Preserve System lands. Staff indicated that a framed photograph of the Preserve System will be delivered the following week.

16) Adjourn. The next Governing Board meeting is February 2017.
DATE: March 6, 2017
TO: Governing Board
FROM: Conservancy Staff (Abigail Fateman)
SUBJECT: Media Coverage of Conservancy Activities

RECOMMENDATION

ACCEPT update on media coverage of Conservancy activities.

DISCUSSION
Since the December Governing Board meeting there was one article that discussed Conservancy activities.

ATTACHMENT:
PRESERVED FOREVER: A Landscape Scale Partnership

If you're driving along Vasco Road any time soon, be sure to look for the big signs stating “Preserved Forever.” The East Bay Regional Park District and the East Contra Costa County Habitat Conservancy are celebrating ten years of joining forces to expand regional parks and conserve habitat for rare and threatened species like red-legged frogs in the biologically rich and fast-growing east Contra Costa County region. Since 2007 when the Conservancy was created, over 13,000 acres have been purchased by the Park District thanks to the generous funding of the Habitat Conservancy, along with State and Federal grants and EBRPD's Measure WW acquisition funding. Much of the Park District's $76 million in land purchases in East Contra Costa, however, have been made with an astounding 90% funding from the Conservancy! “Pooling resources to acquire, restore and manage land has had and will continue to have a profound impact on the communities, species and the landscape of east Contra Costa County,” says Conservancy Executive Director Abigail Fateman.

The Conservancy is a government agency (joint powers authority) that has a Board made up of an elected official from Contra Costa County and the cities of Brentwood, Clayton, Oakley and Pittsburg. Regional parklands expanded with funding support from the Conservancy include Black Diamond Mines Regional Preserve, Vasco Hills Regional Preserve and the future parklands at Deer Valley and Byron Vernal Pools.

So far, EBRPD and the Conservancy have conserved over 20.5 square miles of land to benefit species and provide park and recreation opportunities for the growing population in the region.

Quick Highlights

<table>
<thead>
<tr>
<th>Land Conserved</th>
<th>13,300 acres (20.5 square miles)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acquisition Funding</td>
<td>$16,000,000 Measure WW</td>
</tr>
<tr>
<td></td>
<td>$60,000,000 in federal, state, local and foundation funds</td>
</tr>
<tr>
<td>Restoration Projects</td>
<td>Nine large scale restoration projects completed with two more in planning phase</td>
</tr>
<tr>
<td>Number of Species Targeted for Conservation</td>
<td>28 plants and animals</td>
</tr>
</tbody>
</table>

NOTE: acres and $$ are rounded numbers

Photo: Abigail Fateman (ECCC/Habitat Conservancy)
DATE: March 6, 2017
TO: Governing Board
FROM: Conservancy Staff (Abigail Fateman)
SUBJECT: Public Advisory Committee (PAC)

RECOMMENDATION
APPOINT one person to fill the vacant “Rural and Suburban Resident” seat on the East Contra Costa County Habitat Conservancy Public Advisory Committee effective March 6, 2017 and expiring in December 2020.

DISCUSSION
Background on the Public Advisory Committee (PAC): Pursuant to requirements in the HCP/NCCP, the Board initiated the Public Advisory Committee (PAC) in February 2008 and established a quarterly meeting schedule. The PAC reports to the Board and provides input to the Board and staff on many aspects of Plan implementation. The PAC is responsible for reviewing and commenting on the general implementation processes of the HCP/NCCP, including the expenditures of funds for conservation measures, the general process for issuing take coverage to covered activities, the operation of preserves and adaptive management, and the adherence to Plan commitments. The PAC is to operate by consensus, but when consensus cannot be reached, the various positions will be communicated to the Board.

Vacancy: Richard Vrmeer (resident of Brentwood, serving in the “Rural and Suburban residents of the Plan Area” category) resigned from the PAC in December 2016.
Recruitment of Applications: As directed by the Conservancy Governing Board, staff advertised for a new member of the PAC to represent the “Rural and Suburban Resident of Plan Area.” Staff contacted past applicants, notified new potential applicants using the Conservancy’s email distribution lists and sent a notice to local media outlets. Stakeholder groups also sent the opening to their distribution lists.

The deadline to apply for the position was close of business on February 16, 2017. The Conservancy received five applications. The applications received were from: Mark Gargalikis (Pittsburg), Kathleen Griffith (Brentwood), Margaret Kruse (Brentwood), Arnica MacCarthy (Bay Point), and Michael Moore (Oakley).

At the December 2016 Governing Board meeting, the Board determined that the selection process for PAC new members should include, in addition to a review of applications, an opportunity for applicants to interview with the full Board at the Board meeting. All applicants were invited to attend the March 6, 2017 meeting to participate.

The current roster for the Public Advisory Committee and seat term schedule that was prepared following the Governing Board’s December actions on this topic are included as an attachment. Members of the Public Advisory Committee were provided this roster and term schedule at their February 9th, 2017 meeting.

Attachments:
- Current PAC seats and assignments
- PAC Applications (in alphabetical order):
  - Gargalikis, Mark
  - Griffith, Kathleen
  - Kruse, Margaret
  - MacCarthy, Arnica
  - Moore, Michael
PAC Seat Assignments and Rotation Schedule*

<table>
<thead>
<tr>
<th></th>
<th>Term Expiration</th>
<th>Term Expiration</th>
<th>Term Expiration</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Private Permit Seekers</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PS Seat 1</td>
<td>East Bay Leadership Council</td>
<td>12/2018</td>
<td>12/2022</td>
</tr>
<tr>
<td>PS Seat 2</td>
<td>Discovery Builders</td>
<td>12/2019</td>
<td>12/2023</td>
</tr>
<tr>
<td>PS Seat 3</td>
<td>Building Industry Association - Bay Area</td>
<td>12/2020</td>
<td>12/2024</td>
</tr>
<tr>
<td><strong>Conservation Advocates</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CA Seat 1</td>
<td>CA Native Plant Society - East Bay</td>
<td>12/2018</td>
<td>12/2022</td>
</tr>
<tr>
<td>CA Seat 2</td>
<td>Friends of Marsh Creek Watershed</td>
<td>12/2019</td>
<td>12/2023</td>
</tr>
<tr>
<td>CA Seat 3</td>
<td>Save Mount Diablo</td>
<td>12/2020</td>
<td>12/2024</td>
</tr>
<tr>
<td><strong>Private Landowners and/or Agriculturalists (or their representatives)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PL Seat 1</td>
<td>Contra Costa Farm Bureau</td>
<td>12/2018</td>
<td>12/2022</td>
</tr>
<tr>
<td>PL Seat 2</td>
<td>Ag and Natural Resources Trust</td>
<td>12/2019</td>
<td>12/2023</td>
</tr>
<tr>
<td>PL Seat 3</td>
<td>Brentwood Agricultural Trust</td>
<td>12/2020</td>
<td>12/2024</td>
</tr>
<tr>
<td><strong>Suburban or Rural Residents of the Plan area</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PR Seat 1</td>
<td>Sharon Osteen</td>
<td>12/2018</td>
<td>12/2022</td>
</tr>
<tr>
<td>PR Seat 2</td>
<td>Kelly Davidson</td>
<td>12/2019</td>
<td>12/2023</td>
</tr>
<tr>
<td>PR Seat 3</td>
<td>Vacant</td>
<td>12/2020</td>
<td>12/2024</td>
</tr>
</tbody>
</table>

Note: New appointees take over an existing seat and the term expiration remains with the seat.

* Term Expirations continue on 4-year cycle.

**Official 2017 (and forward) PAC attendance policy:**

All PAC members/member organizations are required (annually) to attend 3 of the 4 scheduled meetings. If a member/member organization misses 2 or more meetings, the Board will be notified, and at the next available Board meeting consider opening the position for applications. The Committee member/member organization will have the opportunity to reapply for the open position.
EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY
APPLICATION FORM

Name of Advisory Board applying for: Public Advisory Committee

Position:

✓ Suburban/Rural Resident of Plan Area

Name of Applicant (Name): Mark Gargalikis

Address: [Redacted]

City, State, Zip: Pittsburg, CA 94565

Contact Phone: [Redacted]

Email Address: [Redacted]

Signature: [Signature] Date: 2/14/17

Personal Experience, Skills and Interests: I have served on the Pittsburg Planning Commission since 2011.

Education/Background: Pittsburg High School Graduate ’80, Los Medanos College – Fire Science, Chabot College

Occupation (student, for pay work, not for pay work, retiree or similar): Small Business Owner - Contractor

Community Activities: Good Shepherd Church, Pittsburg Elks Club, Youth Football & Wrestling Coach

Why are you interested in a position on the Public Advisory Committee of the East Contra Costa County Habitat Conservancy: Serving on the Planning Commission has allowed me to see firsthand the importance of staff, public officials and citizens working together to find working solutions on important land-use decisions. I see HCP as an extension of that, on a larger scale. The HCP PAC meetings taking place at Pittsburg City Hall is a good fit for me geographically.

You may attach a separate page(s) or provide responses on this page.
EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY
APPLICATION FORM

Name of Advisory Board applying for: Public Advisory Committee

Position: ☑ Suburban/Rural Resident of Plan Area

Name of Applicant (Name): Kathleen E. Griffin

Address: [Redacted]
City, State, Zip: Brentwood, CA 94513
Contact Phone: [Redacted]
Email Address: [Redacted]

Signature: Kathleen E. Griffin Date: 2/16/17

Personal Experience, Skills and Interests

Education/Background:
See attached addendum.

Occupation (student, for pay work, not for pay work, retiree or similar):
College Human Resources Assistant, Los Medanos College

Community Activities:
See attached.

Why are you interested in a position on the Public Advisory Committee of the East Contra Costa County Habitat Conservancy:
See attached.

You may attach a separate page(s) or provide responses on this page.

Information:
1. For more information about the East Contra Costa County Habitat Conservancy and the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan visit: www.cocohcp.org
2. File completed application with Maureen Parkes, Contra Costa County Department of Conservation and Development, 30 Muir Road, Martinez, CA 94553. Email applications accepted. Email to: Maureen.Parkes@dcd.cccounty.us.
3. Members of some advisory bodies may be required to file annual Conflict of Interest Statements.
4. Meetings of the Conservancy's Public Advisory Committee are typically held quarterly during the day at Pittsburg City Hall, however occasionally meetings may be held in areas not accessible by public transportation.
5. The current meeting schedule and past meeting packets can be accessed online at www.cocohcp.org.
APPLICATION ADDENDUM FOR EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY
Kathleen E. Griffin

Personal Experience, Skills and Interests:

A. Education/Background –
I hold an Associate of Science degree from Alameda College. My 35 year-career in Human Resources began at Pacific Gas and Electric Company where I held various positions for managers and departments, including supporting the Manager of Electric Supply, Manager of AA/EEO and the Director of Benefits to name a few. Upon moving to Brentwood in April 1997, I was hired as the College Human Resources Assistant for Los Medanos College where I remain today. My longtime concentration in Human Resources hones my skills in contract interpretation, union contract stipulations, and the rules and regulations that require application consistently in the course of employee management and assistance.

In 2001, I became involved with the City of Brentwood General Plan revision process after learning my City’s build-out plan for 90,000 residents. I thought this was unconscionable for the geographic area. Through the next 16 years, I have had a constant and positive impact on the shaping of my community. I was heavily involved with the Urban Limit Line challenges in 2005 and 2006, and the adoption of our City’s ULL. In 2010, I was the leader of the opposition to move Brentwood’s ULL, June Ballot Measure F. By informing and motivating City residents about the imbedded development plan in the Measure, I helped convince the voters that this Measure was flawed and the expansion of our ULL would only be detrimental to Brentwood’s quality of life, habitat in the area, and the regional impact as well, defeating the Measure. Most recently, I served as a member of the General Plan Revision Committee in Brentwood for an 18-month assignment culminating in our updated GP. This experience brought me a broader knowledge of how and why a City makes the decisions they make, and the background to the overall development of a General Plan and its components such as growth management, sustainability, and conservation and open space.

B. Occupation –
College Human Resources Assistant, Los Medanos College, Contra Costa Community College District.

C. Community Activities –
I am an active volunteer with the local organizations of Save Mount Diablo and Greenbelt Alliance. I was recently featured as the representative for Contra Costa County in the Greenbelt Alliance annual publication, At Risk 2017, their report on land use planning and areas in jeopardy for adverse developmental impact throughout the Bay Area. I also have been attending Antioch Planning Commission and City Council meetings to keep abreast of the development in Antioch surrounding the Kaiser Hospital on Deer Valley. Through public forums and meeting attendance, we have been able to guide the project and have the resident’s wants and needs incorporated into the project. I also keep my eye on my local paper, The Brentwood Press, for activities, fundraisers and meetings of interest to me, and act on the opportunities to help benefit my community and fellow citizens, as well as my own Planning Commission and City Council agendas for items of interest. I recently won a $1,000 gift card to our new Tractor Supply Company. I immediately remembered the needs of a local organization, Spirited Sanctuary, an organization that helps nurture neglected and abused animals; I have reached out to them to donate that items they have asked of from the public.

D. Why are you interested in a position on the Public Advisory Committee of the East Contra Costa County Habitat Conservancy?
After reading the details of this opportunity, I felt this position to be a good match for my skills and interests. I am keenly interested in the HCP/NCCP, and its contributions in directing habitat preservation, recovery efforts, and the guidance it will provide to cities, county organizations and entities where I have lived for 20 years. I often stress the need for cohesive planning and the analysis of regional impacts of various decisions in my community. I feel I can contribute to the Committee by bringing strong analytical and administrative skills, policy review knowledge, and budget review experience. I have the desire to join a team of professionals that can jointly discuss issues and challenges, and yet offer consensus on the activities and projects that effect where we live and work. I feel passionate about the City of Brentwood, and have been vocal and active in its continuing development since 1997. I would like to join the East Contra Costa County Habitat Conservancy, PAC to expand on my knowledge of a more regional approach to guidance and protection of natural resources and endangered species and contribute to the decisions and planning of the Advisory Committee. I look forward to meeting with you to discuss how my background and experience can be of value. Thank you.
Name of Advisory Board applying for: **Public Advisory Committee**

Position:  ☑ Suburban/Rural Resident of Plan Area

Name of Applicant (Name): Margaret Kruse

Address: [Redacted]
City, State, Zip: Brentwood, CA 94513
Contact Phone: [Redacted]
Email Address: [Redacted]

Signature: [Redacted]  Date: 1/25/17

**Personal Experience, Skills and Interests**

**Education/Background:**
Masters Degree, Educational Leadership, CSU, East Bay; Bachelors Degree, Liberal Studies, Sacramento State University

Occupation (student, for pay work, not for pay work, retiree or similar):
Retired in August 2016 from a lifelong career in public education. The most recent 25 years have been spent as Assistant Superintendent in the Brentwood Union School District.

Community Activities:
I am a member of the East County Historical Society. I have served as a volunteer for Save Mount Diablo on a number of occasions. I volunteered with the effort to defeat Measure F - the urban limit line expansion measure in Brentwood.

Why are you interested in a position on the Public Advisory Committee of the East Contra Costa County Habitat Conservancy:

SEE ATTACHED

You may attach a separate page(s) or provide responses on this page.

**Information:**

1. For more information about the East Contra Costa County Habitat Conservancy and the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan visit: www.cocohcp.org

2. File completed application with Maureen Parkes, Contra Costa County Department of Conservation and Development, 30 Muir Road, Martinez, CA 94553. Email applications accepted. Email to: Maureen.Parkes@dcd.cccounty.us.

3. Members of some advisory bodies may be required to file annual Conflict of Interest Statements.

4. Meetings of the Conservancy’s Public Advisory Committee are typically held quarterly during the day at Pittsburg City Hall, however occasionally meetings may be held in areas not accessible by public transportation.

5. The current meeting schedule and past meeting packets can be accessed online at www.cocohcp.org.
Attachment: Application for Public Advisory Committee

First, a little about myself: I am a lifelong resident of east Contra Costa and a resident of Brentwood for 39 years. I currently live on Marsh Creek Road in a home and on a property that has been a part of my husband's family since 1898. My husband and I shared a deep love and passion for this land and the entire Marsh Creek region. He recently passed away, but while living, he participated actively in land conservation issues. He was a leader in the 'dump wars' in east county, and played a key role leading to the preservation/purchase of Round Valley. Together we participated in the campaign to defeat Measure F in Brentwood. He served on the Board of Directors and the Land Committee for Save Mount Diablo and together we volunteered in many SMD activities. While these - and more - were his accomplishments and activities, it was an interest and commitment that we shared. I learned much through his work, and I know my support made his work possible. It is one of my retirement goals to find ways to become more directly and personally involved in these issues.

I would bring to the committee an understanding of the principles of the HCP - the efforts towards conservation of specific species and habitats and the concept of wildlife corridors, the pragmatic approach to ensuring that acquisitions are consistent with best practices and knowledge, and the 'willing sellers' approach. During my career in Brentwood Union School District, Brentwood was one of the fastest growing communities in the state. As a district administrator, I had much exposure to housing development proposals and mitigation discussions. I am experienced working with Boards in an advisory capacity. I understand the importance of public involvement and awareness. I also have extensive knowledge of budget development and monitoring aligned to the organizational goals.

So, why do I want to serve? I seek an opportunity to contribute locally to land conservation activities. I want to participate in processes that provide protection of the beautiful Marsh Creek corridor as well as other lands both for conservation and appropriate public recreation. I also want to ensure individual land owners have opportunity to sell for conservation or to continue to hold private control and ownership. I believe in the mission of the HCP and would look forward to being involved in the work of the organization.
EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY
APPLICATION FORM

Name of Advisory Board applying for: Public Advisory Committee
Position: ☑ Suburban/Rural Resident of Plan Area

Name of Applicant (Name): Arnica MacCarthy
Address: [redacted]
City, State, Zip: Bay Point, CA 94565
Contact Phone: [redacted]
Email Address: [redacted]

Signature: [signature] Date: 11/01/2017

Personal Experience, Skills and Interests - see separate page

Education/Background:

Occupation (student, for pay work, not for pay work, retiree or similar):

Community Activities:

Why are you interested in a position on the Public Advisory Committee of the East Contra Costa County Habitat Conservancy:

You may attach a separate page(s) or provide responses on this page.

Information:
1. For more information about the East Contra Costa County Habitat Conservancy and the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan visit: www.cocohcp.org
2. File completed application with Maureen Parkes, Contra Costa County Department of Conservation and Development, 30 Muir Road, Martinez, CA 94553. Email applications accepted. Email to: Maureen.Parkes@dcd.cccounty.us.
3. Members of some advisory bodies may be required to file annual Conflict of Interest Statements.
4. Meetings of the Conservancy’s Public Advisory Committee are typically held quarterly during the day at Pittsburg City Hall, however occasionally meetings may be held in areas not accessible by public transportation.
5. The current meeting schedule and past meeting packets can be accessed online at www.cocohcp.org.
Good afternoon Maureen,

My name is Arnica MacCarthy. I am interested in applying for the suburban or rural resident from the Plan "inventory area" member opening for the Public Advisory Committee.

I have attached the East Contra Costa County Habitat Conservancy application form and answers to the personal experience, skills and interests section below.

Thank you for considering me for the position.

Please let me know if you have any questions.

Thanks,

Arnica

**Education/Background:**

Bachelor’s of Arts 2006 – The Evergreen State College.

10 + years of working in land use & environmental planning – Kitsap County, WA;

Glenn County, CA, California Department of Transportation, CA

**Occupation** (student, for pay work, not for pay work, retiree or similar):

Associate Environmental Planner – California Department of Transportation, Oakland, CA

**Community Activities:** None currently

**Why are you interested in a position on the Public Advisory Committee of the East Contra Costa County Habitat Conservancy:**

I have lived in the greater bay area for five years, and just relocated to Bay Point. I believe that my education, background, and work experience provide me with a solid understanding of the concepts of habitat conservation, land use development, infrastructure development, etc. and all of the challenges involved. I am looking for an opportunity to volunteer in my community and feel that this would fit my professional experience and personal interests in conservation.
**EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY**

**APPLICATION FORM**

Name of Advisory Board applying for: **Public Advisory Committee**

Position: ☑ Suburban/Rural Resident of Plan Area

<table>
<thead>
<tr>
<th>Name of Applicant (Name):</th>
<th>Michael Moore</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
<td></td>
</tr>
<tr>
<td>City, State, Zip:</td>
<td><strong>Oakley, CA 94561</strong></td>
</tr>
<tr>
<td>Contact Phone:</td>
<td></td>
</tr>
<tr>
<td>Email Address:</td>
<td></td>
</tr>
</tbody>
</table>

Signature: Michael Moore  Date: 2/10/16

**Personal Experience, Skills and Interests**

Education/Background:
- **Bachelor of Arts - UC Berkeley**, 1972
- **Master of Business Administration - San Diego State Univ.**, 1975
- **Juris Doctor - Santa Clara**, 1990

Member State Bar of California, A-1991. Resume - see attached

Retiree

Community Activities:
- 2016 Oakley Leadership Academy Graduate
- City of Oakley Community Choice Energy Adhoc Subcommittee Member

Why are you interested in a position on the Public Advisory Committee of the East Contra Costa County Habitat Conservancy:

see attached

---

**Information:**

1. For more information about the East Contra Costa County Habitat Conservancy and the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan visit: [www.cocohcp.org](http://www.cocohcp.org)
2. File completed application with Maureen Parkes, Contra Costa County Department of Conservation and Development, 30 Muir Road, Martinez, CA 94553. Email applications accepted. Email to: Maureen.Parkes@dcd.cccounty.us.
3. Members of some advisory bodies may be required to file annual Conflict of Interest Statements.
4. Meetings of the Conservancy’s Public Advisory Committee are typically held quarterly during the day at Pittsburg City Hall, however occasionally meetings may be held in areas not accessible by public transportation.
5. The current meeting schedule and past meeting packets can be accessed online at [www.cocohcp.org](http://www.cocohcp.org).
Dear Conservancy,

I am interested in participating in the review process that the PAC board does on all aspects of the conservancy plan. As a resident of Oakley who just recently moved here, I am interested in how the permitting process occurs for areas that are impacted by endangered species and how those approvals impact the environment over time. As a suburban member, I am interested seeing how East County will change over time. The Plan allows both conservation of endangered species and reasonable growth. It has the agreement of the U.S. Fish and Wildlife Service via the Habitat Conservation Plan and the California Department of Fish and Game via the Natural Community Conservation Plan along with the Environmental Impact Report that satisfies CEQA. It allows developers a one-stop permitting process. It would be very interesting and challenging to make sure that all the parts of the Conservancy Plan are working together by being on the Public Advisory Committee.

Regards,

Michael Moore
SUMMARY:

18 years of progressive experience in strategic materials management. Skills include: designing solutions to complex problems using my high-level, analytic ability; communicating results clearly and concisely both verbally and in writing; directing and managing meetings that get results; expert in MS Excel and MS Access. Dedicated, professional, team player who possesses excellent interpersonal, organizational and communication skills.

EXPERIENCE:

Flex  
Supply Chain Management  
Milpitas, CA  
August 1998 to March 2016

Designed and implemented strategic materials programs at the world's largest electronics manufacturing services company. Promoted successively from Supply Chain Analyst to Customer Supply Chain Manager (CSCM) to CSCM Manager to Sector Pricing Leader.

Skills:

- **Pricing** – Conducted and managed quarterly price reviews for the customer. Price reviews included both component and assembly pricing based on customer bills of material. Determined various timing options for new price cut-ins including buydowns. Supervised quotation of new business.
- **Sourcing** - Designed and implemented sourcing strategies with supply base management. Strategies included sourcing directly through manufacturers or indirectly through distributors, suggesting new vendors, minimizing inventory exposure through vendor managed inventory, and reducing lead time by EDI/JIT programs. Managed inventory exposure due to west coast dock strike
- **Profitability** – Responsible for material margin. Set quarterly profit targets and tracked performance. Advised purchasing on adherence to customer component pricing
- **Inventory Management** – Tied sourcing strategy to inventory management to ensure both supply assurance and minimum inventory levels. Designed safety stock programs. Negotiated excess inventory disposition. Transferred large programs to Guadalajara, Audited and transferred inventory of customer’s former contract manufacturer to our inventory
- **Supervision** – Managed both professional and support personnel; Trained remote support in Guadalajara and India; Managed pricing activities for world-wide customers manufactured on multiple sites; Co-managed Supply Chain Department

Key Accomplishments:

- **Pricing** - Coordinated and managed the quotation process, supply base activities and price analysis for a quick turn major business opportunity that resulted in a timely and competitive submission within one week of initiation.
- **Sourcing** - Designed and implemented a multi-site supply chain optimization program that increased profitability through applying consistent MRP parameters and component pricing.
- **Sourcing** – Included multiple distributors in Low Volume High Mix program that increased supply chain flexibility and profitability.
- **Profitability** - Directed analysis on disengagement from third party inventory agreement which resulted in refuting a supplier claim of $1.2 million for lost inventory
- **Profitability** - Directed analysis which rebutted finance’s contention that there was a $1.4 million lost on a project with the result that the charge was reversed
- **Inventory Management** - Transferred successfully four customer accounts due to a site closure that gained customer satisfaction and appreciation.
- **Supervision** - Trained and supervised new Pricing Manager on a major, global account from a remote location with the result that he was fully capable of competently performing his duties within two months.
Managed customers who utilized value-added services for a major electronic components distributor. Value-added engagements included both kitting for components only and turnkey for full production. Handled both local and international customers. Provided shortage reports to customer on a weekly basis. Developed and implemented customer documentation procedures. Developed Microsoft Access database to account for tape & reel attrition at contract manufacturer. Responsible for business wind-up of significant international customer. Translated customer bills of material for use on Arrow’s mainframe. Prepared and presented monthly account status to upper management. Successively promoted from Project Administrator to Materials Planner to Project Manager.

**Key Accomplishments:**

- Managed disengagement from international customer that resulted in zero inventory liability for Arrow.
- Developed accurate methodology of tracking and recognizing attrition at contract manufacturer which resulted in Arrow’s ability to recoup these expenses from the customer

**EDUCATION:**

Certified in Production and Inventory Management 1998

Admitted to State Bar of California 1991

Santa Clara University, Santa Clara, CA
Juris Doctor 1990

San Diego State University, San Diego, CA
Masters of Business Administration 1976

University of California, Berkeley, CA
Bachelor of Arts 1972

**MILITARY SERVICE:**

EAST CONTRA COSTA COUNTY
HABITAT CONSERVANCY

DATE: March 6, 2017
TO: Governing Board
FROM: Conservancy Staff (Abigail Fateman)
SUBJECT: Administrative Matter for the Governing Board for 2017

RECOMMENDATION
SET the Governing Board meeting schedule for the remainder of 2017.

DISCUSSION
The Joint Powers Agreement (JPA) forming the Conservancy requires the Governing Board to set a regular meeting schedule. That schedule is set on an annual basis to reflect the availability of Board Members for that year. The Governing Board also previously directed that the meeting location rotate among the jurisdictions.

In 2016, a schedule of meeting the fourth Monday of every other month worked well. Below is a tentative schedule for the fourth Monday from 2:00 – 4:00 pm. If the Board were to stay with the same schedule, the dates and locations for meetings for the remainder of 2017 are outlined below:

<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 24, 2017</td>
<td>City of Clayton</td>
</tr>
<tr>
<td>June 26, 2017</td>
<td>City of Pittsburg</td>
</tr>
<tr>
<td>August 28, 2017</td>
<td>City of Oakley</td>
</tr>
<tr>
<td>October 23, 2017</td>
<td>City of Brentwood</td>
</tr>
<tr>
<td>December 18, 2017*</td>
<td>City of Clayton</td>
</tr>
</tbody>
</table>

* Location rotation tentative pending space availability.
**December meeting adjusted to the 3rd Monday so as not to fall on Christmas holiday.

CONTINUED ON ATTACHMENT: No
ACTION OF BOARD ON: March 6, 2017
APPROVED AS RECOMMENDED: ______
OTHER: ______________________________

VOTE OF BOARD MEMBERS
____ UNANIMOUS

AYES: ______________________________
NOES: ______________________________
ABSENT: ____________________________
ABSTAIN: __________________________

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF AN ACTION TAKEN AND ENTERED ON THE MEETING RECORD OF THE CONSERVANCY GOVERNING BOARD ON THE DATE SHOWN.

ATTESTED: __________________________
John Kopchik, SECRETARY OF THE EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

BY: _______________________________, DEPUTY
DATE: March 6, 2017
TO: Governing Board
FROM: Conservancy Staff (Abigail Fateman)
SUBJECT: Conservancy 10 Year Anniversary

RECOMMENDATION

ACCEPT update on planning and activities related to the Conservancy’s 10-year anniversary.

DISCUSSION

The permits from US Fish and Wildlife and California Department of Fish and Wildlife were signed in mid-2007, and shortly thereafter the Conservancy initiated operation as the implementing entity of the East Contra Costa County Habitat Conservancy. As the Conservancy moves into its tenth year of operation, staff and our partner agencies and organizations are looking to mark the occasion with a number of activities. Many of the ideas for celebrating the Conservancy’s 10 years were generated by the Conservancy’s Public Advisory Committee.

These activities include:

**Signage:** “Preserved Forever” signs have been installed along the Vasco Road corridor to inform residents that the areas (on both sides of the road) have been acquired and conserved. An update on this activity was provided at the Conservancy’s December 2016 meeting.

CONTINUED ON ATTACHMENT: No
ACTION OF BOARD ON: March 6, 2017
APPROVED AS RECOMMENDED: 
OTHER: 

VOTE OF BOARD MEMBERS

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF AN ACTION TAKEN AND ENTERED ON THE MEETING RECORD OF THE CONSERVANCY GOVERNING BOARD ON THE DATE SHOWN.

ATTESTED

John Kopchik, SECRETARY OF THE EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

BY: ____________________________ , DEPUTY
**Preserve Property Hikes:** Conservancy staff is collaborating with East Bay Regional Park District, Nomad Ecology, Save Mount Diablo and the California Native Plant Society – East Bay Chapter on hikes on Preserve System properties that are not currently open to the public. The hike leaders are all donating their time to these activities. The tentative hike schedule is:

- March 12 and 13: Byron-Vasco Area, *Hike Leader: Nomad Ecology*
- April 2: Smith Property, *Hike Leader: California Native Plant Society*
- April 9 and 10: Roddy Ranch, *Hike Leader: Nomad Ecology*
- May 13: Irish Canyon, *Hike Leader: Save Mount Diablo*
- June 4 and 5: Kreigor Peak Area, *Hike Leader: Nomad Ecology*
- July 22: Chaparral Spring, *Hike Leader: Save Mount Diablo*
- September 23: Hanson Hills, *Hike Leader: Save Mount Diablo*
- October 28: Thomas Home Ranch, *Hike Leader: Save Mount Diablo*
- Date TBD: Byron-Vasco Area – BYOH (Bring Your Own Horse), *Trail Ride Leader: TBD (this is a tentative event)*

These docent-led hikes are offered free to the public. Depending on the hike, the activity is limited to between 20 and 30 participants. The June 4th and 5th hikes in the Kreigor Peak Area will be more complicated than others. Staff is proposing to shuttle participants from a start location (likely Pittsburg City Hall) to the hike start which is approximately two-thirds of the way to the Peak. The shuttle route follows the same route taken for the Plan’s permit signing ceremony. The route uses public roads, a closed county road (paved) and an EBPRD/Conservancy road (paved). This allows staff to coordinate a hike on the Preserve System that starts at a higher elevation and will be accessible to a larger audience. The hike will have spectacular views of the surrounding area and hopefully wildflowers. Hiking to this location for a larger group will be problematic due to time and pace of hikers. Staff anticipates spending some funds to rent vehicles to shuttle approximately 25 people on the two days. Initial estimates of the shuttle cost are approximately $350 per day (renting three vans for one day). The current proposal is to run this event twice, so the total expenditure on vans would be approximately $700.

**Photographs:** The Conservancy has teamed up with East Bay Regional Park District to hire Stephen Joseph to photograph the Preserve Properties. Mr. Joseph is a local photographer well known for his work documenting Mount Diablo and a long-time supporter of Bay Area conservation efforts. The photographs will be available for the Conservancy and East Bay Regional Park District to use in materials, presentations, and at events. The Conservancy’s cost-share of this effort is $5,000.

**Events:** Staff is working with implementation partners and the PAC to develop two events. The first event would be a large outdoor celebration for late September 2017. This is an opportunity to convene Federal, State and local partners as well as others involved in plan implementation. The second event would be smaller and is likely that the photos taken by Stephen Joseph of Preserve Properties will be on display. Staff will return to the Board with cost estimates and identified funding for hosting the proposed events.
DATE: March 6, 2017
TO: Governing Board
FROM: Conservancy Staff (Abigail Fateman)
SUBJECT: Knightsen Wetland Restoration and Flood Protection Project

RECOMMENDATION
Consider awarding a contract not to exceed $240,000 to Environmental Science Associates for work on the Knightsen Wetland Restoration and Flood Protection Project for the term of March 6, 2017 through September 30, 2019.

BACKGROUND
In January of 2016, the East Contra Costa County Habitat Conservancy was awarded a $240,000 grant from the California Department of Fish and Wildlife (through Proposition 1 funding) for the Knightsen Wetland Restoration and Flood Protection Project. The grant agreement between the State and the Conservancy was executed in late 2016 and expires September 30, 2019.

The Conservancy made the Request for Proposals (RFP) public on January 6th, 2017 with responses due to the Conservancy by February 9th. Staff sent the RFP directly to 15 firms that had responded to the previous solicitation for consultants to develop Conservancy restoration projects and had interviewed competitively. The RFP was also posted to the Conservancy’s website. The following firms submitted a proposal:

- AECOM
- Environmental Science Associates (ESA)
- Vollmar Natural Lands Consulting

The three firms were invited to an interview. Each consulting team participated in an hour-long interview on February 24th, 2017.

CONTINUED ON ATTACHMENT: No
ACTION OF BOARD ON: March 6, 2017
APPROVED AS RECOMMENDED: _____
OTHER: ______________________________________________________

VOTE OF BOARD MEMBERS

____ UNANIMOUS

AYES: ______________________________________________________
NOES: ______________________________________________________
ABSENT: ____________________________________________________
ABSTAIN: __________________________________________________

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF AN ACTION TAKEN AND ENTERED ON THE MEETING RECORD OF THE CONSERVANCY GOVERNING BOARD ON THE DATE SHOWN.

ATTESTED
John Kopchik, SECRETARY OF THE EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

BY: _______________________________________________________, DEPUTY
The interview panel included four people representing key agencies involved in the project. The panelists were:

- Mike Carlson, Deputy Chief Engineer, Contra Costa County Flood Control and Water Conservation District
- Dan Cunning, Delta Unit Manager, East Bay Regional Park District
- Abigail Fateman, Executive Director, East Contra Costa County Habitat Conservancy
- Steve Ohmstede, Chair, Knightsen Community Services District

The panel was impressed with all three proposals and their approaches to the project. At the conclusion of the interviews, the panel discussed the qualifications of each of the firms. The panel decided, that upon staff receiving favorable recommendations from ESA’s references, to recommend awarding the contract to ESA. Staff contacted ESA’s references for on-going and work completed for the State Department of Water Resources, Yolo Basin Foundation and Marin Audubon. ESA is partnering with Nomad Ecology and Balance Hydrologics for this proposal. The Conservancy has positive experiences working with staff from both of those firms as well. The ESA team has extensive experience working effectively on similarly scoped habitat restoration projects in Contra Costa County (Dutch Slough Wetland Restoration, Cypress Corridor Habitat Preserve) as well as around the greater Delta region. The team also demonstrated an in-depth understanding of the HCP/NCCP habitat goals as well as the concerns related to flooding and storm water management needs in the Knightsen area.

The Conservancy plans to initiate work on this project quickly. Completing this initial assessment and alternatives analysis will position the Conservancy to apply for additional grant funding to move this project into the permitting and construction phase.

Staff recommends awarding the contract to the ESA team. Staff will work with ESA on refining the contract scope and details prior to completing the contracting process with ESA.
EAST CONTRA COSTA COUNTY
HABITAT CONSERVANCY

DATE: March 6, 2017
TO: Governing Board
FROM: Conservancy Staff (Joanne Chiu)
SUBJECT: Authorization to Convey Easements to Contra Costa County for the Morgan Territory Road Bridges 4.30 and 4.40 Scour Repair Project

RECOMMENDATION

APPROVE the conveyance of an 867 square foot perpetual easement, and two temporary construction easements on land acquired for the HCP/NCCP Preserve System to Contra Costa County as needed for the Morgan Territory Road Bridges 4.30 and 4.40 Scour Repair Project.

DISCUSSION

Contra Costa County (“County”) requires acquisition of an 867 square foot (0.012 acre) perpetual easement and right of way for ingress and egress and maintenance purposes on the Galvin property (“Property”) as needed for the Morgan Territory Road Bridges 4.30 and 4.40 Scour Repair Project (“Scour Repair Project”). The proposed perpetual easement is located along Morgan Territory Road and adjacent to the County right of way. The County requires acquisition of a perpetual easement to install and maintain rock slope protection intended to stabilize an eroding area of the Marsh Creek bank needed to secure the bridge. The perpetual easement area will allow the County access (personnel, vehicles, and equipment) to this area to perform future maintenance activities. In addition to the two perpetual easements, the County also requires two temporary construction easements along Morgan Territory Road, one consisting of 539 square feet and the other consisting of 443 square feet.

The Board’s approval of this easement conveyance will authorize the Conservancy to issue a letter to East Bay Regional Park District (“EBRPD”) approving the conveyance from EBRPD to the County for the Morgan Territory Road Bridges 4.30 and 4.40 Scour Repair Project. The letter from the Conservancy to the EBRPD will also stipulate that the $1,000 received by EBRPD for this sale be used to acquire lands that will be added to the HCP/NCCP Preserve System to replace the land conveyed.

ACTION OF BOARD ON: March 6, 2017  APPROVED AS RECOMMENDED ________________
OTHER:

VOTE OF BOARD MEMBERS
_ UNANIMOUS
AYES: ____________________________
NOES: ____________________________
ABSENT: ____________________________
ABSTAIN: ____________________________

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF AN ACTION TAKEN AND ENTERED ON THE MEETING RECORD OF THE CONSERVANCY GOVERNING BOARD ON THE DATE SHOWN.

ATTESTED
JOHN KOCHIK, SECRETARY OF THE EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

BY: ____________________________, DEPUTY
**Background**

The support structures of Morgan Territory Road Bridges 4.30 and 4.40 have significant bank erosion that threatens the integrity of the Bridges. The Scour Repair Project includes installing rip rap (rock) on embankment slopes, placing a reinforced concrete slab in the channel below each bridge from abutment to abutment, filling voids in the boulder abutments with mortar, removal of one tree (Bridge 4.40) where stability has been undermined due to erosion, repairing and replacing existing bridge railings, installation of guard rail at the bridge approaches, and channelizing roadway runoff with an overside drain.

Rural road operation and maintenance projects are identified as eligible covered activities in the ECCC HCP/NCCP, and the Morgan Territory Road Bridges 4.30 and 4.40 Scour Repair Project will be receiving take coverage through the ECCC HCP/NCCP.

In order to conduct the repairs, the County is required to acquire easements adjacent to the existing County right of way easement. The County will require one two perpetual easement and two temporary easements on the Galvin property in order to complete the Scour Repair Project.

The Galvin property was acquired in partnership with the EBRPD on January 30, 2012. Any conveyance or transfer of the Property requires approval from the Conservancy, the Wildlife Conservation Board (“WCB”), U.S. Fish and Wildlife Service (“USFWS”), and the California Department of Fish and Wildlife (“CDFW”). These required approvals and associated documents are identified here and further described below:

<table>
<thead>
<tr>
<th>Executed Document</th>
<th>Approval Required for Conveyance</th>
<th>Date Approval Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restrictive Covenant</td>
<td>U.S. Fish and Wildlife Service</td>
<td>January 30, 2017 (USFWS)</td>
</tr>
<tr>
<td></td>
<td>California Department of Fish and Wildlife</td>
<td>February 16, 2017 (CDFW)</td>
</tr>
<tr>
<td>Subgrant Agreement</td>
<td>Wildlife Conservation Board</td>
<td>Forthcoming</td>
</tr>
<tr>
<td>Funding Agreement</td>
<td>East Contra Costa County Habitat Conservancy</td>
<td>Pending Approval</td>
</tr>
</tbody>
</table>

WCB Subgrant Agreement: The acquisition of the Galvin property was subject to a Subgrant Agreement with WCB that places conditions on sale or transfer of the acquired land. The Subgrant Agreement memorialized the anticipated need for the County to acquire land along their right of way for the rural infrastructure projects. Conservancy staff is expecting to receive approval from WCB in the next few weeks. No conveyance will be take place until after the Conservancy and EBRPD receives approval from WCB.

Restrictive Covenant: The Galvin property is subject to an HCP/NCCP restrictive covenant that is recorded on the Property. Any conveyance or transfer requires approval from USFWS and CDFW. The Conservancy and EBRPD received conveyance approval from USFWS on January 30, 2017 and from CDFW on February 16, 2017.
Funding Agreement: The Funding Agreement was signed by the Conservancy and EBRPD. EBRPD is required to obtain Conservancy approval to convey any portion of the Property. Because rural road operation and maintenance projects are covered activities of the HCP/NCCP and the minimal acreage is to be conveyed, Conservancy staff recommends the Governing Board approve this conveyance of one permanent easement and two temporary construction easements to the County.

**Attachments:** Maps of easements proposed for conveyance to the County
**Proposed Perpetual Maintenance Easement Area**

**Proposed Temporary Construction Easement Areas**

**Other Preserve System Land**

*Satellite imagery for this map is from 2014*

- Galvin Property
- Morgan Territory Road
- Temporary Construction Easement 539 sq ft
- Perpetual Maintenance Easement 867 sq ft
- Temporary Construction Easement 443 sq ft

**Agenda Item 9a2**
EAST CONTRA COSTA COUNTY
HABITAT CONSERVANCY

DATE: March 6, 2017
TO: Governing Board
FROM: Conservancy Staff (Allison Cloney)
SUBJECT: Agreement with Phillips 66 Pipeline, LLC to Extend Take Coverage

RECOMMENDATION

Consider the following actions related to extending take coverage to Phillips 66 Pipeline, LLC for the Phillips 66 Line 200 Anomaly Investigation and Repair, Spring 2017:

a) AUTHORIZE staff to execute a Participating Special Entity Agreement with Phillips 66 Pipeline, LLC for take coverage of the Phillips 66 Line 200 Anomaly Investigation and Repair, Spring 2017 Project;

b) AUTHORIZE staff to file a Notice of Exemption with the County Clerk for the Project.

DISCUSSION

ITEM (a). Phillips 66 Pipeline, LLC ("Phillips 66") owns and operates the Line 200 pipeline which runs through the southwest part of the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) inventory area. The pipeline transports crude oil from the Kern County area to a Phillips 66 refinery in Rodeo, California.

The U.S. Department of Transportation and California State Fire Marshal pipeline safety regulations require Phillips 66 to conduct regular inspections and maintenance on the pipeline. A recent internal inspection of Line 200 identified five potential anomalies (dents or metal loss) that could lead to pipeline integrity issues. Phillips 66 is proposing to complete anomaly investigation and repairs at the five identified anomaly locations (Site IDs 211,580.32.09, 211,570.05.69, 205,690.25.17, 203,860.08.00, and 195,120.07.37).

CONTINUED ON ATTACHMENT: Yes
ACTION OF BOARD ON: March 6, 2017
APPROVED AS RECOMMENDED: 

VOTE OF BOARD MEMBERS

UNANIMOUS

AYES: 
NOES: 
ABSENT: 
ABSTAIN: 

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF AN ACTION TAKEN AND ENTERED ON THE MEETING RECORD OF THE CONSERVANCY GOVERNING BOARD ON THE DATE SHOWN.

ATTESTED:
John Kopchik, SECRETARY OF THE EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

BY: ____________________________, DEPUTY
All five sites are located along the existing Line 200 Mainline trunk pipeline within East Contra Costa County. Four of the project sites (Site IDs 211,580.32.09, 211,570.05.69, 205,690.25.17, and 203,860.08.00) are located along the Marsh Creek Road corridor between the City of Clayton and unincorporated Brentwood. The remaining repair site (SID 195,120.07.37) is situated in rolling hills to the southeast of the Los Vaqueros Reservoir within East Bay Regional Park District’s Vasco Caves Regional Preserve. This project is known as the Phillips 66 Pipeline Repair Project, Spring 2017 (herein after referred to as “Project”).

All proposed work results in temporary impacts to habitat. The repair sites themselves will each impact an area that is approximately 1,500 sq. ft. with an associated overland access route ranging from approximately 25-125 linear feet from an existing ruderal/dirt access road. Within the repair site footprint, a small excavator will be used to excavate to the pipeline, and hand digging will be conducted to expose the repair location. All spoils will be stored within the repair site footprint. The excavation will be backfilled and compacted, and topsoil layer will be spread across area of disturbance. Access to the remote repair locations will be along existing ruderal/dirt ranch roads. The dirt ranch roads will be assessed a temporary impact fee for one year of disturbance for the footprint of the road and an additional 5-foot buffer from each side of the road. All vehicle staging, aside from the excavator conducting work will be within the repair site footprint or on existing dirt roads.

In December 2016, the Governing Board considered and approved extending take coverage to the previous Phillips 66 Line 200, Winter 2016 Project. For that project staff implemented a 25-foot temporary impact buffer for dirt access road use. Due to a request from Phillips 66 to expedite the permitting process, there was not time to consult with U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) regarding a specific buffer for vehicle use of an existing dirt ranch road in this situation. Conservancy staff were conservative and used a previously recommended buffer from the wildlife agencies. The Governing Board approved extending take coverage to the project with guidance to staff to pursue the topic with wildlife agencies, and if the wildlife agencies approve a smaller buffer, the project could receive credit for fees paid. As directed by the Board, Conservancy staff consulted USFWS and CDFW to discuss a buffer for the use of rural dirt roads. Staff and the agencies determined that a 5-foot buffer on each side of the road would be adequate to account for temporary impacts associated with the use of existing rural ranch roads for access to pipeline repair sites associated with both the December project and the current project under consideration. The 5-foot buffer will provide the applicant and the Conservancy with a travel corridor that will accommodate impacts to overgrown areas, inadvertent impacts outside the road footprint, space for unexpected wide turns, potential for vehicle passing and increased traffic. The Winter 2016 Project temporary impacts fee related to the rural ranch road impacts were recalculated using the approved 5-foot buffer. Credit from excess fees paid in 2016 will be applied to this Project.

The Project will occur in habitat suitable for several species covered by the HCP/NCCP. Phillips 66 is requesting take authorization for the Project through the Conservancy as a Participating Special Entity (“PSE”). Chapter 8.4 of the HCP/NCCP provides that organizations, including public agencies and private organizations, may apply directly to the Conservancy for take coverage as a PSE for projects not subject to the land use authority of one of the land use
Agenda Item #10

Agencies participating in the HCP/NCCP. Phillips 66 does not require any city or county land use permits for this project. To receive permit coverage under the HCP/NCCP, the Conservancy and the PSE must enter into an Agreement obligating compliance with the applicable terms and conditions of the Implementing Agreement, the HCP/NCCP, and the state and federal permits. The agreement must describe and bind Phillips 66 to perform all avoidance, minimization, and mitigation measures applicable to the Project.

A PSE’s project must also be an eligible covered activity under the HCP/NCCP. As set forth in Section 2.3.3 and 2.3.4 of the HCP/NCCP, Utility Line or Facility Operation and Maintenance is an eligible covered activity within the HCP/NCCP inventory area, including within HCP/NCCP Preserves. The Project is therefore an eligible covered activity. However, it should be noted that the pipeline is within an easement held by Phillips 66 on land owned by East Bay Regional Park District (EBRPD). Phillips 66 is responsible for securing all landowner permissions from EBRPD that may be necessary to conduct the repair work and rare plant surveys as required by the HCP/NCCP. Phillips 66 has confirmed that they are aware of this requirement and will obtain any necessary access permission from EBRPD.

Conservancy staff has prepared a PSE Agreement for this Project (attached). Attached as Exhibit 1 to the PSE Agreement is the completed Planning Survey Report Application (“PSR”) for the Project, which was prepared by Arcadis U.S., Inc., the biological firm hired by Phillips 66 to complete the PSR. The PSR documents the results of the planning-level surveys conducted at the repair sites and associated access areas where impacts will occur and describes the specific pre-construction surveys, avoidance/minimization/construction monitoring, and mitigation measures that are required in order for the Project to be covered through the HCP/NCCP. The PSR contains project vicinity maps, detailed maps showing the impacts associated with the Project site, land cover and species habitat maps, and the Fee Calculator Worksheet.

Key provisions of the Agreement:

- The Project impacts are reflected in the table below:

<table>
<thead>
<tr>
<th>Land Cover Type</th>
<th>Temporary Impact-work space, overland travel &amp; temporary bridge (ac)</th>
<th>Temporary Impact-Access Road &amp; 5-ft buffer (ac)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Grassland</td>
<td>0.074</td>
<td></td>
</tr>
<tr>
<td>Oak Savannah</td>
<td>0.063</td>
<td></td>
</tr>
<tr>
<td>Oak Woodland</td>
<td>0.068</td>
<td></td>
</tr>
<tr>
<td>Ruderal</td>
<td>0.003</td>
<td>6.291</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>0.208</strong></td>
<td><strong>6.291</strong></td>
</tr>
</tbody>
</table>

- The Agreement provides that Phillips 66 will reimburse the Conservancy for staff costs associated with processing the request for take coverage, up to a maximum reimbursement of $5,000.
As set forth in the PSE Agreement (page 6), Phillips 66 will pay the Conservancy $10,277.69, which amount includes all HCP/NCCP mitigation fees necessary for the Project, less a credit for Phillips 66 for overpayment of fees for the Phillips 66 Line 200, Winter 2016 Project in the amount of $10,747.56.

As set forth in the HCP/NCCP, the Conservancy may charge a PSE a Contribution to Recovery (CTR) to help the Conservancy cover certain costs associated with the HCP/NCCP that are not included in the mitigation fees (for example, the costs of preserve management beyond the permit term, the costs borne by the Conservancy of exceeding mitigation requirements and contributing to the recovery of covered species (as is required because the plan is an NCCP and by state law NCCP’s must contribute to recovery, etc.)). Per the Conservancy’s CTR policy, which established a standardized method of determining the CTR charge, Phillips 66 will be charged an amount of $10,341.75. This amount is calculated based on the Project’s cumulative mitigation fees being less than or equal to $50,000.

The table below summarizes the required fees and administrative costs:

<table>
<thead>
<tr>
<th>PHILLIPS 66 PIPELINE, LLC FEE SUMMARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Temporary Impact fees:</td>
</tr>
<tr>
<td>Contribution to Recovery for Endangered Species:</td>
</tr>
<tr>
<td>Less the credit owed from Phillips 66 Line 200, Winter 2016 Project</td>
</tr>
<tr>
<td><strong>TOTAL FEES AND CONTRIBUTIONS</strong></td>
</tr>
<tr>
<td>Maximum Administrative Costs</td>
</tr>
<tr>
<td><strong>MAXIMUM AMOUNT TO BE PAID</strong></td>
</tr>
</tbody>
</table>


The PSE Agreement and PSR require a number of detailed measures to avoid impacts to several covered species including pre-construction surveys and avoidance and minimization measures for San Joaquin kit fox, western burrowing owl, California tiger salamander, California red-legged frog, and golden eagle.

The Agreement provides a number of detailed measures to avoid impacts to special status plant species covered by the HCP/NCCP. The required rare plant surveys during the appropriate blooming season were infeasible prior to submission of the application. Given the urgent nature of the project as well as the short duration of the proposed impacts, Conservancy staff has worked with the applicant to develop a number of
detailed measures beyond those required by the HCP/NCCP which seek to limit and avoid potential impacts to special status plant species. These additional measures include:

- Rare plant surveys will be conducted in April, May, and August of 2017 during the appropriate blooming season for each of the covered rare plants that require a rare plant survey to be conducted. The rare plant surveys will assess the repair site plus a 200-foot buffer around the repair site. The results of the surveys will be documented in a rare plant survey report to be submitted to the Conservancy by September 30, 2017. If special-status plant species are identified on or within 200 feet of the project area, the applicant will be required to meet and confer with Conservancy staff to develop and implement a suitable plan to address Conservation Measure 3.10 “Plant Salvage when Impacts are Unavoidable,” Section 6.31. “Covered and No-Take Plants,” and Table 5-20 “Protection Requirements for Covered Plants” in the HCP/NCCP as well as be required to comply with several additional measures to avoid and minimize impacts in order to ensure that this species is protected.

Next steps: If the Conservancy Governing Board authorizes staff to sign the PSE Agreement, key next steps in granting take coverage would be as follows:

- Phillips 66 signs the PSE Agreement.
- Staff will ask the Wildlife Agencies to review the PSE Agreement and to concur that the Agreement includes all applicable requirements of the HCP/NCCP with regard to the Project and imposes a duty on Phillips 66 to implement them. If, and only if, the Wildlife Agencies concur, the Executive Director of the Conservancy will sign the Agreement. Note: PSE Agreements, unlike the granting of take authorization by a participating City or County, require concurrence from the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife.
- Phillips 66 pays all required mitigation and administrative costs (to-date, as set forth in an invoice to be provided to Phillips 66 by Conservancy staff), as outlined in the PSE Agreement.
- The Conservancy issues Phillips 66 a Certificate of Inclusion. Take authorization would then be in effect, subject to the terms of the PSE Agreement.
- Phillips 66 conducts pre-construction surveys to determine which species-specific avoidance and minimization measures are required during construction.
- Phillips 66 develops and submits a construction monitoring plan to the Conservancy in accordance to Section 6.3.3 of the HCP/NCCP.
- Phillips 66 implements the Project subject to the terms of the PSE Agreement.
- A rare plant survey report will be submitted to the Conservancy by September 30, 2017 in accordance with the PSE Agreement and Exhibit 1.

ITEM (b), California Environmental Quality Act (CEQA): The Board’s decision to authorize staff to execute a Participating Special Entity Agreement and to extend take authorization under the PSE Agreement to Phillips 66 Pipeline, LLC for the Phillips 66 Line 200 Anomaly Investigation and Repair, Spring 2017 is a discretionary action requiring analysis with respect to compliance with CEQA. The project consists of the maintenance and repair of an existing
pipeline with no expansion of its existing use. The Conservancy has determined the project is categorically exempt from the requirements of CEQA under Class 1, "Existing Facilities," of the State CEQA Guidelines Section 15301 (Pub. Resources Code section 21084; Cal. Code Regs., tit. 14, §15301).

**Attachments:**

- PSE Agreement, including:
  - Main body of agreement
  - Exhibit 1: Planning Survey Report
    - Main body of planning survey report
      - Attachment A. Project Description
      - Attachment B. Figures
      - Attachment C. Project Compliance to HCP Conditions
      - Attachment D. Fee Calculators
DATE: March 6, 2017
TO: Governing Board
FROM: Conservancy Staff (Abigail Fateman)
SUBJECT: Regional General Permit

RECOMMENDATION

ACCEPT update on the U.S. Army Corps of Engineers Regional General Permit 1 renewal.

DISCUSSION

The U.S. Army Corps of Engineers (USACE) issued a Regional General Permit (RGP) aligned with the HCP/NCCP in 2012. This permit had a five year duration and it is up for renewal in May 2017. Staff continues to work on the RGP renewal process with the USACE and expects the USACE to place a notice in the federal register in the 1st quarter of 2017.

Staff has completed a first draft of a revised In Lieu Fee Agreement and will be working with Corps staff in the coming months on finalizing the details of the RGP renewal. Staff is coordinating with other agencies to ensure that there is no gap in RGP coverage for HCP/NCCP projects. Staff will be reaching out to renew negotiations with other agencies to ensure HCP/NCCP fees satisfy multiple regulatory requirements over the long term, with the goal of securing programmatic certification of the RGP by the State and Regional Water Boards.

CONTINUED ON ATTACHMENT: No
ACTION OF BOARD ON: March 6, 2017
APPROVED AS RECOMMENDED: 

VOTE OF BOARD MEMBERS

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF AN ACTION TAKEN AND ENTERED ON THE MEETING RECORD OF THE CONSERVANCY GOVERNING BOARD ON THE DATE SHOWN.

IATTESTED

John Kopchik, SECRETARY OF THE EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

BY: ______________________________, DEPUTY