

**San Joaquin Multi-Species Habitat Conservation and Open Space Plan
Habitat Technical Advisory Committee
San Joaquin Council of Governments
555 East Weber Ave.
Stockton, CA 95202
Wednesday, February 10, 2010**

MINUTES

I. Call to Order/Introductions

Mr. Niblock called the meeting to order at 2:33 pm; introductions were made.

Committee Members Present:

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|----------------|---|
| James Jones | EBMUD |
| Gary Stockel | San Joaquin County, Agricultural Department |
| Ken Zuidervaat | City of Ripon |
| Mike Niblock | City of Stockton |
| Ray Hoo | San Joaquin County |
| Ellen McBride | US Fish & Wildlife |
| Charlie Mullen | City of Lathrop |
| Dan Gifford | CA Department of Fish and Game |
| Rick Gaguat | City of Manteca |
| John Beckman | BIA Delta |
| Jeremy Terhume | Defenders of Wildlife - Conservation |
| Jane Humes | Conservation |

SJCOG Staff/Consultants Present:

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|-------------------|---|
| Steve Dial | Deputy Executive Director/CFO – SJCOG, Inc. Treasurer |
| Steve Mayo | Senior Habitat Planner |
| Anne-Marie Poggio | Regional Habitat Planner |
| Laurel Boyd | Office Assistant II |
| Monica Streeter | Neumiller & Beardslee |

Public Present:

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|----------------|---|
| Bryan Hansen | US Fish & Wildlife (Bay Delta Office) |
| Amy Kennedy | CA Department of Fish and Game |
| Andrea Grenier | Grenier and Associates (Lodi Energy Center Project) |

II. Approval of January 13, 2010 Minutes:

Mr. Niblock stated he had a change to the minutes, on page 3 of the summary under Agricultural Programs and SJMSCP, the second sentence should state “He stated their main concern was that both parties are paying for the development *rights*” not twice. Mr. Niblock continued to state the second paragraph under the Agricultural Programs and SJMSCP should not state that there was a lengthy discussion among committee members, but more of what was discussed regarding the Ag easements such as the agreement to pursue criteria for stacking properties.

It was moved/seconded (**McBride/Hoo**) to approve the minutes of Wednesday, January 13, 2010. Motion passed by voice vote.

III. Public Comment:

None

IV. Consent Calendar:

- a. Lower Sacramento Road/Bear Creek Bridge Replacement
- b. Eight Mile Road/UPRR Overhead Project
- c. Eight Mile Road/UPRR (SPRR) Overhead Project

Ms. Humes stated she had some concerns with item 4.a of the consent calendar. The staff report states there will be four lanes of traffic flow each way on the Bear Creek Bridge; which sounds like some sort of freeway.

Ms. Poggio stated the Lower Sacramento Road/Bear Creek Bridge will not have four lanes of traffic open immediately; it is currently in San Joaquin County's General Plan for future development.

It was moved/seconded (**Beckman/Zuidervaart**) to approve the consent calendar. Motion passed by voice vote.

V. Public Hearing for Lodi Energy Center Preserve Dedication

Mr. Niblock opened the public hearing for the Lodi Energy Center Preserve Dedication.

Mr. Mayo reviewed the staff report and stated the Lodi property is well over 750 acres of agricultural lands surrounding the City's water treatment plant. The location of the City's property is west of I-5 and north of Eight Mile Road in the Central Zone. The easement area on the property will consist of 21.25 acres of upland Giant Gardner Snake (GGS) habitat along the western boundary adjacent to the White Slough Wildlife Area, owned by the California Department of Water Resources. The potential preserve will be in close proximity to the AG Spanos Shin Kee I GGS preserve located to the west. There are no enhancements planned for this site.

Mr. Mayo continued to state this project will go through two public hearings then will be brought back to HTAC for final approval.

Mr. Terhume stated AG Spanos has a preserve nearby, where is it on the map.

Mr. Mayo stated it is west of the Lodi property, called Shin Kee tract.

Mr. Gifford stated the blue shaded area on the map is the City of Lodi's property, how much is HCP getting for conservation?

Mr. Mayo stated 21.25 acres.

Mr. Niblock closed the public hearing for the Lodi Energy Center Preserve Dedication.

VI. 2009 Annual Report Draft

Mr. Mayo stated the 2009 Annual Report draft went out to HTAC electronically. This is a preliminary draft; SJCOG, Inc. is required to submit the Annual Report to the permitting agencies for the purpose of reporting acreage, type and location of the open space uses that are converted to non-open space uses and an accounting of preserve acres acquired pursuant to the SJMSCP. The 2009 Annual Report must be submitted by April 1st of the year succeeding the calendar year in which the subject activities were conducted. Staff is passing around the financial tables which were not included in the 2009 Annual Report draft earlier.

Mr. Mayo stated Table 1 includes the acreage of impact fees, projects reviewed by staff, covered signed ITMM's and how many ITMM's were implemented. Table 2 indicates the accumulative fee assessed broken down into categories. There were 50 acres for multi-species, indicating a slow year for development; 257 acres for Ag which represents 65% for 2009. Table 4 includes varying categories, contingencies, it's important to note the 351.449 for row/field crop in the Central Zone. Staff will discuss this later. Table 6 was used to balance against impacts from the past. Table 9 indicates a carryover with the downturn in the market. It is based on a letter from permitting, with adjusted fees prior to take care of future development. SJCOG, Inc. had acreage carried over and excess; there was a deficit in 2009. Tables 9 – 13 show what was just discussed. HCP has a lot of elderberry. Staff is currently working with permitting to get out of the monitoring preserve by preserve and move towards a global monitoring in an ecological concept, over the landscaped to implement and approve the use in the 2010 Annual Report. All preserves are listed on page 24. In 2009, staff finished several preserve enhancements, with the Nakagawa property still pending because of the inset berm. The Hansen preserve has finished the grading and staff is just making sure it will set with the rain expected in the area.

Mr. Mayo continued to state the funding pages have been passed out to HTAC committee members. The internally unaudited financial spreadsheet has the accumulative schedule with how much money we have on hand. This table was run after the draft was sent and staff found some additional funds of \$500,000. The spreadsheet does reflect plan expenditures to the end of the year and the 4th quarter reporting from jurisdictions. Administration currently reflects at 4.8% rather than 4% because of very little fees coming in and SJCOG, Inc. had a lot of admin duties; including audits, potential for permits and the Bay Delta Conservation Plan. The last table depicts land management and enhancements funds in the sum of \$8.1 million in those funds.

Mr. Mayo stated the end of the report lists clarifications and revisions approved; which are depicted in Table 19. SJCOG, Inc. finished working through problems and solutions, has finished the audit, implementation procedures are into effect, collecting fees for the City of Stockton while they are fixing the GIS for 2010 and the Shin Kee Preserve is ongoing. Staff is also working with the stacking concept for 2010 with the criteria associated with stacking. All comments or changes to the Draft 2009 Annual Report need to be submitted to SJCOG, Inc. staff prior to February 25, 2010 for March 2010 final draft to be recommended by HTAC for the SJCOG, Inc. Board's approval.

This item was for information only, no action was taken.

VII. Other Matters of Business:

Mr. Mayo stated staff associated with the Delta Bay Conservation Plan and Permitting has a meeting on February 18, 2010 to voice the issues we are currently having with Delta Bay Conservation (DBC).

This item was for information only, no action was taken.

VIII. Summary and Adjournment: The meeting was adjourned until March 10, 2010.