

San Bruno Mountain Habitat Conservation Plan
Technical Advisory Committee (SBM HCP TAC)
Meeting Minutes
10/18/12

Present: Joseph Terry, Autumn Meisel, Terris Kasteen, Sam Herzberg, Doug Allshouse, Jake Sigg, Ken McIntire, Mike Forbert, Joe Cannon, Michele Salmon, Mark Heath

By Phone: Eric Tattersall, Mike Thomas

1. Independent Review of HCP Management

- Ken asked to move item #5 to the top of the agenda, since the Trustees asked the TAC to produce a description of work for an Independent Review of HCP management by the end of the year.

- Eric said he knew of no other HCPs that have had reviews like we are proposing. He doesn't see the value the comparing other HCPs to this one since they are all different. He said the 2008 Habitat Management Plan was a review of the HCP, and that every 5 years the USFWS does a status review on listed species. He said this includes USFWS survey data. Joseph will provide the TAC a link to the latest reports by e-mail.

Eric does not understand the purpose of a review of the entire HCP; however, it is appropriate to look at biological activities, and apply adaptive management principles, which is what the TAC is supposed to do. He indicated USFWS cannot allow HCP funds to be spent on the San Bruno Mountain Watch proposal if it's not a requirement of the HCP or Section 10(a) Permit.

- Joe said we need to determine what is and what is not working, so HCP funding is spent in the best possible way. Eric and Joe committed to review the San Bruno Mountain Watch's proposal to determine what items could be considered for funding for adaptive management purposes.

2. Status of Land Dedications to County

- Rio Verde: The developer completed their development, but did not restore or dedicate the lands, and someone put the land that was supposed to be dedicated up for sale.

Dave Kaplow was doing restoration for Americas Funding Source (developer), but was laid off and stopped taking phone calls about the status of work. There is butterfly habitat there, and WCW and TRA have both done work there historically. Daly City Planner Steve Engfer from Daly City is following up and working with County Parks and County Counsel to determine next steps.

- McKesson. Progress is being made with McKesson. WCW has submitted a weed eradication plan at McKesson's request addressing eucalyptus, gorse and broom. Erosion issues associated with Old Ranch Road are also being addressed.

Ken asked if native plants would be used for habitat restoration, and be required. Discussion on this: Ken asked if habitat restoration will be required. Discussion on this: Mike estimated that if replanting was proposed it could total

approximately \$100k over the next 3 to 4 years. Sam indicated the goal is to get lands to condition of minimal maintenance and for Parks and HCP vegetation management to begin, and replanting may not be required for dedication. Mike and Sam will discuss further before discussing with McKesson. Mike will also review Eucalyptus removal needs along the Old Ranch Road below the Guadalupe Parkway.

Callippe Hill: Restoration work will also be done over the next 5 years beginning 10/22/12, ahead of the dedication of land.

Side Issue – Illegal grading

•Illegal grading took place on Nijim property in Brisbane: Work is supposed to start 10/19/12 per City of Brisbane requirements to implement erosion control before the winter rains. Fines will be levied by USFWS. The parcel will be considered for development from Unplanned to Planned through the City of Brisbane.

3. Tussock Moth

Doug: Went looking for the moth on Kamchatka Point with Peter Frisch. Doug found a moth larva on the huckleberry, so they are back. He reported that the SBM Manzanita is in good shape. Sam reminded everyone that the County Parks requires a Scientific Collection Permit for research being done in County Parks and in the case of SBM Site Activity Reviews if any ground disturbing or off trail activities are proposed.

4. Weed Warrior Certification

•Ken said this idea is being taken up by the Natural Resources Coalition and County Parks.

•Doug: If a trained person comes across a dozen invasive plants in an area not worked by Mike or other restoration crews, they should take those plants out. End of problem. Large areas are different.

•Eric: Cautions about potential damage to insect larvae from off trail activities and the Section 10A permitting process, which covers take for specific activities. It may take a Section 10a extension, or HCP amendment to add a weeding provision like we are asking for. Contractors have legal authorization as contractors for Section 10(a) permutates, but private citizens do not.

•Sam: Carla Schoof, the County Park Volunteer Coordinator, has spoken with other Federal, State and local Park and Open Space agencies. Although some have “weed warrior” training programs, they all use the site stewardship model, not wandering individuals, and that would be County Parks preference.

•Michele: Most people are only pulling along trails they are walking on, not wandering around in butterfly habitat.

•Autumn – Consider thinking about this kind of weeding as recreational. Maybe we can take side steps the Section 10(a) permit. She suggested that maybe we should try something like this that isn't being done elsewhere.

Jake: We really need to do something different. Funds have dried up over the last 10 years, but the problem is just getting worse. This is a way to get at the problem without a lot more resources.

- Eric – Biologically, I agree, but we live in a litigious society. And we work under a legal permit. The Section 10(a) permit doesn't cover what is being described. Using volunteers has to be done the right way.

- Site Stewardship. Mountain Watch has projects on Hillside Trail in SSF, the Bog on State Park lands the County manages, and Buckeye and Owl Canyons owned by CA DFG. All have SARs. Also have one in frog habitat within the Brisbane Industrial Park.

These don't address the problem of small infestations that aren't within these sites.

USFWS will review the proposed weed warrior certification proposal and provide written feedback regarding if or how it could be allowed under the Section 10(a) permit.

5. Restoration Plans for Mitigation

- PGE Valve replacement project is on hold pending revision and USFWS review.

- Sam – We need to acknowledge that there is a potential conflict of interest with the SBM HCP TAC requiring only plants and seeds purchased from the Mission Blue Nursery as some members of the TAC have financial interests in the Nursery. Need to avoid a conflict of interest by recommending and defining other acceptable alternatives for erosion control vs. replanting for habitat.

- Mark – Any contractor can get a permit from USFWS and collect seeds of habitat for rare and endangered species, so the recommendation would not be exclusive.

PG&E Restoration of Gas Line: PGE graded their access roads and are replacing the lupines that came up in the road.

- Jake: Concerns about planting nitrogen fixing plants, which encourages weeds.

- Joseph – PGE agreed to 2 year of invasive control as well as 3:1 ratio of lupines for potentially 5 years.

Eric and Joseph: PGE is covered in the HCP. So we can't tack on new requirements to things they are already permitted to do. Restoration requirements in this HCP are unclear. Now PGE is working with USFWS on their own HCP that would cover the Bay Area (9 counties). The New HCP might have a different footprint on the HCP. It will likely be more rigorous than the present HCP. PG&E are also working on an Operations and Management HCP for the Northern California, which would include SBM. USFWS would share with the TAC the two PG&E HCPs when they are ready for public review and comment.

6. Seed Collection

- Eric: There are potential red flags. GGNRA has a Section 10(a)(1a) Permit for collection of seeds that provide habitat to rare and endangered species. He expressed concern that without a permit from USFWS and no coordination

among entities collecting, certain areas might be depleted of seed needed for the plants on the mountain to thrive.

The Mission Blue Nursery will work with USFWS on a Section 10(a) 1A (or B) permit for seed collection.

- Mike: Seed collection doesn't require a USFWS permit unless it affects a Federally listed animal species, either directly or indirectly.

Eric: There is a simple 4 page permit (Recovery permit), but no one is sure of how long the permit process takes. It's a Seasonal permit. One person is responsible for permitting. Application goes to regional office. David Kelly, 916-414-6600. There was a question whether CNPS already has a permit that they could add individuals to. Mark and Jake agreed to follow up on behalf of CNPS.

TAC members agreed to bring in examples and recommendations of acceptable erosion control and restoration seed mixes to the next SBM HCP TAC meeting to discuss a common approach to future recommendations, so as not to require TAC review of seed mixes on a case by case basis.

7. Role of TAC

- Eric – TAC is advisory to the SBM HCP Trustees. USFWS values the experience of the TAC, but at the end of the day, the permit holders (County and Cities of Brisbane, S. San Francisco and Daly City) and ultimately USFWS make the final decisions as the responsible agencies. Authority for the TAC comes from Section 10A permit.

- Doug – Does USFWS get the proposed seed mixes? On the saddle, the hydro seed mix was put in and none of the TAC knew what went in there. Sam indicated the information would be provided. TAC should be able to review these mitigation plans and review seed mixes and planting plans to make sure they are appropriate.

- Sam – Let's look at these projects holistically. Best management practices should be agreed upon by the TAC and acceptable seed mixes should be clarified.

- Ken: The TAC roles as described in 2008 Habitat Management Plan is sufficient, if it is followed in a timely way.

- Autumn - We should have meeting minutes. Send around a Draft set of minutes prior to TAC meetings for approval at TAC meetings. Ken will prepare a Draft review with Sam who will distribute the Draft minutes to the TAC.

- Joe – How do we resolve issues if we can't get consensus? When that happens, problems can be taken to the Trustees (and ultimately to USFWS).

- Mark – When there is disagreement, we should try and get consensus but relay minority opinions. When there is disagreement, it should be clarified who has what opinions/concerns.

8. Other Topics

- Mike F: Field Trip on SBM. – Lots of people at the Cal-IPC conference he was at would like to go on the next field trip on SB Mt. Mike will propose a field trip date in late March or early April 2013.

- Joseph – We should get more people to participate by Conference call -- specifically Christina Crawford, GGNRA and John Bell, weed management, as well as Stuart Weiss.

Butterfly surveys:

- Autumn: The Presence/absence surveys will be part of the annual report.
- Eric: If there is any discussion about changing how monitoring is done, there needs to be some discussion with USFWS first to make sure there is an appropriate rationale for making changes. Request for changes in monitoring must be specifically explained in more detail.
- Autumn – Need to review whether what we are doing is effective.

Independent Review:

- Ken – The questions of is what we are doing effective is what is being proposed for an independent review. A review of butterfly monitoring 10 years ago was paid for with HCP funds. Perhaps some of the questions we want to consider ARE appropriate for HCP funds while others are not.
- Eric: Are we crossing the line beyond adaptive management in seeking an independent review? In USFWS 5 year review of covered species in the HCP, they gather data from reports of the plan managers. (They don't do new research.) The Travis Longcore review of monitoring transects was funded with HCP funds, and was an example of adaptive management.
- Michele: Are there things that are carried forward through all the SBM HCP amendments to the HCP. If there are things that are in the permit that haven't happened, what do we do?
- Eric: Start with the TAC. Conditions of all permits need to be implemented.
- What shall we tell the Trustees? Put off the independent review till we can sort this out more at their next meeting in early 2013. The Annual Report presentation from TRA and West Coast Wildlands will be presented at the January meeting, plus Oxalis restoration sites and the relationship to habitat sites.

9. Next meeting: Mid-late January