

Testimony
Assembly Water, Parks, and Wildlife
Supervisor Jim Provenza
May 11, 2010

- **Introduction**

- Goal is to provide overview of HCP/NCCP efforts to work with the BDCP, but coordination issues are not limited to HCP/NCCP efforts;
- Term “integration” of BDCP and local HCP/NCCPs is inappropriate since the plans must remain legally separate. It’s about minimizing conflict and maximizing benefit, not integration.

- **Background**

- Between San Francisco Bay and Lake Tahoe, there are as many as nine local HCPs and NCCPs that together create a potential large-scale corridor to provide important habitat for endangered terrestrial species. All five Delta counties have HCPs or NCCPs that are a part of this corridor. It is essential that all of these plans launch so species have a better chance of adapting to climate change. There is no other place in California with this type of habitat potential, including the variations in elevation necessary for species success. The BDCP need to work diligently with the local HCPs and NCCPs to ensure the states realizes the maximum potential of this corridor.
- Only two are NCCPs, Yolo County and Eastern Contra Costa County
- 3 plans still under development, Yolo, Sacramento, Solano; all scheduled for completion at same time as BDCP
- Although BDCP’s outreach to Yolo County has been good and there has been some outreach to other plans as well, the BDCP has not reached out sufficiently to all counties. There is room for improvement.
- The conflict between BDCP and the local HCP/NCCPs is the impact of BDCP’s proposals to create fish habitat and new infrastructure on local HCP/NCCP conservation strategies for endangered terrestrial species.

- **Recommendations for the BDCP**

- Given many significant BDCP decisions this summer, outreach to all HCP/NCCPs must ramp up quickly to minimize conflict.
- Issues complicated to resolve and involve competing statewide goals – improving water supply reliability and preserving endangered species.
- Coordination is possible and could be mutually beneficial, but don’t rush discussions. Each plan is different and has different issues.
- Local plans also should have funding to ensure ability to participate.

- **Example: Yolo County Natural Heritage Program**

- Yolo is having productive conversations with Bay-Delta Conservation Plan to minimize conflict and explore opportunities for mutual benefit
- Last month, Yolo did not receive a grant from the USFWS to continue planning efforts – ability to coordinate with BDCP therefore compromised because plan will be on hold for lack of funding.
- BDCP received a \$700,000 grant from the USFWS through the same grant cycle. Sacramento’s plan received a \$400,000 grant.

- Yolo has two key issues in addition to funding. First, determining which plan gets credit for conservation efforts in overlapping areas, since wildlife agencies must permit both plans. Second, ensuring the BDCP does not place undue burdens on the local plans.
- Example: If BDCP converts large acreage of grasslands into fish habitat, then the agencies may find that Yolo's plan can't meet the NCCP standard because of insufficient remaining grasslands habitat.
- Example: Flooding for fish habitat in the Bypass may reduce habitat for the giant garter snake, requiring identification of additional habitat for the snake. [Note: If this happens, the garter snake is likely to move from the Bypass into the agricultural ditches. Without Yolo's HCP/NCCP, it will be difficult for farmers to navigate the regulatory process.]
- **Other coordination issues**
 - BDCP conservation measures have impacts on statewide goals other than terrestrial endangered species protection, which is the focus of this panel. These goals include flood protection, habitat for migrating waterfowl, and agricultural land preservation.
 - BDCP needs to quickly ramp up its efforts to address impacts on these other statewide goals, in coordination with local government, including extensive public outreach with local stakeholders and funding to ensure adequate information is available to balance competing goals.
 - These conversations are starting to take place, which Yolo appreciates, but more work needs to be done quickly.
 - Example: Fremont Weir modification conservation measure
 - BDCP proposes to flood the Yolo Bypass more frequently and for a longer duration to provide habitat for salmon and splittail.
 - If the additional flooding makes it impossible for rice farming to continue in the Bypass, the farmers will no longer provide the current vegetation management that ensures adequate flood capacity or the food for migrating waterfowl.
 - Yolo thinks it's possible to find a balanced solution that maintains rice farming, but the BDCP timeline does not allow for identification of such balanced solutions. The agricultural impacts of the Fremont Weir conservation measure have not yet been analyzed, although a decision is pending this summer.
 - The BDCP proposes 3000 cubic-feet/second to 6000 cubic-feet/second over the Fremont Weir, for example, with an option to end flooding by May 15th. Rice farming could not continue with a flood date of May 15th because it takes 2-3 weeks for the Bypass to dry out and then 1-2 weeks to prepare the ground; crop insurance kicks in if the farmer can't plant by June 1st. So there's a clear need for further evaluation of what's possible before committing to flooding amounts or dates.
 - We encourage the committee to hold additional hearings on these other coordination issues in the future.