

**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, March 10, 2010**

MINUTES

I. Call to Order/Introductions

Mr. Niblock called the meeting to order at 9:30 am; introductions were made.

Committee Members Present:

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| John Beckman | BIA Delta |
| Mike Niblock | City of Stockton |
| Charlie Mullen | City of Lathrop |
| Duane Peterson | City of Escalon |
| Victoria Lomardo | City of Tracy |
| Jane Humes | Conservation |
| Dan Gifford | CA Department of Fish and Game |
| Rick Caguiat | City of Manteca |
| Jeremy Terhume | Defenders of Wildlife – Conservation |
| Gary Stockel | San Joaquin County, Agricultural Commissioner’s Office |
| Ray Hoo | San Joaquin County |
| Ellen McBride | US Fish & Wildlife |

SJCOG Staff/Consultants Present:

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|-------------------|--------------------------|
| Steve Mayo | Senior Habitat Planner |
| Anne-Marie Poggio | Regional Habitat Planner |
| Katy Castro | Office Assistant I |
| Doug Leslie | ICF |
| Monica Streeter | Neumiller & Beardslee |

Public Present:

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| Sarah Madams | CH2MHILL |
| Chris Long | Surland Companies |
| Kristy McKenzie | Surland Companies |

II. Approval of February 10, 2010 Minutes:

It was moved/seconded (**Beckman/Hoo**) to approve the minutes of Wednesday, February 10, 2010.

III. Public Comment:

None

IV. Consent Calendar:

- a. acquiesce Winery Project

It was moved/seconded (**Beckman/Lombardo**) to approve the consent calendar.

V. Agenda Revision:

Mr. Niblock requested the removal of Item No. 6 and 9 of the Agenda. The items will come back at a later date. Mr. Niblock also requested that continuing of Item 7.

VI. Lodi Energy Center Preserve Acquisition and Preserve Management Plan:

Mr. Mayo gave a brief summary of the Lodi Energy Center Preserve Acquisition and Preserve Management Plan. He stated City of Lodi has requested time to look at the preserve management plan, to understand how it will affect their future agricultural activity.

It was moved/seconded (**Beckman/Hoo**) to approve the continuance until April 14, 2010.

VII. Public Hearing for Rustan Coldwell 2010 Preserve Acquisition:

Mr. Niblock opened the public hearing for comments.

Mr. Mayo presented this item. The Rustan Coldwell 210 Property is part of a 640-acre Section, which SJCOG Inc. already holds a 145-acre easement from 2005 with Andy Rustan. He stated a 30 day publication notice was started early February. Notices were also mail out to adjacent land owners. He stated staff is discussing with permitting agency, whether the easement is more or less than 210 acres. SJCOG, Inc. staff intends to expand the existing Preserve Management Plan to cover the new acreage.

Ms. McBride commented on a prior biological opinion written for an Alameda County Project. She stated the project got built before mitigation was put into place. She stated US Fish & Wildlife is trying to determine if they could hold the developer responsible to fulfill the Biological Opinion. She stated if they can't hold them accountable, they will be ok with SJCOG, Inc. obtaining the property.

Mr. Gifford comment on the success criteria wanting to ensure ground squirrel colonies and burrowing owl population would be baselined.

Mr. Niblock closed the public hearing after comments were made.

VIII. Rustan Coldwell 210 Preserve Acquisition and Preserve Management Plan:

This item was removed from the Agenda and will come back at a later time.

IX. 2009 Annual Report Final Draft:

Mr. Mayo gave a brief summary on the 2009 Annual Report Final Draft. He stated staff is requesting final comments from the Committee for the final draft. Comments must be forwarded to staff prior to March 15, 2010 due to mail out for the March Board meeting. Comments submitted may be reflected in the final version of the 2009 annual report going to the Board for approval and release to the permitting agencies.

It was moved/seconded (**Beckman/Lombardo**) to approve recommendation to SJCOG, Inc Board to Release the Final Draft of SJMSCP 2009 Annual Report to Permitting Agencies.

X. Tracy 580 Business Park Amendment Packet:

This item was removed from the Agenda and will come back at a later time.

XI. Other Matters of Business:

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Financial Analysis Subcommittee

Mr. Mayo commented on prevailing wages. He stated as a public agency we have to pay prevailing wages. Prevailing wages was covered under HCP fees for basic restoration work only. Mr. Mayo stated prevailing wages will remain the same.

Mr. Mayo stated that the sub-committee discussed what type of comparables to use in the fee. They also discussed handling the appraisal process. Mr. Mayo stated next month they will continue to discuss comparables and appraisal process.

Mr. Mayo commented on the meeting with Bay Delta Conservation Plan. He stated Bay Delta Conservation is in the process of applying and building a HCP/NCCP. He stated a major concern for staff is two different entities will try to buy the same property. Another concern that staff has is we will be competing with water money that can ultimately drive the development fees higher. He stated the meetings with Bay Delta Conservation Plan did not have much resolution as of yet. The next step would be to meet with the Resource State Agency to get a resolution.

Ms. Humes asked if any other counties that fall under Bay Delta Conservation Plan have HCP's and if they will be affected. Mr. Mayo stated that other counties will be affected at a much lesser extent than the SJMSCP.

XII. Summary and Adjournment: The meeting was adjourned until April 14, 2010.