

**CALFED Bay-Delta Program
Working Landscapes Subcommittee
September 5, 2002
California Department of Food and Agriculture, Room A-477
1:30 – 5:00 pm**

Draft Meeting Summary

Subcommittee web site:

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

1. Introductions

The meeting began with a welcome from the co-chairs Ryan Broddrick and Denny Bungarz.

2. Meeting summary

The meeting summary from the August 1 was reviewed and approved with no changes.

3. Agency Updates

Steve Shaffer with California Department of Food and Agriculture (CDFA) noted that CALFED is in the middle of preparing and reviewing Year 3 workplans.

Dan Castleberry with CALFED Ecosystem Restoration Program (ERP) reported that the CALFED Governance Bill (SB 1653) has been approved by the Legislature and awaits the signature of the Governor. CALFED ERP has presented its annual workplan and program assessment to the CALFED ERP Subcommittee. The ERP Subcommittee will meet next on September 25, 2002.

Dave Zezulak, California Department of Fish and Game (DFG) commented that the regulations for SB 231 are still in the Office of Administrative Law. These regulations are designed to give some measure of relief from the California Endangered Species Act by allowing for incidental take of state listed species provided the grower is part of a DFG-approved group with an accepted management plan.

As an aside, Ryan Broddrick noted that the Governance Bill Language (SB 1653) includes a section that allows the new CALFED Bay-Delta Authority to hold permits. He wondered if this would help with the permit bottleneck. Provided the bill is signed by the Governor, he asked that this be investigated further.

Jeannie Blakeslee with the California Department of Conservation (DOC) reported that she is working on a white paper documenting the impacts on agricultural resources of CALFED actions, including a review of the working landscapes commitments mitigation measures listed in the Record of Decision (ROD), an identification of the thresholds of significance, and measures for mitigation. When ready, the paper will be distributed to the Working Landscapes Subcommittee for review and comment.

Margit Aramburu with the Delta Protection Commission (DPC) reported that the DPC is working to prepare and submit an application to the USDA for the formation of a Resource Conservation and Development Program (RC&D) in the Delta. The benefit of this designation is that it provides federal funding for a full-time USDA staff person to address regional resource issues. The RC&D would be governed by a 501(c)3 non-profit council made up of local landowners. For more information on this endeavor, contact Margit.

Dave Smith with the Department of Fish and Game reported that the USDA Natural Resources Conservation Service (NRCS) Wetland Reserve Program (WRP) allocation funds are being held up due to a misunderstanding with the Office of Management and Budget (OMB). Apparently this is also affecting the allocation for the Farmland Protection (FPP) funds, but it is hoped that the

issues will be resolved soon. (Update, on 9/6/02, USDA released \$24.6 million for the WRP in California and the \$2.4 million for the CA- FPP).

Tom Wehri with the California Association of Resource Conservation Districts (CARCD) reported that NRCS does not expect rulemaking for the new Conservation Security Program (CSP) until November or later. It is expected that EQIP will be able to make its full allocation.

4a. Informational Presentations –Northern California Water Association

David Guy with the Northern California Water Association (NCWA) presented the Partnerships for Restoration (PfR) which is NCWA's plan to involve local landowners in CALFED activities by calling for voluntary technical and financial assistance, incentives and improvements in regulatory assurances. The document and associated presentation paper are available on the NCWA web site: (http://www.norcalwater.org/partnerships_for_restoration.htm)

This plan was developed close to two years ago, but the approach has not been successfully advanced. NCWA produced the plan due to board members' concerns with land acquisitions.

Mr. Guy said that the response to the document to date has been lukewarm.

Annalena Bronson, California Department of Water Resources noted that the reference to PL 84-99 on page 13 of the PfR would require changes in federal law.

Participants suggested that in regard to payment of in lieu fees, it might be helpful for the new CALFED Bay-Delta Authority to ask for the Attorney General's (AG) opinion on the state's position, provided the CALFED governance bill is signed. Shaffer noted prior to requesting the AG opinion, there is a need to provide background information on magnitude of the tax loss issue, and then seek appropriate funding mechanisms. It was recognized that while state reimbursement is an issue, the bulk of the problem is on the federal side.

Denny Bungarz noted that the Sacramento River Conservation Area Forum is also working to address federal payment of in lieu taxes (PILT) issues. He noted that the tax base of special districts is being eroded. He said there also a need for greater uniformity among counties with respect to reimbursement; some counties are requesting reimbursement, others are not.

When asked what NCWA's top three priorities were, David Guy was reluctant to name them as the Partnerships effort is designed as a package, but said that the following are of great concern to NCWA members: 1. Creation of incentives (which comes down to assurances), 2) Endangered species act issues, and 3. In-lieu taxes.

4b. Informational Presentations - Delta Protection Commission/American Farmland Trust (AFT)

Ms. Aramburu distributed a summary of the work that DPC and AFT will undertake on developing an inventory and protection criteria for farmlands in the statutory Delta region. The project has three components which include a) a definition of the characteristics of agriculture in the delta; b) an analysis of what working landscapes for agriculture is in the terms of the character and use in the delta, and c) a mitigation element which would weave together the mitigation strategies.

Kathy Brunetti with Dept. Pesticide Regulation offered assistance with the Pesticide Use Reporting database that DPR produces annually.

Vance Russell also suggested looking at the rates of change of family farms and corporate farms in the delta.

4c. Informational Presentations - California Wilderness Coalition

Ben Wallace recapped his presentation from last month. The California Wilderness Coalition recently released a report titled *Wild Harvest: Farming for Wildlife and Profitability*. The report

addresses conservation issues on private lands in California and includes 28 recommendations focusing on areas of policy coordination, tax incentives, land preservation, market rewards, barriers to overcome, and increasing access to funding, especially increasing California's share of the Farm Bill funds. For a copy of the report, contact Wallace at (530) 758-0380, ben@calwild.org.

5. Working Landscapes Subcommittee Vision/Mission statement

Ryan Broddrick noted that additional work on the mission/vision statement for the Working Landscapes Subcommittee (WLS) is needed. He suggested that language regarding economic sustainability issues and secondary impacts needs to be added. Mr. Broddrick requested that CALFED agency staff analyze ROD commitments relative to the mission of the WLS. He also acknowledged and thanked the four individuals who provided comments to the draft statement and the action plan, but noted that to date no input from the farming community or landowners has been received.

Mr. Broddrick also suggested that the term "balanced" may be inappropriate. Working Landscapes are inherently areas where a balance is achieved and where issues such as ecosystem restoration, water quality, conveyance and storage are being addressed.

Henry Rodegerdts of the California Farm Bureau Federation suggested that the mission/vision statement needs more detail and was concerned about the particular actions that would be based on it. He feels that the Partnerships for Restoration (PfR) document presented by NCWA has a complete plan for implementation with a sufficient level of detail. Henry suggests that the WLS Subcommittee devote a few meetings to more fully review and discuss the partnerships effort.

Mr. Wehri also expressed supports for the PfR effort.

Virginia Cahill, California Department of Justice noted that from her review of the document, it did not include sufficient accountability and monitoring.

Ms. Aramburu suggested that staff provide an analysis of the PfR.

Bob Neale with Sustainable Conservation suggested that in some areas pilot projects have already been conducted, but that the successes are not being implemented due to a lack of political will, or funds. He wondered the next steps should be to actually get something done.

Chris Beale, CALFED consultant suggested that US FWS be represented in this discussion as the PfR effort includes proposals to develop new regulations under ESA. The PfR also includes suggestions which might also require changes in the Act itself, requiring initiation of federal rulemaking.

Ms. Bronson noted that the ACOE/DWR Sacramento/San Joaquin Comprehensive Study is meeting with similar issues and challenges and it would be beneficial if we could work with one document.

Mr. Broddrick commented that the Subcommittee is not going to solve all the problems, but we'll need to take the documents developed and choose areas where we can make accomplishments and take recommendations to the Bay-Delta Public Advisory Committee (BDPAC).

Eugenia Laychak with CALFED suggested that the WLS Subcommittee look to other subcommittees' mission documents. She also suggested that we attach a list of participants to the mission/vision document once adopted.

Tom Zuckerman, with South Delta and Central Delta Water agencies noted that many of the approaches that CALFED has taken are not working and that little has been accomplished to date aside from a lot of land acquisition funds being spent. The landowner concerns need to be

addressed and that the suggestions coming from the landowner groups via the PFR need to be seriously considered.

Mr. Wallace thinks that the WLS documents provided are a good start and he appreciated the broad array of stakeholders present at this Subcommittee meeting. Ben suggested that we find ways to engage landowners who have already undertaken conservation practices and that we attempt to meet on a regional basis with local landowners and give them an opportunity to provide comment. Policies developed needs to be connected to “on-the-ground” efforts.

Mr. Shaffer expressed his views that it is important to have these documents (A workplan and mission/vision) to demonstrate our collective vision and be consistent with other subcommittees, and as a basis for making recommendations to the full BD-PAC.

Mr. Shaffer also felt that if the Subcommittee uses the PFR document for WLS discussions, we need to ensure that all the stakeholders are comfortable with that approach and that it does not imply approval of the document.

6. Draft Action Plan

The Subcommittee reviewed and discussed the draft action plan. While it was agreed that the workplan needed additional work, there was consensus on its three broad goals listed. Three high priority actions from the workplan were suggested by Steve Shaffer and supported by Tom Wehri. It was mutually agreed that now would be an opportune time to bring the work of the Subcommittee to the full BDPAC for consideration at its September meeting when CALFED workplans are being reviewed.

The three goals include:

1. Support locally based collaborative initiatives that provide opportunities for working landscapes to assist CALFED in meeting its program objectives.
2. Minimize and mitigate adverse CALFED project impacts on agricultural resources consistent with commitments in the Record of Decision.
3. Coordinate funding and outreach to support a working landscape approach to meeting CALFED program objectives.

The three priority actions include:

1. Support development of an agricultural element in each CALFED regional implementation plan.
2. Develop strategies to implement CALFED ROD commitments as they relate to working landscapes.
3. Develop opportunities to leverage USDA Farm Bill funds to meet CALFED objectives.

It was also recognized that the language in the June 7 draft language relative to selecting projects be deleted as the subcommittee will not be involved in project selection.

Casey Walsh Cady suggested that the workplan include consideration of developing a new Conservation Reserve Enhancement Program (CREP) under the Farm Bill.

Dave Smith explained that a CREP requires approval of the Governor as part of its application to USDA.

Kathy Brunetti suggested that the subcommittee consider the State Water Resources Control Board for potential coordination as well.

Bob Neale wondered what the timeline would be for the three priorities and how they related to directly meeting landowners' needs.

Steve Shaffer acknowledged that at the last meeting of the WLS, it was recognized that one of the largest constraints for getting conservation on the ground is insufficient field technical assistance staff. He didn't want to lose sight of that. It was suggested that this issue can fit under the larger goal of Farm Bill coordination.

8. Next Meeting

The next meeting of the CALFED Working Landscapes Subcommittee was set for Thursday, October 3, 2002. Location to be determined; 1:30 – 5:00 pm.

Suggestions were made for the next agenda, including further discussion of the partnerships for restoration document, Wildfarm Alliance (note: they have requested postponement to November meeting); developing additional CREPs in California, revisiting of the mission/vision; and a discussion of current ESA tools to provide landowner assurances. Paul Robins with Yolo RCD is working with the US FWS, and will ultimately affect their biological opinion. He suggested that Dan Straight be invited to the next meeting to discuss this work as part of landowner assurances.

9. Public Comment

No public comments were received.