



EAST CONTRA  
COSTA COUNTY  
HABITAT  
CONSERVANCY

City of Brentwood

City of Clayton

City of Oakley

City of Pittsburg

Contra Costa County

# Public Advisory Committee

Thursday, May 12, 2022 at 1:00 p.m.

To slow the spread of COVID-19, the County Health Officer's Shelter Order prevents public gatherings. In lieu of a public gathering, the Public Advisory Committee meeting will be accessible via tele-conference to all members of the public.

**The Public Advisory Committee meeting may be accessed either online or by telephone using the following information:**

Online: <https://cccouny-us.zoom.us/j/81471076271>

Meeting ID: 814 7107 6271

Phone: 888 278 0254 followed by access code 841892##

Persons who wish to address the Public Advisory Body during public comment or with respect to an item that is on the agenda may do so either online or by telephone. If accessing the meeting online, request to speak by clicking the "raise hand" function. If accessing the meeting by telephone, request to speak by dialing #2.

## Agenda

### 1) **Introductions**

Attendees are invited (but not required) to introduce themselves. This is also an opportunity for committee members (and meeting participants) to provide updates on their organization's activities.

### 2) **Public comment on items not on the agenda.**

Public comments will also be accepted on each agenda item during discussion of that item. (3 minutes each)

### 3) **Consider approving the Meeting Record from the East Contra Costa County Habitat Conservancy ("Conservancy") Public Advisory Committee ("PAC") meeting on February 10, 2022\*.**

The Draft Meeting Record is attached for review.

### 4) **General Update on recent actions of the Governing Board and Staff Activities.**

The complete Board agenda and packet from April and past meetings are posted on the Conservancy's website at: <http://www.co.contra-costa.ca.us/depart/cd/water/HCP/Meetings/GB.html>

Topics include:

- o Update on AB361 (still remote)

### 5) **BioBlitz – Report from the SCU Burn Area**, Denise Castro, Education & Outreach Associate, Save Mount Diablo

### 6) **Cultural Resources Management on Preserve System**, Annamarie Guerrero, Cultural Resources Coordinator at East Bay Regional Park District

### 7) **ECCC Habitat Conservancy's 2021 Year in Review\***, Abigail Fateman, ECCC Habitat Conservancy

**8) Confirmation of Remaining Calendar of 2022 PAC meetings.**

The PAC meets the 2<sup>nd</sup> Thursday of the month, quarterly. The remaining meetings for 2022 are provided here: August 11 and November 10 from 1 p.m. - 3 p.m.

**9) Adjourn.**

**\*Indicates there are attachments provided for the item.**

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 925-655-2909. The Conservancy will provide reasonable accommodation for persons with disabilities planning to participate in this meeting who contact staff at least 72 hours before the meeting.

# Public Advisory Committee

## **\*Draft Meeting Record\***

Thursday, February 10, 2022 at 1:00 p.m.

### 1) Introductions

#### *Committee Attendees:*

Private Permit Seekers	Conservation Advocates	Landowners/ Agriculturalists	Suburban/Rural Residents
<b>East Bay Leadership Council:</b> Lindy Johnson	<b>California Native Plant Society:</b> Lesley Hunt	<b>Margaret Kruse:</b> Absent (with notice)	<b>Arnica MacCarthy:</b> Absent
<b>Discovery Builders Inc.:</b> Absent	<b>Friends of Marsh Creek Watershed:</b> Barry Margesson	<b>California Farmland Trust:</b> Charlotte Mitchell	<b>Sharon Osteen:</b> Present
<b>Building Industry Association – Bay Area:</b> Lisa Vorderbrueggen	<b>Save Mount Diablo:</b> Juan Pablo Galván Martínez	<b>Contra Costa County Farm Bureau:</b> Absent	<b>Mary Helen Nicolini:</b> Absent

#### *Others in attendance:*

Abby Fateman, Conservancy Staff  
Joanne Chiu, Conservancy Staff  
Allison Cloney, Nomad Ecology  
Michelle Bellows, WSP  
Francis Lo, Baypac Consult, extension of CCTA  
Wahida Rashid, Caltrans  
Matthew Rechs, Caltrans

### 2) Public comment on items not on the agenda. *None.*

### 3) Consider approving the Meeting Record from the East Contra Costa County Habitat Conservancy (“Conservancy”) Public Advisory Committee (“PAC”) meeting on February 10, 2022. *The Meeting Record was approved.*

### 4) General Update on recent actions of the Governing Board.

The complete Board agenda and packet from December and past meetings are posted on the Conservancy’s website at: <https://www.cocohcp.org/AgendaCenter/Public-Advisory-Committee-PAC-3>

Topics include:

- Update on AB361 (still remote)
- Preserve System Acquisition: Civic Rancho Meadows
- Restoration Project updates

*Ms. Fateman provided updates on the following topics:*

- *AB361: The PAC meetings will continue to be held remotely until further notice.*
- *The open houses at the Nunn property/Knightsen restoration project site and Roddy Ranch Golf Course.*
- *The restoration management activities on the Upper Hess Watershed project site.*

*Ms. Chiu provided an overview of the Civic Rancho Meadows acquisition by East Bay Regional Park District. Sara Rieck from the East Bay Regional Park District provided additional information.*

- 5) State Route 239 Update\*** – Presentation from the project team on the State Route 239 Project followed by Q & A as well as discussion of the Conservancy’s permitting requirements. Guest Presenters: Michele Bellows – SR239 Project Manager, WSP, Francis Lo – CCTA Project Manager, BayPac Consult, and Stephanie Hu, Director of Projects, CCTA.

*Francis Lo and Michele Bellows presented on the State Route 239 Project, providing information on the project details, the proposed alternatives for the state route freeway, and project timeline. PAC members asked questions and the project team provided additional requested information.*

- 6) Planning a field trip for May 12, 2022 PAC meeting\*** - See attached Preserve System map for reference.

The PAC discussed various places the May field trip could take place. Conservancy staff will propose an option for the PAC.

**2:10 Adjourn.** *Meeting adjourned to May 12, 2022.*

# 2021 Year in Review

## East Contra Costa County Habitat Conservation Plan/ Natural Community Conservation Plan



Land Acquisition



Project Permitting



Habitat Restoration



Partnerships

Photo credits: Conservancy staff, Save Mount Diablo (bottom picture)

The East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan (“HCP/NCCP” or “Plan”) gives local jurisdictions control over state and federal endangered species permitting in the region.

Through the HCP/NCCP, project proponents pay a mitigation fee or provide their own conservation, conduct limited avoidance measures, and receive species permits from their local land use agency. Mitigation fees and grants fund conservation efforts in the Plan area which includes land acquisitions, management, restoration, and research.

The East Contra Costa County Habitat Conservancy (“Conservancy”) implements the HCP/NCCP, oversees the permitting program, carries out the Plan’s conservation strategy, and ensures overall compliance with the permits.

### 2021

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The Conservancy continued implementation of the HCP/NCCP. In 2021, streamlined permitting through the Plan provided species coverage for 19 projects. These projects include residential and commercial development, transportation, utility, rural infrastructure, rural operation and maintenance, and habitat restoration projects. The Conservancy, in partnership with the East Bay Regional Park District, acquired one property, adding 80.5 acres of habitat to the HCP/NCCP’s growing Preserve System. The Conservancy continued to implement conservation actions ahead of what is required for permitted impacts, including design and planning on restoration projects.

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#### Conservancy Governing Board

Juan Antonio Banales | City of Pittsburg

Joel Bryant | City of Brentwood

Diane Burgis | Contra Costa County

Randy Pope | City of Oakley

Carl “CW” Wolfe | City of Clayton



# Project Permitting

The HCP/NCCP gives local cities and agencies control over state and federal endangered species permitting in their jurisdiction. In 2021, 19 projects received take coverage under the Plan, including 11 urban development projects, 1 rural infrastructure project, 5 rural operations and maintenance projects, and 2 Preserve System activities. These projects total approximately 121.5 acres of permanent impacts and 95.2 acres of temporary impacts on terrestrial land cover types, including 398 linear feet of temporary impacts on streams.

The HCP/NCCP was designed to enable permit streamlining to extend beyond endangered species regulations and include regional permitting under state and federal laws for impacts on jurisdictional wetlands and waters. On May 4, 2012, the U.S. Army Corps of Engineers issued Regional General Permit 1 (RGP) aligned with the HCP/NCCP. This Permit was reissued on April 12, 2017 and has a five-year duration. In 2021, the Conservancy discussed with the Corps the 2022 expiration and began coordination on re-issuing the RGP. The RGP streamlines wetland permitting in the entire Plan Area by aligning the avoidance, minimization, and mitigation measures in the Plan with the Corps' wetland permitting requirements. To date, 23 covered projects and 3 Conservancy restoration projects have benefitted from coordinated permitting under the RGP.

## Permitting Program Highlights:

- **Residential:** The City of Clayton permitted the Diablo meadows project to develop 18 single-family residential units, each with a home and ancillary services. The City of Oakley permitted the Cypress Preserve Project, a nearly 1,250-acre regional mixed-use development. The project includes residential, commercial, public schools, parks, open space, flood control, and roads among other elements, including an on-site restoration project.
- **Transportation:** The Contra Costa County Public Works Department's Byron Highway/Byer Road Safety Improvements project includes installation of traffic safety improvements along approximately 2,000 feet of Byron Highway in front of Excelsior Middle School in the community of Byron. The project consists of construction of left-turn lanes and road widening to improve traffic circulation and improve safety near the school.
- **Utility Infrastructure:** Contra Costa County provided permit coverage for the Byron Highway Solar Project, the first solar energy facilities project outside the UDA to receive permits through the Plan. The project consists of the development of a small-scale commercial utility solar and energy storage facility that will generate a total of 5.0 megawatts of solar energy.

## ACTIVITIES BY THE NUMBERS

### Projects Permitted

In 2021: 19  
Cumulative: 219

### Acres Impacted

In 2021: 122  
Cumulative: 1,270

### Acres Conserved

In 2021: 80.5  
Cumulative: 12,632

### Mitigation Fees

In 2021: \$2,315,560  
Cumulative: \$21,465,900

### Restoration Projects

In 2021: 0  
Cumulative: 11

### Grants & CTR

In 2021: \$428,289  
Cumulative: \$71,516,200

Note: The Conservancy periodically reviews our databases and as a result, cumulative totals reflect refinements and corrections.

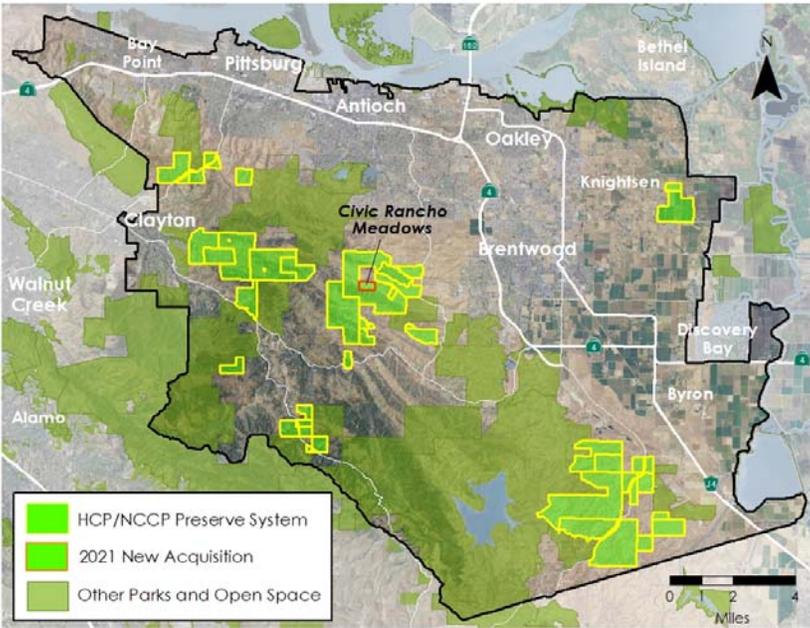
## Partnerships

The Conservancy continues to work closely with the East Bay Regional Park District (EBRPD) and Save Mount Diablo on land acquisition opportunities, management of Preserve System lands, and habitat restoration projects. EBRPD has been the Conservancy's primary partner in Preserve System acquisitions to date. Together, the Conservancy and EBRPD acquired 80.5 acres of newly protected land in 2021.

The Conservancy's other partners include state and federal regulatory and funding agencies, as well as members of the development community, conservation advocates, agricultural representatives, and members of the public. The Conservancy continues to build on these partnerships and expand on collaborative conservation projects and efforts in the Plan Area.

# Land Acquisition

The Conservancy has conserved 12,600 acres to date and has made significant progress toward land acquisition goals of the Plan during the first fourteen years of Plan implementation. In 2021, another property was acquired, adding 80.5 acres to the Preserve System. All but one acquisition to date have been completed in partnership with EBRPD, where EBRPD owns and manages those Preserve System lands in accordance with the HCP/NCCP. The Viera North Peak property, acquired in 2017 from Save Mount Diablo, is owned by the Conservancy with the anticipation of transferring the property to California State Parks. The Conservancy continues to stay ahead of the average pace necessary to assemble the 30,300-acre Preserve System estimated to be required by Year 30 of the Plan (2037).



Highlights of achievements:

- Over 1/3 of the Preserve System has been assembled by year 14 of Plan implementation.
- Acquisition of the Civic Rancho Meadows property added 80.5 acres to the Preserve System, and fills a portion of what is an inholding within a larger area that has already been conserved.

## Habitat Restoration and Creation

The Plan requires restoration and creation of stream, wetland and pond habitat to compensate for impacts to these land covers and to benefit the recovery of species. The Conservancy has aggressively pursued wetland and pond restoration requirements. To date, 11 restoration projects have been constructed. These restoration projects provide a range of benefits to covered species.

Conservancy projects are monitored and managed to ensure that they achieve habitat goals. This monitoring continues for a minimum of five years. Close monitoring of restoration sites has informed management actions including: reseeding areas, adjusting grazing patterns and combating invasive weeds.

No new restoration projects were constructed in 2021. Six of the Conservancy's restoration projects have met success criteria and are no longer monitored annually against their restoration success criteria. In 2021, the Conservancy monitored five wetland and stream restoration projects. However, monitoring efforts in 2021 were hampered at several restoration projects by the severe lack of rainfall which made it impossible to determine whether performance criteria were being met for seasonal wetlands.

Two large restoration projects are currently in the planning and design phases. These are: 1) the Roddy Ranch Golf Course, a former golf course that will be restored to provide habitat and support passive recreation and 2) the Knightsen Wetland Restoration Project, former irrigated agriculture that will be restored to provide habitat for special status species.

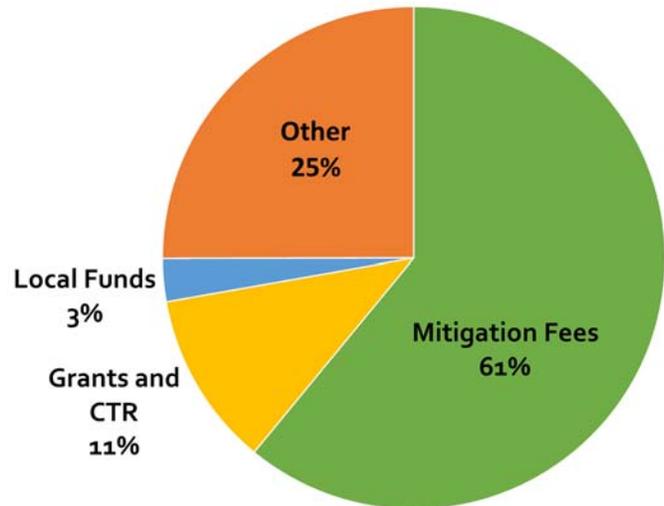


Hess Creek Channel Restoration, April 2021. Photo Credit: Nomad Ecology

# Funding

The Conservancy receives revenue from the following primary sources: mitigation and permitting fees (development fees, wetland fees, and temporary impact fees, administrative/staff time fees, and contributions to recovery payments) and grants. These sources fund Preserve System acquisitions, management, monitoring, and restoration projects.

<u>Revenue in 2021</u>	<u>Amount</u>
Mitigation Fees <sup>1</sup>	\$2,315,560
Grants and CTR <sup>2</sup>	\$428,289
Other <sup>3</sup>	\$103,873
Local Funds <sup>4</sup>	\$951,335
<b>Total</b>	<b>\$3,799,057</b>



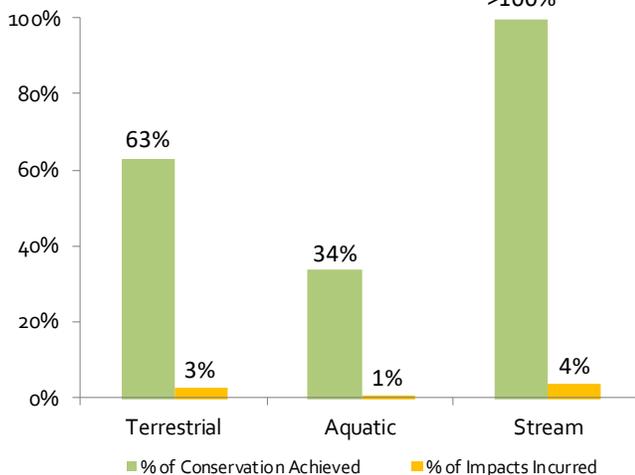
<sup>1</sup> Development fees, wetland fees, and temporary impact fees.

<sup>2</sup> Grants from various state and federal agencies including CDFW, USFWS, and WCB. The amount shown includes grant funds spent (not grants awarded). "CTR" are Contributions to Recovery.

<sup>3</sup> Includes staff time/administrative fees, interest, and miscellaneous.

<sup>4</sup> Local funding includes contributions by EBRPD and its own funds or grant funds for joint acquisitions and preserve management.

**Progress Toward Conservation Goals and Impact Limits**



## Staying Ahead

For streamlined permitting to continue under the HCP/NCCP, conservation must stay ahead of impacts. The HCP/NCCP specifies detailed metrics that the Conservancy uses to track progress of Plan implementation.

The summarized data displayed (left) illustrates all categories of conservation are ahead of the impacts to these habitat types.

A more detailed accounting of conservation, restoration, creation, and impacts is provided in the 2021 Annual Report.

### AGENCY PARTNERS IMPLEMENTING THE HCP/NCCP

- City of Brentwood
- City of Clayton
- City of Oakley
- City of Pittsburg
- Contra Costa County
- Contra Costa County Flood Control and Water Conservation District
- East Bay Regional Park District
- East Contra Costa County Habitat Conservancy
- California Department of Fish and Wildlife
- U.S. Fish and Wildlife Service

### PUBLIC ADVISORY COMMITTEE

- Agricultural representatives
- Building Industry Association of the Bay Area
- California Farmland Trust
- California Native Plant Society
- Contra Costa County Farm Bureau
- Discovery Builders Inc.
- East Bay Leadership Council
- Friends of Marsh Creek Watershed
- Rural/suburban residents
- Save Mount Diablo

### ADDITIONAL INFORMATION

More information about the East Contra Costa County Habitat Conservancy can be found online at [www.cocohcp.org](http://www.cocohcp.org).

The HCP/NCCP Overview booklet and the 2021 Annual Report can be both downloaded from the website. To reach the Conservancy, please contact [maureen.parkes@dcd.cccounty.us](mailto:maureen.parkes@dcd.cccounty.us) or 925-655-2909.