

**EAST CONTRA COSTA COUNTY
HABITAT CONSERVATION PLAN ASSOCIATION (HCPA)
EXECUTIVE GOVERNING COMMITTEE**

DATE: October 11, 2001
TO: Executive Governing Committee (EGC)
FROM: Member Agency Staff
SUBJECT: Initiating a formalized advisory committee process

RECOMMENDATION

- Review, modify and approve this component of the Public Outreach and Involvement Program.
- Authorize the staff to send letters of invitation to Stakeholder Panelists and appropriate non-HCPA agency staff.
- Schedule an update on this matter for the next meeting. Schedule for the same meeting a discussion of other components of the Public Outreach and Involvement Program, including plans for public workshops, preparation of the HCPA website, etc.

DISCUSSION

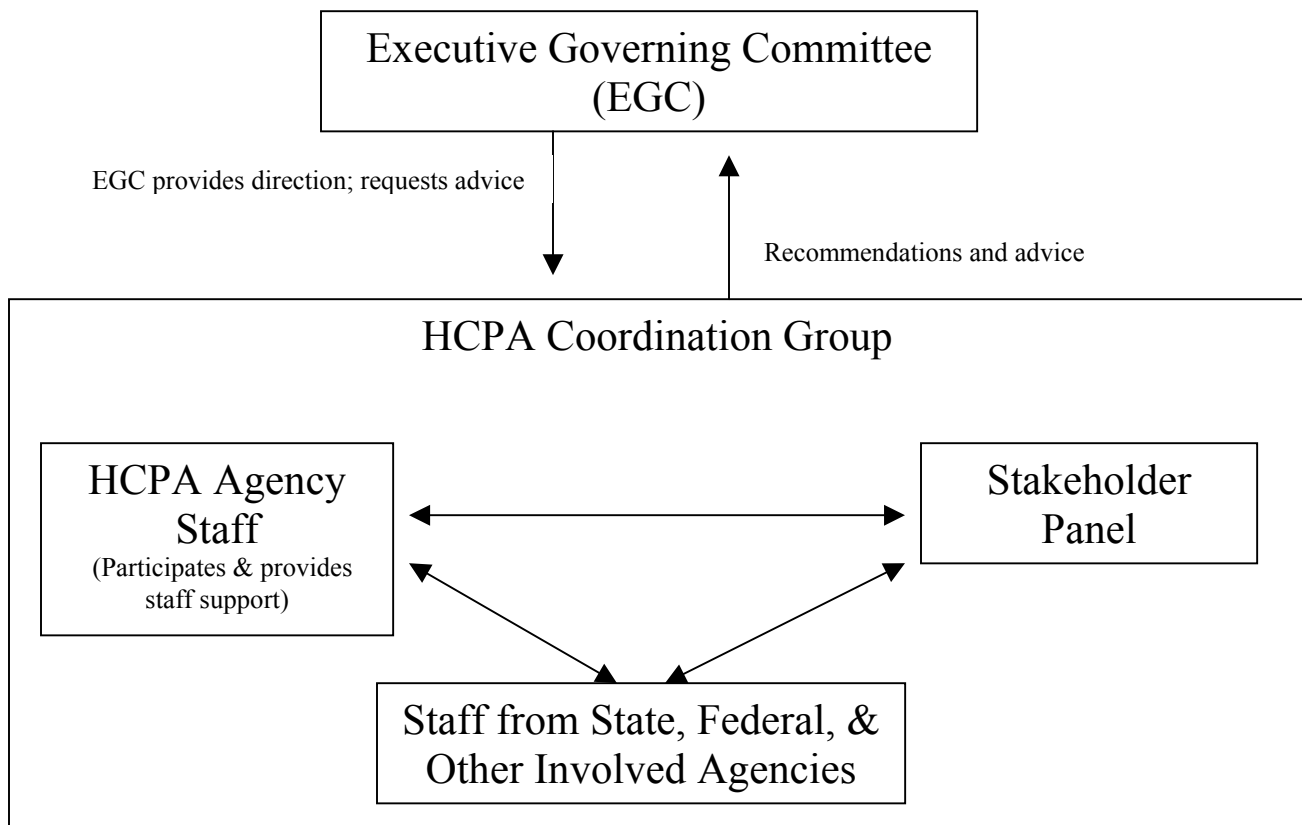
The HCPA Agreement (the Joint Powers Agreement approved by member agencies when forming the HCPA) recognizes the importance of public participation in the development of an HCP/NCCP. The HCPA Agreement discusses this topic in paragraph 11 on page 10:

11. *Public Outreach and Involvement Program. The HCPA shall conduct a Public Outreach and Involvement Program to provide a structured process for disseminating information and collecting input on the development of the HCP/NCCP. The Public Outreach and Involvement Program shall include public workshops/hearings and one or more standing advisory committees with clearly defined membership and operating procedures. Member agency staff shall propose members of the advisory committees and the EGC shall approve members and operating procedures. The advisory committees to be formed by the HCPA may include a Policy Advisory Group, a Technical Advisory Group, and a Financial Advisory Group. Advisory groups formed by the HCPA shall provide recommendations to the EGC and to member agency staff on topics related to development of the HCP/NCCP. Member agency staff and the Coordinating Agency shall support and manage the advisory group process to assure that it is effective, responsive, and efficient.*

This report provides recommendations concerning one aspect of the Public Outreach and Involvement Program, the formation of a formal stakeholder committee process. To develop these recommendations, staff contacted managers of some neighboring HCP's (both completed

and on-going) to learn how they structured their public involvement. A summary of what was learned is provided in Attachment 1.

HCPA Coordination Group: Staff proposes forming an HCPA Coordination Group that would be charged with synthesizing input from a variety of sources and providing recommendations and advice to the Executive Governing Committee (“EGC”). The Coordination Group would consist of HCPA member agency staff, staff from other involved agencies, including state and federal agencies, and a Stakeholder Panel. The EGC may also wish to designate one or two of its own members as Liaisons to the Coordination Group. Staff anticipates that the Coordination Group would meet approximately monthly. All such meetings would be open to the public and provide for public comment. A diagram of the recommended composition and function of the Coordination Group within the HCPA is provided below:



In the future, subcommittees or scientific review panels may be formed to perform specific functions. We do not recommend defining the function and structure of such groups at this time.

HCPA Agency Staff: Includes staff from all seven HCPA member agencies as well as staff from any agencies that join the HCPA in the future. HCPA member agency staff would both participate in Coordination Group deliberations and, together with project consultants, provide staff support.

Staff from State, Federal, & Other Involved Agencies: Staff recommend inviting all agencies that may issue a permit following completion of the HCP/NCCP. These include: the U.S. Fish and Wildlife Service, the California Department of Fish and Game, the U.S. Army Corps of Engineers, the U.S. EPA, and the State Water Resources Control Board (or one or more of the associated Regional Water Quality Control Boards). The Contra Costa Resource Conservation District (RCD) has also expressed interest in participating. Though the RCD does not have a role in issuing permits, it is sponsoring two watershed planning efforts within the HCPA Planning Area and, given its history of working closely with landowners to promote best management practices for conserving soil and natural resources, could play an important liaison role with landowners. Staff recommend including the RCD in the Coordination Group in this capacity.

Some of the state and federal permitting agencies have district or regional boundaries that split the HCPA Planning Area. Staff request direction to work with such agencies to determine the best method for coordinating with multiple offices.

Stakeholder Panel: Consistent with the HCPA Agreement, staff recommend convening a standing advisory body representing sectors of the East County community with an interest in the outcomes of the HCPA planning process. This Stakeholder Panel would be a key participant in the HCPA Coordination Group. Staff anticipates that the Stakeholder Panel would have very few if any meetings separate from the Coordination Group.

It is important to note that the Stakeholder Panel would constitute only one aspect of the HCPA Public Outreach and Involvement Program. The Stakeholder Panel would provide a mechanism for focused, detailed, and consistent participation of key interest groups. Other interested parties and the community at-large would have additional opportunities to participate, both at Coordination Group meetings, EGC meetings, and at periodic public forums and hearings.

To develop a recommended slate of Stakeholder Panelist staff consulted with managers of neighboring HCP's to learn from their experiences (see Attachment 1). Staff also used the following criteria in developing our recommendations:

- The Stakeholder Panel should be limited in size so that meetings could be productive. Staff recommend including not more than 15 panelists (that way Coordination Group meetings could be kept to about 25 individuals).
- The Stakeholder Panel should represent organizations and interests with the most direct interest in the HCPA process. Staff has identified three main categories of interests that need to be represented. These categories are not always distinct. The categories are:
 - Private permit seekers, including private developers and their representatives;
 - Conservation advocates, including the established organizations that represent members in this area;
 - Private landowners and agriculturalists and their representatives (this category and the permit seeker category may overlap to some extent);
- The Stakeholder Panel should be balanced.

- Participants should have an active interest in the HCPA Planning Area.
- Inclusion of associations and umbrella organizations should be a priority to maximize representation within the small Stakeholder Panel.

Based on these criteria, staff recommend the EGC invite the following organizations to serve on the Stakeholder Panel:

- 1) Alameda-Contra Costa Cattlemen's Association (Contra Costa rep.)
- 2) Audubon Society, Mount Diablo Chapter
- 3) California Native Plant Society
- 4) Contra Costa Citizens Land Alliance
- 5) Contra Costa Council
- 6) Contra Costa Farm Bureau
- 7) East Bay Trails Council
- 8) Greenbelt Alliance
- 9) Home Builder's Association
- 10) Save Mount Diablo
- 11) Seeno Homes
- 12) Shea Homes
- 13) Sierra Club, Bay Chapter
- 14) Signature Properties
- 15) Central Labor Council or Contra Costa Building Trades Council

Operation of the HCPA Coordination Group: The Coordination Group should attempt to operate by consensus. When consensus is not possible, the conflicting positions should be communicated to the EGC. The use of voting procedures is not recommended within the Coordination Group because: 1) there will be a mix of agencies and private groups on the Coordination Group and the casting and tabulating of votes would be awkward; 2) if votes are taken, balancing the Stakeholder Panel could be more contentious; 3) the operating procedures should emphasize consensus building.