EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

City of Brentwood

City of Clayton

City of Oakley

City of Pittsburg

Contra Costa County

Public Advisory Committee

Note different location

Thursday, November 13, 2014 at 1:00 p.m.
City of Pittsburg, Room 4B (shark tank), 1st floor
65 Civic Avenue, Pittsburg, CA 94565

Agenda

1:00 Introductions. Attendees are invited (but not required) to sign in.

1:02 Public comment on items not on the agenda: Public comment will also be accepted on each agenda item during discussion of that item.

1:05 Consider approving the Meeting Record from the East Contra Costa County Habitat Conservancy ("Conservancy") Public Advisory Committee ("PAC") meeting on August 14, 2014.

1:10 General Update & Update on recent actions of the Governing Board, including:

1. Update on the HCP/NCCP Mitigation Fees
2. Acquisition Updates
3. Potential development of an Antioch HCP/NCCP
4. 12th annual "Habitat Conservation Planning from Tahoe to the Bay" Workshop, November 19, 2014 in Vacaville

1:20 Update on the Hess Creek Channel and Wetland Restoration Project

1:35 Consider making a recommendation to the Conservancy Governing Board regarding the Contribution to Recovery Policy (draft). Continue to discuss referral from the Governing Board on the topic of developing a policy related to determining the amount of Contribution to Recovery over and above fees to request from Participating Special Entities. For background, please see attached referral from the Governing Board and new materials developed based on the 8/14/2014 PAC meeting.

2:10 Discuss referral from the Governing Board of draft report entitled Assessment of Plan Effects on California Environmental Quality Act (CEQA) Species. Establish a strategy for soliciting comments and timeline for receiving comments. For background, please see attached referral from the Governing Board as well as the complete draft report that is available online at: http://www.co.contra-costa.ca.us/depart/cd/water/HCP/Meetings/PAC.html

2:30 **Looking ahead to 2015:** Review Work Plan for 2014, consider potential areas of focus for 2015 and provide suggestions for the Conservancy Work Plan for next year (Draft 2015 Work Plan is attached).

2:50 **Conduct annual review of the composition of the PAC.** Consider approaches for increasing PAC participation and effectiveness. Consider recommendation to the Board on this matter.

2:55 Consider topics for next and future meetings

3:00 Adjourn (next regular meeting date on February 12, 2015)

Times are approximate. 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 72 hours before the meeting.

Public Advisory Committee
Draft Meeting Record

Thursday, August 14, 2014
1:00 p.m. to 3:00 p.m.

1) **Introductions.**
Committee Attendees:

Private Permit Seekers	Conservation Advocates	Landowners/Agriculturalists	Suburban/Rural Residents
East Bay Leadership Council: Absent	**California Native Plant Society:** Absent	**Agricultural/Natural Resource Trust of Contra Costa County:** Steve Kohlmann	**Dick Vrmeer:** Present
Discovery Builders Inc.: Noelle Ortland	**Friends of Marsh Creek Watershed:** Absent	**Contra Costa County Citizens Land Alliance:** Jim Gwerder	**Sharon Osteen:** Present
Home Builders Association of Northern California: Absent	**Save Mount Diablo:** Meredith Hendricks	**Contra Costa County Farm Bureau:** Absent	**Kelly Davidson:** Absent

Other Public Attendees:
Peter Colby, Contra Costa Water District

Conservancy Staff members in attendance:
John Kopchik, Conservancy Staff
Abigail Fateman, Conservancy Staff
Allison Van Dorn, Conservancy Staff

2) **Public comment on items not on the agenda: Public comment will also be accepted on each agenda item during discussion of that item.** None.

3) **Consider approving the Meeting Record from the East Contra Costa County Habitat Conservancy ("Conservancy") Public Advisory Committee ("PAC") meeting on May 5, 2014.** The Meeting Record was approved.

4) **General Update and Update on recent actions of the Governing Board.** John Kopchik provided an update on recent staffing changes at Contra Costa County Department of Conservation and Development, noting his status as Interim Department Director and Abby Fateman's status as Interim Conservancy Executive Director. He then provided updates on recent activities of the Governing Board, highlighting the approval of the HCP/NCCP Mitigation Fees, status of notable covered activities and the Board's interest to involve the City of Antioch. Abby Fateman provided an update on Preserve Acquisitions.

5) **Update on the Hess Creek and Wetland Restoration Project (under construction).** Abby Fateman provided a brief update on the construction status of the Hess Creek and Wetland Restoration Project. The PAC had a positive comments on the project.

6) **Continue to discuss referral from the Governing Board on the topic of developing a policy related to determining the amount of Contribution to Recovery over and above fees to request from Participating Special Entities. (For background, please see attached referral from the Governing Board)** John Kopchik provided background on the item and a high level summary of the fee options presented in the proposal. There was discussion revolving around the need to simplify option 2. Staff will revise proposal and provide visuals to discuss at a future PAC meeting.

7) **Consider topics for next and future meetings.** Richard Vrmeer expressed interest in discussing opportunities to collaborate with local universities and potentially seeing a presentation on current research topics. Jim Gwerder expressed interest in discussing the Management Plan.

8) **Adjourn (next regular meeting date on November 13, 2014).**

EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

DATE: June 27, 2013

TO: Governing Board

FROM: Conservancy Staff

SUBJECT: **Implementation Policy Regarding Contribution to Recovery for Participating Special Entity Projects**

RECOMMENDATION

REVIEW options prepared by staff for standardizing Contribution to Recovery for Participating Special Entities, REFER this matter to the Public Advisory Committee (PAC) for additional review and recommendation; and DIRECT staff to report back to the Governing Board.

DISCUSSION

At the April 4, 2013 Governing Board meeting the Board asked Staff to prepare an implementation policy related to standardizing the method for calculating contribution to recovery (CTR) charges on future Participating Special Entity (PSE) projects. Conservancy staff has conducted a thorough review of the contribution to recovery charges for previously covered PSE projects and seeks the Board's recommendations on the proposed methods. Staff's recommendations along with the Board's comments will be provided to the Public Advisory Committee for further consideration and input before Staff recommends a specific method to the Board.

BACKGROUND

As set forth in the HCP/NCCP, the Conservancy may charge a Participating Special Entity a Contribution to Recovery 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 incurred by the Conservancy in the course of

CONTINUED ON ATTACHMENT: Yes
ACTION OF BOARD ON: June 27, 2013 APPROVED AS RECOMMENDED: X
OTHER: _____

VOTE OF BOARD MEMBERS

X 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 _____
Catherine Kutsuris, SECRETARY OF THE EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

BY: _____, DEPUTY

exceeding mitigation requirements and contributing to the recovery of covered species (as is required by the Plan).

Under the Natural Community Conservation Planning Act[1] a Natural Community Conservation Plan (NCCP) provides a method for conserving species on a large geographic scale and must contribute to recovery of covered species. As explained in the following excerpt from Chapter 8.4 of the HCP/NCCP, charging Participating Special Entities (PSEs) a Contribution to Recovery was an approach to funding the NCCPs requirement to contribute to the recovery of covered species and other costs not covered by the fees:

> The Implementing Entity may require Participating Special Entities to pay fees over and above those specified in Chapter 9 to cover indirect costs of extending permit coverage under the HCP/NCCP, including the costs of Implementing Entity staff time to assist with permit coverage, a portion of the costs of the initial preparation of the Plan, and a portion of the costs of conservation actions designed to contribute to species recovery.

In the past, staff has calculated the Contribution to Recovery based on a number of factors including the type and scale of ground disturbing impacts, the overall cost of the project, whether the PSE's governing body shares representation from all the same jurisdictions participating in the HCP/NCCP, to name a few. The Conservancy has also required PSEs to pay for staff time to process their application.

Per the recommendation of the Board and with any additional Board guidance, staff will refine the options described below, seek comments and recommendations on the options from the Public Advisory Committee, return to the Board with staff and Public Advisory Committee recommendations on an implementation policy that sets forth guidelines for determining the Contribution to Recovery to require from Participating Special Entity projects.

APPROACH

Outlined below are several options for assessing the Contribution to Recovery.

Option 1, the Fixed Percentage Approach:
Several factors could be considered in setting the CTR at a fixed percentage of fees:

a. As discussed above, the Plan requires the participating local agencies to assemble a Preserve System that not only mitigates impacts to covered activities but also contributes to the recovery of covered species (the HCP/NCCP calls this second component the "conservation" component of the Plan). The HCP/NCCP describes the share of land conservation associated with these two components. As further described in Chapter 5 and Appendix H, 52% of the Preserve System is required for

[1] Cal. Fish and Game Code § 2800 and following.

mitigation and 48% is required for conservation. The development fee is used to pay for the mitigation component and other sources such as public funds and Contributions to Recovery from PSEs are used to pay for the conservation component. PSEs could be asked to pay a CTR that reflects this apportionment (e.g. the CTR could equal 48/52 * fees).

b. PSEs could be asked to pay a CTR that reflects only the estimated local share of the conservation component. The HCP/NCCP estimates that the local share of the conservation component is 37%[2]. The state and federal share is estimated at 63%. Under this approach the CTR could equal 37% of option a.

c. PSEs could be asked to pay a CTR that reflects post-permit management and monitoring costs not covered by the fees. The cost of post-permit funding is roughly estimated at 25% to 35% of the total cost of acquiring and maintaining the preserve system for the permit term (this assumes no cost savings are achieved). Under this approach the CTR could equal 25% to 35% of the fees.

d. These approaches could be employed in combination or additional variations could be conceived and explored.

The advantages of this approach are that the contribution amount would be clear, easy to calculate and uniform. The disadvantages of this approach are that it does not consider differences in project impacts, the variable burden posed by these impacts on the Conservancy's Plan implementation duties and differences in PSEs ability or willingness to pay.

<u>Option 2, Scaled Approach:</u>

In the past, staff has calculated the Contribution to Recovery on a case-by-case basis based a number of factors including the type and scale of ground disturbing impacts, the overall cost of the project, the liability for extending take coverage to a PSE, the mitigation required relative to the breadth of take coverage provided to the PSE (including additional mitigation funding required for species specific impacts to Giant Gartner Snake and Swainson's hawk, as specifically required in the Plan), and others.

The past approach could be continued but under pre-defined guidelines. Of the 16 Participating Special Entity projects covered by the HCP/NCCP to date the average contribution to recovery was 52% of the mitigation fee total. Staff envisions a sliding scale which could be similar to the current method or revised in minor or major ways. Outlined below is a general summary of the current sliding scale method:

1. For projects with mitigation fees less than or equal to $10,000, the Conservancy has typically charged a contribution to recovery equal to the mitigation fee total (100%).

[2] Table 9-8 "HCP/NCCP Cost and Funding Overview estimates the percentage of local funding as 73%.

2. For projects with mitigation fees greater than $10,000 and less than or equal to $50,000 the Conservancy has typically charged a contribution to recovery that is half of the mitigation fee total (50%).
3. For projects with mitigation fees greater than $50,000 the Conservancy has typically charged a contribution to recovery according to a scale between 5-49% of the mitigation fees, depending upon whether the impacts are temporary or permanent and whether the applicant consists of the Conservancy member agencies.
4. The Conservancy is currently considering the first PSE project with mitigation fees less than $1,000. The recommendation in this circumstance is to assess a minimum contribution to recovery of $1,000. Extending take coverage to such small projects requires a commitment of limited Conservancy resources (e.g. available staff time) that is not proportional to the mitigation fee or impacts, therefore a minimum contribution to recovery of no less than $1,000 is recommended.

RECOMMENDATION

With any additional direction from the Board, staff will continue to analyze alternatives and develop a draft protocol based on the considerations outlined above. Staff will seek comment and recommendations from the Public Advisory Committee and return to the Board with a Draft Implementation Policy for consideration.

DRAFT CONTRIBUTION TO RECOVERY IMPLEMENTATION POLICY:

1. For projects with temporary or permanent development and/or wetland mitigation fees up to $1,000 the Conservancy will require a minimum contribution to recovery charge of $1,000.

2. For projects with temporary or permanent development and/or wetland mitigation fees greater than $1,000 and less than or equal to $10,000, the Conservancy will require a contribution to recovery charge equal to the development and/or wetland mitigation fee total (100%).

3. For projects with temporary or permanent development and/or wetland mitigation fees greater than $10,000 and less than or equal to $50,000 the Conservancy will require a contribution to recovery charge that is equal to the first $10,000 (100%) plus one half of the remaining development and/or wetland mitigation fee total (50%).
    - For example, if the development and/or wetland mitigation fee is $20,000 the applicant would be required to pay a total of $15,000 for the contribution to recovery charge. This is calculated based on charging $10,000 on the first $10,000 (100%) and $5,000 on the remaining $10,000 (50%).

4. Projects with development or wetland mitigation fees greater than $50,000:
    a. For projects paying temporary impact development and/or wetland mitigation fees for temporary impacts, the Conservancy will charge a contribution to recovery that is equal to the development and/or wetland mitigation fee up to $10,000 plus one half of remaining the development and/or wetland mitigation fee total (50%).
        - For example, if the development and/or wetland mitigation fee is $60,000 the applicant would be required to pay a total of $35,000 for the contribution to recovery charge. This is calculated based on charging $10,000 on the first $10,000 (100%) and $25,000 on the remaining $50,000 (50%).

    b. For projects paying permanent development and/or wetland mitigation fees on temporary impacts the Conservancy will require a contribution to recovery charge that is one half of the development and/or wetland mitigation fee on the first $50,000, and 10% charge on the remaining balance of the development and/or wetland mitigation fee.
        - For example, if the development and/or wetland mitigation fee is $150,000 the applicant would be required to pay a total of $40,000 for the contribution to recovery charge. This is calculated based on charging $10,000 on the first $10,000 (100%), $20,000 on the remainder up to $50,000 (50%), and $10,000 for the remaining $100,000 (10%).

    c. For projects paying permanent development and/or wetland mitigation fees on permanent impacts, the Conservancy will require a contribution to recovery charge

DRAFT

that is equal to the development and/or wetland mitigation fee up to $10,000 plus one half of remaining the development and/or wetland mitigation fee total (50%).

- For example, if the development and/or wetland mitigation fee is $60,000 the applicant would be required to pay a total of $35,000 for the contribution to recovery charge. This is calculated based on charging $10,000 on the first $10,000 (100%) and $25,000 on the remaining $50,000 (50%).

5. For projects that impose unique or challenging mitigation measures on the Conservancy, staff will recommend adjusting the Contribution to Recovery charge to address the increased costs of fulfilling mitigation and species recovery obligations. Staff will recommend all Contribution to Recovery charge adjustments to the Conservancy Governing Board for approval.

DRAFT

DRAFT Contribution to Recovery (CTR) Calculator

1	Assumed Mitigation Fee Total	Temporary/Permanent Fees <$1,000 Equation	CTR
	$ 500.00	$1,000	$ 1,000.00

2	Assumed Mitigation Fee Total	Temporary/Permanent Fees $1,000 - $10,000 Equation	CTR
	$ 5,000.00	Total	$ 5,000.00

3	Assumed Mitigation Fee Total	Temporary/Permanent Fees $10,000 - $50,000 Equation	CTR
	$ 20,000.00	$10,000 + [(Total - $10,000)/2]	$ 15,000.00

4a	Assumed Mitigation Fee Total	Temporary Fees for Temporary Impacts ≥ $50,000 Equation	CTR
	$ 60,000.00	$10,000 + [(Total - $10,000)/2]	$ 35,000.00

4b	Assumed Mitigation Fee Total	Permanent Fees for Temporary Impacts ≥ $50,000 Equation	CTR
	$ 100,000.00	$30,000 + [(Total - $50,000)/10]	$ 35,000.00

4c	Assumed Mitigation Fee Total	Permanent Fees for Permanent Impact ≥ $50,000 Equation	CTR
	$ 60,000.00	$10,000 + [(Total - $10,000)/2]	$ 35,000.00

EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

DATE: October 27, 2014

TO: Governing Board

FROM: Conservancy Staff

SUBJECT: **CEQA Species Analysis**

RECOMMENDATION

REVIEW the draft report entitled, Assessment of Plan Effects on California Environmental Quality Act (CEQA) Species, REFER this matter to the Public Advisory Committee (PAC) and circulate the Report to the Conservancy stakeholders and Wildlife Agency staff for additional review and recommendation; and DIRECT staff to report back to the Governing Board.

BACKGROUND

As set forth in the HCP/NCCP (Section 1.3.4), the Conservancy is responsible for preparing a document that will analyze the benefits that Plan implementation will have on special status species that are not explicitly covered by the Plan. Staff initiated this task and has worked with H.T. Harvey and Associates with additional review and input from staff at ICF Jones & Stokes. The attached draft report: "East Contra Costa County HCP/NCCP: Assessment of Plan Effects on CEQA Species" was developed.

This report provides an assessment of the effects of the Plan on 59 special-status species that were not covered by the Plan but are often addressed in CEQA analyses ("CEQA species"), 41 plant and 18 animal species. The purpose of the assessment is to provide a programmatic, cumulative CEQA effects analysis for CEQA species taking into account impacts of all covered activities, including all adverse and beneficial effects of covered development activities and conservation measures. The cumulative effect on each species was determined to be beneficial, neutral, or adverse but less-than-significant, by considering the number of

CONTINUED ON ATTACHMENT: Yes
ACTION OF BOARD ON: October 27, 2014 APPROVED AS RECOMMENDED:_____
OTHER:_____

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VOTE OF BOARD MEMBERS
__UNANIMOUS
AYES:_____
NOES:_____
ABSENT:____ _____
ABSTAIN:_____

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.

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

BY:_____, DEPUTY

known populations and extent of suitable habitat that could be adversely affected within areas of anticipated development as well as those that would benefit from being in areas that may be preserved, enhanced, and managed for covered species and communities by the Plan.

The Final Report could be referenced in future CEQA documents for individual covered projects and may enable these analyses to be completed more efficiently and effectively.

With any additional direction from the Board, staff will gather input from the PAC, other interested stakeholders and Plan partners including the U.S. Fish and Wildlife and California Department of Fish and Wildlife. After soliciting and incorporating comments in the draft, staff will bring the Report back to the Board.

DRAFT Conservancy Work Plan: 2014 Summary and 2015 Work Plan

	TASK	ACTIONS TAKEN IN 2014	ACTIONS PROPOSED FOR 2015
Program Administration (General)			
1	Increase public awareness of the Plan and provide opportunities for involvement in the implementation of the Plan by the public, interested agencies, and others.	PAC meetings were held quarterly. The Conservancy continued to publicize activities via its website and other means. Created the 2013 Year in Review document to accompany the 2013 Annual Report which provides a graphical, easy to digest summary of accomplishments related to project permitting, wetland coordination, land acquisition, habitat restoration and creation, funding and partners. The document was distributed via an augmented mailing list including local elected officials. The Conservancy and EBRPD hosted the U.S. Interior Secretary Sally Jewell for a public meeting on the preserve system in May, which served as an opportunity to share the Conservancy's accomplishments since passage of the NCCP Act. This event was covered by Bay Nature, The Contra Costa Times and various other local media outlets. Lead panel at the Northern California Conservation Planning Partners' 12th annual Habitat Conservation Planning from Tahoe to the Bay workshop on November 19th. Press release in August regarding the discovery of the largest known population of Lime Ridge navarretia (Navarretia gowenii) on the preserve system near Black Diamond Mines Regional Preserve. Conservancy staff assisted the City of Antioch in pursuit of Section 6 Planning Grant funds for the development of an Antioch HCP. The City of Antioch was awarded Section 6 funds in September. In early November, Conservancy staff sent a letter to the City of Antioch regarding available match funding of up to $100,000.	PAC meetings will continue to be held quarterly. Conservancy will continue using the website to communicate with the public. Staff will pursue greater media coverage of Plan activities to improve awareness by the public at-large. A Year in Review document will be prepared for 2014. Conservancy staff will continue to assist Antioch with the develpoment of the Antioch HCP which could be coordinated with the ECCC HCP/NCCP, leading to more consistent permitting in the region and perhaps in cost efficiencies.

2	Develop a Conservancy Volunteer Program and Implement Volunteer Activities	Ongoing work to involve volunteers including investigating opportunities and objectives with the PAC. Worked with Save Mount Diablo volunteers to implement and monitor the Irish Canyon Restoration Project.	Ongoing development of the volunteer programs with a goal to expand volunteer hours, range of volunteers' tasks and overall public involvement in the HCP/NCCP. Continue to collaborate with Save Mount Diablo and other volunteer groups and organizations to implement planting and plant maintenance as well as plant surveys.
3	Develop and maintain annual budgets and work plans. Prepare and submit an annual report to CDFW and USFWS.	Conservancy Staff prepared the 2014 annual budget and the 2014 work plan for Board discussion in January 2014. Conservancy prepared and published the 2013 Annual Report in the spring of 2014.	Conservancy Staff prepared the 2015 annual budget and this 2015 Work Plan for Board discussion in December 2014. The 2016 versions of these documents will be prepared for Board consideration in December 2016. Conservancy will also prepare and publish the 2014 Annual Report.
4	Calculate the amounts of automatic annual fee adjustments and distribute these calculations to Permittees by March 15 of each year, in accordance with Chapter 9 of the HCP/NCCP.	The calculations for the 2014 automatic annual fee adjustments were performed and applied to Conservancy's fee schedule and the cities/County fee schedule (the schedules are currently different with respect to wetland fees because the Conservancy approved the 2011 Periodic Fee Audit in July 2011 but action by cities and the county on fees is pending). In July 2012, the Conservancy Board determined to commission a second periodic fee audit. That audit was released for public review in December 2012 and was considered by the Board in January 2013 and April 2013. The Board approved the 2013 Audit in July 2013 and made a recommendation to the cities/County on fees.	Perform the calculations for the 2015 automatic annual fee adjustments.
5	Pursue State, Federal, foundation and other grants to assist in funding preserve acquisition and other implementation tasks.	Conservancy Staff continued to research and apply for available grant money which made up a significant portion of the funding for implementation of the HCP/NCCP during 2014. Around $2 million in new grants were approved in 2014. Conservancy staff successfully assisted the City of Anitoch in pursuit of $688,000 in Section 6 funds.	Conservancy staff will continue to research and apply for available grant money which will make up a significant portion of the funding for implementation of the HCP/NCCP during 2015. Staff will apply for Section 6 funds and for various non-federal grant funds that can match the Section 6 funds and/or fund Conservancy's activities.

6	Administer grants already awarded.	Grant revenues for acquistion actually received in 2014 is estimated at $1.55 million, requiring a number of agreements, invoices, forms and other grant management duties. Since 2007, the total grant funding approved for the Conservancy is greater than $51 million, with almost $43.5 million of that spent to date and around $7.5 million remaining.	Staff will continue with these tasks in 2015.
7	Coordinate with other Regional HCPs and pursue a legislative program that will aid the Conservancy's implementation of the Plan.	As part of ongoing participation in the coalition of northern California HCPs (NCCPP), staff assisted in hosting its annual conference in Vacaville in November. Continued active participation with the California Habitat Conservation Plan Coalition (CHCPC) which is coordinating efforts across the state to improve funding opportunities for HCPs, promoting coordination of wetlands permitting with HCPs and share lessons learned among HCPs. Implemented 2014 Legislative Platform and attended annual CHCPC legislative trip to Washington in April and intensively collaborated with CHCPC on efforts to restore funding for the Section 6 program, working with Congressman McNerney who lead efforts in the House. Proposed 2015 Platform.	Continue to participate in the CHCPC to pursue common policy objectives and to learn from the experiences of other HCP's. Attend NCCPP conference and CHCPC meetings in 2015. Implement 2015 Legislative Platform, including an emphasis on Section 6 funding levels in Congress, accessing Proposition 84 funds through WCB and coordinating species and wetlands permitting. Work with other HCP's to explore challenges associated with creating effective endowments to fund long term management, including potential obstacles to reasonable rates of investment return.
8	Provide accounting services for the Conservancy.	Staff continued to manage Conservancy finances. The Conservancy conducted an audit of the 2013 Financial Statements. The auditor's written statements were presented to the Board and filed with appropriate agencies.	As well as preparing the 2016 Budget and managing finances consistent with the approved Budget for 2015, day to day management of debits and deposits will continue. The Conservancy will conduct an audit of the 2014 Financial Statements. The auditor's written statements will be presented to the Board.

9	Pursue regional permits and permitting programs for jurisdictional wetlands and waters with the appropriate state and federal agencies to help ensure coordination between implementation of the HCP/NCCP and the implementation of state and federal wetlands regulations.	Progress made in 2013 continued in 2014. The Sacramento District of the U.S. Army Corps of Engineers issued a Regional General Permit (RGP) linked to the HCP/NCCP in May 2012. A number of public and private projects have been permitted under the RGP since it was approved. The Corps also approved a short term mechanism which relies on the Conservancy's exiting restoration projects to enable payment of HCP fees by applicants to satisfy Corps regulatory requirements. This interim procedure will continue as approved for use until the adoption of an In-Lieu Fee Instrument. The Conservancy continued to coordinate with the Water Boards (State, San Francisco Bay and Central Valley) and the Corps and USEPA seeking to conclude years of interagency work to coordinate the RGP and HCP/NCCP with the state's responsibilities for Section 401 of the Clean Water Act and the Porter Cologne Act. The Conservancy was invited to work with the Water Boards in drafting a programmatic certification of the RGP that would address the state wetland regulatory process and that work is in progress. The Water Boards have also expressed interest in participating in development of the In Lieu Fee Instrument. The Conservancy hosted several field trips for wetland agencies.	Pursue as a top Conservancy priority the goal of completing regional permitting instruments in 2015 including 401 Water Quality Certification of the RGP (or other equivalent regional permitting device) from the Water Boards and development and execution of an In-Lieu Fee Instrument (agreement) to link the Conservancy's fee collection and conservation activities to implementation of the various new permits.
Program Administration (HCP/NCCP Permit Issuance)			
10	Develop and update the template Planning Survey Report (PSR) Application	Additional review and revision is on-going based on experiences with projects that have used the form as well as modifications based on new policies and requirements. Staff will release an updated template in December 2014.	Continue to use and update the template as necessary. Continue to seek feedback from users.
11	Provide training to local jurisdictional staff on HCP/NCCP applications. Assist local jurisdictions to ensure that project proponents comply with the provisions of the Plan, including performance of required avoidance, minimization and mitigation measures.	Staff continued to coordinate with local jurisdiction staff to discuss updates and HCP/NCCP application processing and continued to provide assistance and technical support in 2014. Staff held regular meetings with the Contra Costa County Public Works Department, Environmental Unit Staff, in order to assist with facilitation of HCP/NCCP applicability to the County's many road and flood control projects.	Coordination, training and outreach efforts will continue in 2015. As the pace of permits appears to be increasing, the level of effort for this task may need to increase.

12	Implement Permitting Program: Process applications for coverage under the HCP/NCCP, tracking performance of required avoidance, minimization and mitigation measures.	The Conservancy reviewed and approved applications by Participating Special Entities for take coverage under the HCP/NCCP and oversaw implementation of agreements. The Conservancy assisted other local jurisdictions with their take coverage activities by providing technical input and by reviewing and offering advice on numerous Planning Survey Applications. The Conservancy reviewed and approved Construction Monitoring Reports submitted by covered activities and worked with numerous project proponents on the details of their avoidance and minimization procedures in cases where species were present.	Efforts are on-going and will continue in 2015.
13	Prepare report documenting the expected benefits of the HCP/NCCP to non-covered special-status species to provide streamlining for future CEQA documents.	A public draft of this document was made available October 2014.	Expected to finalize this document early 2015.
14	Expand GIS database to track land acquisitions and Permitting Program database to track projects, impacts, and take coverage.	Staff maintained the GIS and covered project tracking databases throughout 2014.	Staff will continue to maintain and improve the GIS and covered project tracking databases. The possibility of developing a more interactive financial database will also be pursued to simplify the preparation of materials for audits and other reports requiring financial information.
Preserve Acquisition and Management			
15	Continue to acquire land to assemble Preserve System and meet Stay Ahead requirements as described in Section 8.6.1	Conservancy staff will continue to work with acquisition partners. The East Bay Regional Park District has been the primary partner and detailed coordination and cost-sharing will continue. The Conservancy will also continue to coordinate with other potential partners such as Save Mount Diablo, State Parks, Contra Costa Water District, Agricultural-Natural Resource Land Trust of Contra Costa County, Brentwood Agricultural Land Trust, the Natural Heritage Institute, cities such as the Cities of Oakley and Brentwood with potential preserves in their boundaries and private mitigation banks to learn of their current acquisition efforts and explore opportunities for partnering.	
		Conservancy will continue following general approach to land acquisition used in previous years: (a) seek partners such as EBRPD willing to be responsible for assisting with the fund-raising and willing to be the land owner and land manager or easement holder (or to find another entity to serve that role) so that the Conservancy can avoid actually owning and managing land or easements in perpetuity, (b) maintain an "Open Door Policy" and be willing to consider proposals from a range of partners, (c) once a prospective partner has found a willing landowner and established a price, the Conservancy should evaluate the cost effectiveness of the acquisition in achieving HCP goals, develop a proposed acquisition cost-share and strategy for ensuring management and monitoring, evaluate the pros and cons of the overall package and consider approving or disapproving Conservancy participation in the acquisition.	

16	Develop a mutually agreeable programmatic strategy with East Bay Regional Park District (EBRPD) to collaborate on land acquisition and management in the HCP area.	EBRPD is implementing its Master Plan and is buying land in the inventory area for park and open space purposes. Voters approved EBRPD's Measure WW in 2008, providing significant new capital to support this work. Continuing to partner with EBRPD will help to ensure that the land acquisition and management goals of EBRPD's land program and the similar goals of the HCP/NCCP are implemented in a coordinated manner (this goal is set forth in Section 13.6 of the Implementing Agreement). Conservancy staff and EBRPD staff have been discussing partnership opportunities and believe, for the time-being, that partnership opportunities should be addressed case by case because the details are numerous and specific to the parcel in question. Coordination has been excellent so far and numerous agreements have been completed to address specific acquisition and restoration projects.	
17	Conduct pre-acquisition assessments and post-acquisition detailed biological assessments of potential acquisitions to determine their biological value for the HCP.	Conservancy Staff and consultants developed protocols and practices for a phased and more streamlined approach to this task that defers the most expensive field work until after property is purchased. In 2014, assessments of preserve system lands included detailed, thorough surveys for wetlands and covered plants.	In 2015, the pre-acquisition assessments and resource inventories will continue. These surveys are essential to ensure HCP/NCCP requirements are being met.
18	Create template Conservation Easement Deeds and Deed Restrictions and other protective covenants to speed-up addition of land to the Preserve System and to protect the interests of the Conservancy in land it acquires.	In 2014, staff continued to work with the Wildlife Agencies and EBRPD to develop a Restrictive Covenant template that EBRPD and the Wildlife Agencies have approved. Recording of restrictive covenants on the two most recent property acquisitions (Smith and Roddy Ranch) will be completed before the end of this year. A basic Conservation Easement template was developed in previous years which could be adapted and used on properties not owned by EBRPD.	EBRPD recording of the required deed restrictions on preserved lands will continue in 2015.
19	Develop and begin to implement a strategy for funding the long term management of the Preserve system before 50% of the authorized take under the maximum urban development area is used or before the end of year 15 of implementation, whichever comes first. Provide progress reports on this matter in the Annual Report.	This a critically important long term task that must be confronted as early as possible during implementation. To date, some significant steps have been made toward addressing this issue. The Conservancy and District acquired properties with cumulative annual lease revenue of approximately **$500,000** (number will be updated when receive spreadsheet from EBRPD) and agreed that a portion of this lease revenue would set aside for long-term management. Contributions to Recovery collected from Participating Special Entities can also be applied in part to long-term management. The action taken by the Conservancy Board in the 2013 Fee Audit also called for an acceleration of planning for funding long-term management, calling for completing this work before the Year 10 Fee Audit (2017).	Work on this effort will continue in 2015 including development of management plans which help us begin to improve the estimates in the HCP/NCCP of long term management costs. The Conservancy will also work with other agencies and possibly seek a grant to examine opportunities for maximizing rate of return on endowments.

20	Develop management plans for the Preserve System and individual preserves.	Staff held a series of meetings with EBRPD to develop the first preserve management plan for the Preserve System, the Vasco Hills - Byron Vernals Pools Preserve Management Plan. The working draft VHBVP incorporates recreation, exotic plant and monitoring elements that subsequently also be addressed at the system-wide level. The wildlife agencies reviewed and provided input. Staff worked and is working to incorporate all edits.	In 2015, the next step on the Preserve Management Plan is to present the plan draft to the PAC and the Conservancy Board. A second preserve management plan covering other portions of the Preserve System will be initiated in 2015.
21	Implement management plans for the Preserve System and individual preserves.	With preserve management planning in progress and numerous recently-acquired properties to assess, preserve management activities generally continued past practices. EBRPD institutes new grazing leases as lands are acquired. EBRPD and the Conservancy coordinated on an as-needed basis with efforts such as milk thistle eradication, rare plant propagation, fuel management, potential riparian exclosures, cattle watering systems, needed culvert replacements and failing spring boxes. EBRPD conducted day to day management of the Preserve system, including ranger patrols, fire and law enforcement supervision, supervision of grazing tenant, maintaining and replacing fences and gates and addressing hazards to people and wildlife in the new preserves.	Interim management procedures will continue and expand as management plans are completed. With significant blocks of preserve lands now assembled, management obligations will increasingly need to be addressed, though land contiguity will improve efficiency.
22	Prepare an Exotic Plant Control Plan to address exotic and invasive plants on Preserve System lands	Several exotic plant control activities have been planned and implemented on a project-by-project basis until preserve management plans and the system-wide Exotic Plant Control Program are developed.	The initial Exotic Plant Control Program will be developed as an element within the Vasco Hills - Byron Vernal Pools Preserve Management Plan and subsequently expanded. This plan will likely be based on and coordinated with existing policies and programs such as the East Bay Regional Park District's Integrated Pest Management Plan.
23	Prepare a Recreation Plan to address recreational uses on Preserve System lands	Recreation needs, opportunities and constraints were identified as land has been acquired. The Vasco Hills - Byron Vernal Pools Preserve Management Plan is including comprehensive evaluation of and planning for public access.	Experience thus far with that Plan suggests that it may not be advisable to have a separate and detailed system-wide recreation plan as the details of recreation may be better evaluated and planned for in the context of the more localized preserve management plans.
Habitat Restoration/Creation			

24	Design habitat restoration and creation projects and perform additional environmental compliance for habitat restoration if needed.	Like land acquisition, habitat restoration and creation continues to be a key program area for the Conservancy. If restoration and creation of jurisdictional wetlands and waters does not keep pace with impacts, the ability to mitigate such impacts by paying a fee will be suspended. Likewise progress on this task is an essential foundation to completion of efforts to coordinate wetlands permitting with the HCP. Staff worked with consultants and other partners to assess acquisitions for restoration opportunities.	Staff will work with consultants and other partners to assess new acquisitions for restoration opportunities and to explore and develop restoration concepts for future restoration projects.
25	Implement habitat restoration and habitat creation projects.	In 2014, the Conservancy focused on consturction of one large project. Staff worked with maintenance crews to adaptively manage recently constructed habtat restoration proejcts. The Hess Creek channel restoration project completed construction in October 2014.	One restoration project was designed in 2014 for probable 2015 construction: riparian habitat restoration, pond repair and improved cattle watering on Ang.
Monitoring and Adaptive Management Program			
26	Design Monitoring and Adaptive Management Program	Preserve monitoring and adaptive management measures were designed as part of development of the Vasco Hills - Byron Vernal Pools Preserve Management Plan. In addition, the Conservancy designed adaptive management measures for restoration projects. Conservancy staff worked with consultants to design a small erosion repair on Souza 2, and constructed it in 2014.	Work on this effort will continue through 2015. The components of a comprehensive monitoring strategy are being developed as part of the Vasco Hills - Byron Vernal Pools Preserve Management Plan, which will be released for comment in 2015.
27	Monitoring and adaptive of restoration projects and new preserves.	The previously constructed restoration projects were monitored throughout 2014. Ongoing drought has delayed a number of restoration projects from reaching success criteria from original time frame. A $250,000 portion of the $2.25 million grant received from the Gordon and Betty Moore Foundation is to study the impacts of turbines on avian species and methods for reducing these impacts. The Board approved a collaborative project with EBRPD to attach GPS units to golden eagles as a first project to be carried out under the grant.	Monitoring on all projects will continue. The Souza 1 and Lentzner sites have been monitorined for 5 years and the frequency of site visits will decrease. The golden eagle study will continue.