

Meeting Summary
California Bay-Delta Public Advisory Committee (BDPAC)
Working Landscapes Subcommittee (WLS)
April 5, 2005; 9:00 am – 12:00 pm

Working Landscapes Subcommittee web site:

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

1. Introductions

Co-Chair **Denny Bungarz** convened the Subcommittee meeting at 9:15 A.M. with introductions.

2. Review of March 10, 2005 Meeting Summary

The March 10, 2005 Subcommittee meeting summary was approved by consensus.

3. Chair's Report

Bungarz reported that he would only be able to attend one day of the upcoming California Bay-Delta Authority (CBDA) meeting. The Working Landscapes recommendation regarding Payment In Lieu of Taxes (PILT) will be on the agenda for review by the CBDA and the Bay-Delta Public Advisory Committee (BDPAC). At the March WLS meeting, the Subcommittee agreed to draft a letter to BDPAC expressing its support for using the \$20 million Ecosystem Restoration Program (ERP) funds in a PSP for integrating habitat restoration on agricultural lands, as was intended by the voters. The letter has been prepared and will be in the BDPAC agenda packet.

Bungarz will acknowledge the letter at the meeting. The Central Valley Habitat Joint Venture also sent BDPAC a letter of support for the PSP.

Bungarz also announced that Vance Russell with Audubon California has been appointed Vice-Chair of the Subcommittee by Gary Hunt, Chair of the BDPAC.

4. Agency Reports

Department of Fish & Game (DFG) **Dave Zezulak** announced that the CALFED Ecosystem Restoration Program (ERP) selection panel for the Monitoring PSP is meeting today. There will be a 30-day review period for proposals recommended for funding.

California Bay-Delta Authority (CBDA) **Jay Chamberlin** announced that **Dan Castleberry** will be leaving his position as Director of the CALFED Ecosystem Restoration Program, and will return to the US Fish and Wildlife Service.

USDA Natural Resources Conservation Service (NRCS) – **Luana Kiger** reported that NRCS-CA has conducted 17 workshops on the California Conservation Security Program for growers in the five selected watersheds.

California Department of Food and Agriculture – **Ken Trott** announced that CDFAS Secretary Kawamura led another of his Innovation and Stewardship tours to Riverside,

San Bernardino, Imperial and San Diego Counties on March 30th. The tour included agency executives from state and federal resource, environmental and agricultural agencies.

6. Ecosystem Restoration Program Multi-Year Program Plan

Chamberlin reported that the ERP multiyear program plan will not be discussed at the upcoming Authority/BDPAC meeting next week due to a need to reconcile commitments and existing resources over the next three years. Nevertheless, Chamberlin updated the committee on the draft plan's Wildlife Friendly Agriculture components. Those components included the development of a Proposal Solicitation Package (PSP) based on WLS recommendations and the findings of the milestones assessment which is guiding future program direction.

Additional elements related to the work of the subcommittee is an assessment of previous ERP Wildlife Friendly Agriculture projects. While specific funds to carry out this goal have not yet been identified, Department of Conservation is willing to assist with this analysis.

Tina Cannon clarified that the MSCS provides the take authority and assurances for the operation of CALFED are built off of them. Any proposed PSP will be looked at in terms of whether it helps meet Multi-Species Conservation Strategy goals. Are there Wildlife Friendly Ag projects that will meet the MSCS to allow for operation of the state and federal water projects? She mentioned that because of the tight budget situation, there is a push to be very strategic about the use of funds and that they must produce demonstrable benefits.

Olen Zirkle, Ducks Unlimited, questioned the need for developing additional technical expertise at DFG, a topic identified in the Program Plan, arguing that there are currently many implementing organizations with that expertise. Chamberlin said that the provision is based in part on the findings that adequate field staff cooperatively implementing habitat projects is an essential ingredient of wildlife friendly agriculture projects, and noted that numerous other states have developed cooperative agreements with USDA to bolster the agency's field biologists. The current provision in the Program Plan serves as a placeholder to create dialogue about the best ways to bolster capacity.

There was a discussion about efforts to partner with USDA, some expressed difficulty in developing those relationships, while others recognized that they have had been able to work positively with NRCS in California and that efforts in the mid-western US have been extremely successful. **Dave Zezulak** asked whether we could identify areas where we could work with USDA and recommend solutions. **Kim Delfino** mentioned that Central Valley Habitat Joint Venture conducted a study and examined some of the barriers to implementing NRCS programs in California.

Luana Kiger suggested that NRCS needs a proposal in writing that it can respond to, and that the 2007 Farm Bill discussions would also be an appropriate venue to

comment and propose a potential program. **Tina Cannon** questioned whether this group as a FACA-chartered subcommittee of the BDPAC could be making recommendations regarding federal programs. She said that an inquiry to the Solicitors Office should be made.

Bernice Sullivan asked about ERP's process for developing strategies to address high priority topics as noted in one element of the draft ERP Program Plan. **Chamberlin** stated that he was not certain about the process for selecting topics requiring the development of formal strategies. May 16th is the deadline for comments on the ERP Program Plan.

John McCaull with Resource Landowners Coalition noted that the Farm Bill does not have science goals and suggested that CALFED dialogue with NRCS. **Luana Kiger** suggested bringing issues to the State Technical Committee. **Kiger** also mentioned that she could also bring NRCS program managers to WLS to explain how the programs work.

Bungarz said that comments on the program plan should be forwarded to **Trott** by April 22; he requested that the comments focus on specifics.

6. Payment-In-Lieu-of-Taxes (PILT) Recommendations – Next Steps

Vicki Newlin, CBDA reported that the WLS recommendation on PILT (approved by the Subcommittee in December 2004) were reviewed by the CALFED Agency Coordination Team (ACT). There is concern on the part of the federal solicitor about the recommendations calling for federal legislation or advocacy.

One recommendation calling for changes to federal legislation was dropped for further deliberation by the PILT workgroup. Wording of the other original recommendations were changed so that they will be presented to BDPAC as informational findings rather than recommendations for action. This was signed off on by CALFED attorneys.

Cannon expressed her continued concerns about the Subcommittee putting forward recommendations that may offend CALFED's federal partners.

Bungarz commented that though the amount of 02-03 state and federal lost PILT revenue is relatively small (roughly \$9 million), it is a significant amount for a small, rural county. For example, lost PILT payments to Butte County in 02-03 equaled funding for the County's library program; in Glenn County, this revenue equals their Flood Program.

Newlin noted that Reclamation Districts claim to have lost benefit assessment funds via state acquisitions, as well.

7. Continued Discussion – Future of Working Landscapes Subcommittee

Vance Russell reported that at the March WLS meeting there was some thoughtful discussion about the past and future of the subcommittee and that one of the recommendations was to appoint a work group to review the mission, vision and

comprehensive action plan of the Subcommittee. Members who volunteered to participate in the work group have met once and agreed that the foundational documents for WLS were generally sound and only a few minor changes may be necessary. **Russell** presented three goals that were derived from the action plan for Subcommittee attention over the next year. (See attached work group report). The work group is now focusing on a one-year workplan draft document – with specific recommended action items, for review and discussion at the June meeting.

Jeff Sutton stated that the CALFED ROD says that CALFED needs to address impacts to agriculture. He said that he was unable to attend the work group meeting, but will do so in the future to argue that this issue be a WLS priority. **Russell** said that he has talked with Jeff and he has committed to addressing the issue at the next work group meeting.

The workgroup found that the Subcommittee structure was essentially good, but recommended that an effort be made to identify those who should be in attendance and formulate a letter of commitment -- where a participant/stakeholder who commit to participate regularly and keep their organization abreast of the subcommittee's actions. This method would ensure continuity in the Subcommittee's activities. It was also suggested that the Subcommittee move to bi-monthly or quarterly meetings.

The workgroup identified two priority areas for the Subcommittee to act on in the coming year: an assessment of agricultural contributions to CALFED goals, and providing advise to CALFED on ways to reduce barriers and maximize opportunities related to wildlife friendly agriculture. One item that did not get addressed in the workgroup was addressing CALFED impacts on agriculture, since those attending the workgroup meeting found that ongoing litigation makes it difficult.

Tina Cannon said that though some of the goals are non-starters in her estimation, there are areas on which there could be work accomplished. **Brian Leahy** noted that the farming community is very diverse, he wanted to know what are the impacts and concerns. **Jay Chamberlin** said that the work group is not avoiding the larger more difficult issues, but that it is looking for the "low hanging fruit", where there are specific actionable items on which to make progress on – in the coming year.

Sutton suggested that greater landowner participation was needed to make the Subcommittee work. He also noted that the Sacramento River Area Conservation Forum (SRCAF) has prepared a Good Neighbor Policy (GNP) which includes a list of potential impacts to farmers from restoration projects. He said that the effort to finalize the GNP is stalling. He said that that this issue cannot be allowed to go unaddressed, and wondered if the Subcommittee could help keep the dialogue going.

Russell requested that comments on the work group document be forwarded to him by 4/20.

Cannon suggested that having a presentation from the CALFED Science Program at a future meeting might be helpful in clearing up some confusion about how the Science Program operates.

8. Public Comment

None offered.

9. Next meeting date and agenda – The WLS will meet next on May 5 at its regular location and time (This meeting was later postponed to June 2, 2005).

Meeting Participants

Jeanne Blakeslee, Dept of Conservation

Burt Bundy, Sacramento River Conservation Area Forum

Denny Bungarz, Working Landscapes Subcommittee Co-Chair; Member, Glenn Co. Board of Supervisors

Marina Brand, DFG

Casey Walsh Cady, CDFA

Jay Chamberlin, CBDA, Ecosystem Restoration Program

Kim Delfino, Defenders of Wildlife

Luana Kiger, USDA-NRCS

Chris Leininger, Ducks Unlimited

Brian Leahy, CARCD

John McCaull Resource Landowners Coalition

Vickie Newlin, CBDA, Sacramento Valley Regional Representative

Vance Russell, Audubon California

Carolyn Remick, Sustainable Conservation

Bernice Sullivan, Friant Water Users Authority

Jeff Sutton, Family Water Alliance

Ken Trott, CDFA

Ben Wallace, CARCD

Olen Zirkle, Ducks Unlimited

Dave Zezulak, DFG