

**Meeting Summary**  
**California Bay-Delta Public Advisory Committee (BDPAC)**  
**Working Landscapes Subcommittee (WLS)**  
**November 3, 2005; 9:00 am – 12:00 pm**

Working Landscapes Subcommittee web site:

<http://calwater.ca.gov/BDPAC/Subcommittees/WorkingLandscapesSubcommittee.shtml>

**Key Follow-Up Items**

<u>Issue</u>	<u>Responsible Party</u>	<u>Completed yet?</u>
Review October meeting summary	Chair	No
Next meeting date and items	Trott/Cady	Yes

**1. Introductions**

Co-Chair **Denny Bungarz** convened the Subcommittee meeting at 9:10 A.M. A round of introductions was conducted.

**2. Meeting Summary**

The October Meeting Summary was not prepared in sufficient time to allow for review prior to the meeting. It was distributed at the meeting. Participants were asked to review and comment back to **Ken Trott**, [ktrott@cdfa.ca.gov](mailto:ktrott@cdfa.ca.gov). The summary will be sent to the subcommittee for review and it will be set for approval at the next subcommittee meeting.

**3. Chair's Report**

**Denny Bungarz** announced that he had participated in the Sacramento River Watershed Conference on October 27, 2005 where he gave a brief presentation on the WLS Subcommittee. He noted the conference was very well attended with approximately 230 participants.

**4. Agency Reports**

**Delta Protection Commission (DPC). Linda Fiack announced that the DPC is convening a Delta Mercury Collaborative to assure stakeholder input into the Regional Water Quality Control Board's development of a TMDL for the Delta. The initial meeting of the Collaborative is November 8, from 2-4 in West Sacramento.**

California Bay Delta Authority (CBDA). **Jay Chamberlin** announced that the Ecosystem Restoration Program Proposal Solicitation Process was released on October 11, 2005 and five public meetings were held on the call. More than 100

people attended the workshops and as of today's date, more than 40 applications have begun to enter their projects on the ERP web, so far a good interest is being shown. He said that he would report on the total applications received at the Subcommittee's January meeting.

**Chamberlin** also announced that he is now working for the Resources Agency as a Deputy Assistant Secretary and will continue working on issues relating to conservation and private land stewardship.

Department of Conservation. Jeannie Blakeslee announced that Bridgett Luther Thompson has been named as new Director of the Department of Conservation. She requested that Ms. Thompson be added to the Subcommittee's mailing list.

### **5. Department of Fish and Game (CDFG) – CALFED Ecosystem Restoration Program Directed Action Guidelines Public Comment**

**Zeulak** introduced Helen Birss with the Department of Fish and Game. **Birss** gave a PowerPoint presentation on the CDFG and the California Bay-Delta Authority proposed guidelines for identifying and selecting proposals as directed actions for the CALFED Ecosystem Restoration Program. She said that this meeting would serve as one of the two public meetings to be held on the guidelines to accept public comments.

**Linda Fiack** asked how the pot of Proposition 50 funds earmarked for assisting farmers on habitat restoration was split between CDFG and ERP, and why. **Diana Jacobs** replied that the proposed guidelines are for the use of half of those \$20 million in Proposition 50 funds by CDFG. She said that CDFG is the state's CALFED implementing agency for ERP and that ERP and CDFG arrived at the 50:50 split through negotiation. She continued that it was agreed, for flexibility sake, to split the funds evenly between competitive grants and directed actions. She concluded by noting that previous ERP PSPs have surfaced at least four projects that will be considered for directed action, including the Llano Seco project (see below). **Birss** added that projects will also come from priorities indicated in the ERP multiple-year program plan.

(Comments on the Directed Action guidelines are attached to this summary as Attachment A. Responses are found in Attachment B.)

### **6. Llano Seco Directed Action**

**Blakeslee** facilitated a briefing on this project and introduced project partners; **Jim Saake** with the Northern California Regional Land Trust, **Richard Thieriot** with Llano Seco, and **Marilyn Cundiff** with the Wildlife Conservation Board.

The project was presented to the Subcommittee as an information item. Saake reported that project proponents are seeking funds for a conservation easement on 4,099 acres in Butte County, with a total project cost of \$6.5 million dollars. He said that this project exemplifies the integration of wildlife friendly farming and sustainable

agriculture. He reported that the Llano Seco Ranch is an 18,434 Mexican Land Grant, purchased by the current owners in the early 1990's. He said that since then all but 4,535 acres have been sold in a combination of easements and acquisitions to the US Fish and Wildlife Service, CDFG and The Nature Conservancy.

According to Cundiff, funds are being sought to place an agricultural conservation easement on 4,099 of the 4,535 remaining acres, which will protect 1,870 acres of intensively farmed agricultural land, and 1,715 acres of rangeland. She said that 736 acres are covered in various riparian vegetation, grasslands, sloughs, marshes, oak forests and open water habitat. She stressed that the project will benefit ESA- and CESA-listed species, including Valley Elderberry Longhorn beetle, wintering sandhill cranes, Central Valley steelhead, Central Valley spring and winter run Chinook salmon, giant garter snake, northwestern pond turtle, among others. He added that the ranch also supports 800 cow/calf units, with half of the herd under organic management.

She continued that the project is seeking \$2,570,000 as a directed action from Proposition 50 funds appropriated to the Department of Fish and Game for implementing the CALFED Ecosystem Restoration Program's Assisting Farmers with Integrating Agricultural Activities grant; \$1,930,000 from the Department of Conservation; and, \$2,000,000 from the Wildlife Conservation Board. **Blakeslee** then responded to questions.

**Burt Bundy**, with the Sacramento River Conservation Area Forum (SRCAF), noted that the SRCAF Board of Directors has already reviewed the project. He said that the SRCAF Board unanimously supported the project and referred it to its Technical Committee for review, as well (because of scheduling, the project was reviewed first by the Board). **Bundy** noted that the SRCAF Technical review occurred on October 31, where it was recommended that the project pursue screening for their water diversions as well as alternate water sources. SRCAF offered assistance in seeking screening for the diversions. The Technical Committee believed the project to be consistent with SRCAF guidelines and gave the project its endorsement.

**Jim Saake** explained that local support for the project is high, and that neighboring landowners have expressed interest in pursuing easements as well. The project is located roughly 10 miles southwest of Chico; while there is not an immediate threat of urban development; the risk of rural ranchette development is high. There is intensive agriculture on the property currently. The easement will ensure that the undulating grazing areas cannot be leveled and the drainage cannot be altered.

**Cundiff** noted that the project fits well with the goals of CALFED ERP and WLS and is a showcase for the integration of agriculture with wildlife. The project will benefit wildlife by assisting in the recovery of salmon and steelhead and provide critical nesting habitat. **Cundiff** noted that the project is exempt from CEQA since there will be no major changes in land use or public access. No agricultural

practices will be restricted other than to limit deep ripping in one area. She said that the DOC and WCB will require annual monitoring reports and site visits.

The project is scheduled for the November 17, 2005 Wildlife Conservation Board and is under review at the DOC. Additional information on the project can be found at CALFED's web site:

[http://calwater.ca.gov/Programs/EcosystemRestoration/Ecosystem\\_Grants.asp](http://calwater.ca.gov/Programs/EcosystemRestoration/Ecosystem_Grants.asp)

*(Postscript: the CBDA voted on November 10 to support funding for the project).*

**Rudy Rosen**, Ducks Unlimited, noted that the project provides excellent habitat that has been well maintained. He noted that this piece of land also completes an essential piece of the regional habitat puzzle. Rosen asked about long-term water rights. **Saake** replied that the project has riparian rights. He said that under the agreement, owners could do a one-year sale of water; but not enter into long-term water agreements.

**Chris Leinenger**, Ducks Unlimited, said that that the project has multiple benefits over the long term, including taking pressure off of smaller landowners on Deer Creek.

**Jeff Sutton**, Family Water Alliance voiced his support for the project, but expressed his concerns over using the CALFED ERP "Working Landscapes" funds for the project and encouraged the use of other fund sources to the extent possible. He said that he would like to see the ERP PSP funds support more "toolbox" approaches at many locations rather than a few expensive acquisitions.

**Dan Wermiel**, CALFED Watershed Program, asked if the directed action funds will have a per project cap. **Rhonda Reed**, CALFED Ecosystem Restoration Program, responded that in order to maintain flexibility they have not set a cap

**Brian Leahy** inquired if the landowners might be willing to offer the ranch as a site to host fundraisers. **Theriot** noted that he has done that in the past. **Cundiff** said that the landowner is under no requirement to conduct such activities or provide public access. It is entirely within the landowner's discretion.

**Jeff Weaver**, Dept. Fish and Game asked whether bio-monitoring had been done.

**Jeff Sutton** asked if there was the potential to sell the land in parcels with the easement on it.

**Vance Russell** asked if, in response to interest expressed by adjacent landowners in pursuing a similar kind of project for their lands, the WCB or local Land Trust have developed plans or strategies to pursue other projects in the area?

## 7. Working Lands Stewardship Advisory Council

A two-page discussion paper on the proposed council was circulated. A meeting with CDFA Secretary AG Kawamura and Resources Agency Secretary Chrisman originally scheduled prior to this meeting had been postponed to November 7, 2005. **Vance Russell** gave a brief overview of the different sections of the two-pager and asked for comments. (The two-page discussion paper is available by request from **Casey Walsh Cady**, ccady@cdfa.ca.gov).

**Jeff Sutton** expressed concern that the proposal's emphasis on the conservation provisions of farm bill to the exclusion of the commodity provisions runs the risk of losing sight of the economic sustainability of production agriculture. He said that all three council purpose bullets should stress commercial agriculture. Sutton also recommended that there be an expanded definition of "fostering improved conservation partnership" in the second bullet. He also requested that the third sentence under "Options and Membership" be amended to include "reducing conflicts between growers and environmental interests."

**Leininger** suggested adding "resources to support conservation" to the second Council objectives bullet, noting that bond funds will eventually go away.

**Wermiel** commented on council alternative that would combine the council with an existing entity, such as the BDPAC Watershed Subcommittee. He said that because the Watershed Subcommittee has become important to watershed project proponents around the state, it should continue in its present form and not be subsumed under the proposed Council.

**Russell** asked how related entities should interact with the proposed council. **Cannon** suggested that similar entities like the Watershed Subcommittee be represented on the council to ensure coordination and cross fertilization.

**Pajarillo** asked about Cal-EPA's role on the Council and whether Cal-EPA secretary should be one of the Council's co-chairs. **Trott** said he and Jay Chamberlin will be meeting with representatives from CAL-EPA soon to discuss.

**Jovita Pajarillo, US EPA** said that **Ed Burton**, NRCS State Conservationist, is looking to improve the State Technical Advisory Committee (STAC), and wondered how the two entities would interact. **Trott** said that one of the next steps will be for Secretaries to meet jointly with **Ed Burton** on the proposal and solicit his input.

**Jeannie Blakeslee** suggested that the Director of Department of Conservation be included as a member of the Council as well. **Trott** indicated that DOC is included as one of the ex-officio agency members.

**Chris Leininger** inquired about the potential to include Forestry and/or the Sierra Nevada Conservancy.

**Wermiel and Sutton** both pointed out that including forestry in the purview of the Council was a significant new expansion of the Working Landscapes Subcommittee's past work. **Leahy** responded that the issues for irrigated, rangeland and forestry landowners are often the same.

**Rudy Rosen** commented that individuals need to be selected who can represent their organizations in order to present key stakeholders' points of view, and to mobilize them as needed to support the Council's work. **Bungarz** noted that it is also important to have good regional representation.

**Debbie North** suggested that the focus on membership be more on what they will do and know rather than whom they will represent.

**Russell** asked the Subcommittee's members which option for establishing the Council they would recommend. He noted that option #1 (establish the Council by executive order) appeared to be the consensus choice. **Sutton** agreed, but suggested holding off on taking action to establish Council until after CBDA has completed its refocusing effort in order to get a clearer picture of the future role of the Subcommittee will be.

**Cannon** pointed out some of the advantages of a statewide Council: 1) fewer meetings for those interested in the topic; 2) the Council would not be bound by the restrictions of the Federal Advisory Committee Act as the current Working Landscapes Subcommittee is; 3) Cross-representation can provide link to BDPAC; and, 4) Council, because it will directly advise two CBDA board members, will likely have more influence than the existing Subcommittee.

**Trott** said that these comments will be used to refine document and presented to the Secretaries.

## **8. Next Meeting Date**

The next meeting of WLS was scheduled for December 3. (Subsequently delayed until January 5.) Potential agenda items identified for the next Subcommittee meeting included:

- Working Lands Council status report;
- October meeting summary approval;
- Other ERP directed actions, as needed; and,
- A discussion on the SWRCB Agricultural Water Quality Grant Program reporting requirements as they affect landowner confidentiality (see below).

## **9. Public Comment**

**Leahy** inquired if it would be appropriate for this subcommittee to look at the issues surrounding the agricultural waiver and confidentiality. Staff was asked to look into this and make a recommendation to the Chairs.

**Pajarillo** suggested that the chairs consider having a presentation from other agencies that have used Proposition 50 funding to explore consistency in state agency application of reporting requirements.

(forthcoming)

Attachment A: Comments on Department of Fish and Game Directed Actions Guidelines

Attachment B: Responses to Comments on DFG Directed Actions Guidelines

Meeting Participants

Jeannie Blakeslee, CA Department of Conservation  
Marina Brand, CA Department of Fish and Game  
Burt Bundy, Sacramento River Conservation Area Forum  
Denny Bungarz, Co-Chair and Glenn County Supervisor  
Brad Burkholder, CA Department of Fish and Game  
Casey Walsh Cady, CA Department of Food and Agriculture  
Tina Cannon, CA Department of Fish and Game  
Jay Chamberlin, CA Resources Agency  
Marilyn Cundiff, Wildlife Conservation Board  
Linda Fiack, Delta Protection Commission  
Emily Fransiskovich, CA Rangeland Trust  
Diana Jacobs, CA Department of Fish and Game  
Mike Krug, CA Department of Food and Agriculture  
Brian Leahy, CA Association of Resource Conservation Districts  
Chris Leininger, Ducks Unlimited  
Vickie Newlin, CA Bay Delta Authority  
Jovita Pajarillo, U.S. Environmental Protection Agency  
Nicole Martin, Sustainable Conservation  
Rudy Rosen, Ducks Unlimited  
Vance Russell, Vice Chair and Audubon California  
Tracy Schohr, CA Cattlemen's Association  
Bernice Sullivan, Friant Water Users Association  
Jeff Sutton, Family Water Alliance  
Ken Trott, CA Department of Food and Agriculture  
John Watson, Cache Creek Conservancy  
John Weech, CA Farm Bureau Federation  
Dan Wermiel, CALFED Watershed Program  
Dave Zezulak, CA Department of Fish and Game