

**EAST CONTRA COSTA COUNTY  
HABITAT CONSERVANCY**

**DATE:** December 19, 2007  
**TO:** Governing Board  
**FROM:** Conservancy Staff  
**SUBJECT:** Initiate Public Advisory Committee Process

**RECOMMENDATION**

Consider the following actions to initiate the Public Advisory Committee process:

- a) Consider recommendations of the members of the Coordination Group (the advisory committee involved in developing the HCP/NCCP) and other participants in the December 6, 2007 open public meeting on the formation of a Public Advisory Committee for implementation of the HCP/NCCP.
- b) DETERMINE which organizations or individuals to invite to serve on the Public Advisory Committee and DIRECT staff to send letters inviting their participation and notifying them of the first meeting on February 14, 2008 at 1 p.m.
- c) DETERMINE any other parameters the Governing Board wishes to specify for the operation of the Public Advisory Committee (see "Additional Recommendations" section at bottom of staff report).

**DISCUSSION**

**Item a:** As was discussed at the October 17, 2007 Governing Board meeting, Chapter 8.2.6 of the HCP/NCCP requires the appointment of a Public Advisory Committee (PAC) to provide input to the Governing Board on all aspects of HCP/NCCP Implementation. The HCP/NCCP also describes the composition, purpose and operation of the PAC. The PAC is to be composed of members representing a variety of interest groups, including three members from the development community, three representatives from the conservation community, three private landowners and/or agriculturalists, three representatives of suburban and/or rural residents within the Plan area, as well as staff members from interested public agencies. Each member will be appointed by the Governing Board. PAC meetings will be open to the public, so although

CONTINUED ON ATTACHMENT: <u>  X  </u> YES	
ACTION OF BOARD ON <u>February 6, 2008</u> APPROVED AS RECOMMENDED <u>(see below)</u>	
OTHER <u>Approved stakeholder recommendations on PAC composition and operation and authorized the PAC to begin meeting. Directed staff to solicit applications for the remaining two suburban and rural resident seats via email and newspaper and provide applications received to the Governing Board for review.</u>	
<p><b><u>VOTE OF BOARD MEMBERS</u></b></p> <p><u>  X  </u> UNANIMOUS</p> <p>AYES: _____ <u>  S  </u></p> <p>NOES: _____ <u>  0  </u></p> <p>ABSENT: _____ <u>  0  </u></p> <p>ABSTAIN: _____ <u>  0  </u></p>	<p>I HEARBY 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.</p> <p>ATTESTED _____</p> <p style="text-align: center;"><small>DENNIS M. BARIFF, SECRETARY OF THE EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY</small></p> <p>BY: _____, DEPUTY</p>

individuals will be designated to the before mentioned positions, there will also be an opportunity for additional interested parties to contribute to the discussions and recommendations.

The PAC will be 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 reported to the Board.

**Results of December 6 public meeting:** As directed by the Governing Board, staff invited members and participants of the Coordination Group process to a meeting on December 6 to discuss the formation of the PAC. The meeting was well attended and consensus recommendations were generated on the composition and operation of the PAC.

Attendees included:

<b>Name</b>	<b>Organization</b>
Albert Seeno	landowner
Brian Curran	Friends of Marsh Creek
Cece Sellgren	CCC Public Works Department
Chris Barton	East Bay Regional Park District
Christina Wong	Greenbelt Alliance
Dee Munk	Contra Costa County Farm Bureau
Diane Burgis	Friends of Marsh Creek
Dick Vrmeer	resident
Janice Gan	California Department Of Fish And Game
Jim Coniglio	Discovery Builders
Jim Gwerder	Contra Costa County Citizens Land Alliance
Joe Ciolek	Agricultural/Natural Resources Trust of Contra Costa County
John Kopchik	East Contra Costa County Habitat Conservancy
Karyn Cornell	Office of CCC Supervisor Mary Piepho
Lech Naumovich	California Native Plant Society
Mariela Pena	City of Oakley
Mike Vukelich	Contra Costa County Farm Bureau
Roy Skinner	Contra Costa Water District
Seth Adams	Save Mount Diablo
Sheila Larsen	U.S. Fish and Wildlife Service
Tomi Van de Brooke	Office of CCC Supervisor Mary Piepho

Prior to the December 6 meeting staff had telephone contact with representatives of the Home Builders Association of Northern California and the Contra Costa Council. Both organizations indicated an interest in participating in the PAC. Subsequent to the December 6 meeting, staff had telephone contact with a representative of the Byron Municipal Advisory Council (MAC) who indicated an interest in participating in the PAC.

At the meeting participants were invited to indicate if they or their organization wished to participate in the PAC. Participants also discussed several aspects of how the PAC should operate, as further discuss below under “Additional Recommendations”. For some of the categories, more interest was expressed than there was space. For others, not all spaces had volunteers. Participants discussed options for developing recommendations on PAC composition and ultimately decided to break out in small groups to discuss. Through this process, the challenge of two many volunteers was resolved amicably and resulted in a consensus recommendations. The procedures for the PAC set forth in the HCP were some reassurance as they stipulate that non-members will be able to participate in all meeting and discussions and are even welcomed to be part of recommendations. For this reason, the participants did not see the need to recommend additional organizations be appointed as alternates.

**Consensus recommendations to the Governing Board on PAC Composition (categories are copied verbatim from the HCP/NCCP):**

Private permit seekers, (e.g., private developers or their representatives)

- Contra Costa Council
- Discovery Builders
- Home Builders Association of Northern California

Conservation advocates, (e.g., established organizations that represent members in the inventory area)

- California Native Plant Society
- Friends of Marsh Creek
- Save Mount Diablo

Private landowners and/or agriculturalists, or their representatives

- Agricultural/Natural Resources Trust of Contra Costa County
- Contra Costa County Citizens Land Alliance
- Contra Costa County Farm Bureau

People representing suburban and rural residents of the Plan area

- Dick Vrmeer (resident of Brentwood)
- No recommendations on other 2 slots. Brian Kruse and the byron MAC were mentioned, but since their interest could not be confirmed at that time, no recommendations were made. Participants felt the Governing Board could add to the PAC membership over time as interested residents identified themselves. (Given that staff now understands the Byron MAC is interested, staff recommend that the Byron MAC be invited to fill one of these slots)

Public agency staff

- No recommendations on this category as the HCP/NCCP indicates it should be open to interested public agency staff, including staff from local agencies involved in the HCP/NCCP, wildlife agency staff and other interest staff. Contra Costa Water District expressed an interest in participating. Conservancy staff recommends that even though CCWD is not a party to the Implementing Agreement, the HCP intends for this category to be open to

interested public agencies and that CCWD be allowed to participate in this category.

**Additional Recommendations on the Operation of the PAC:** Participants also made the following additional recommendations:

- 1) PAC composition be reviewed annually and adjusted as appropriate.
- 2) PAC members be asked to disclose potential conflicts of interest during deliberations, but that conflicts not serve to disqualify participation altogether. Participants felt that since the PAC is not a decision-making body and would be operating by consensus.
- 3) When an organization is invited to be represented, leave the selection of the specific representative up to the organization but ask that representation be as consistent as possible.
- 4) Set a quarterly meeting schedule for the first year, meetings to be held the 4<sup>th</sup> Thursday of every 3<sup>rd</sup> month from 1 to 3 in Pittsburg, beginning with February 14, 2008 (other dates in 2008 would be May 8, August 14 and November 13).