



Santa Clara Valley
Habitat Conservation Plan/Natural Community Conservation Plan

**SANTA CLARA VALLEY HCP/NCCP LIAISON GROUP MEETING
THURSDAY, OCTOBER 20, 2011
SANTA CLARA VALLEY WATER DISTRICT
5700 ALMADEN EXPRESSWAY, SAN JOSE
HEADQUARTERS BUILDING BOARD CHAMBER
4:00 to 6:00 PM**

AGENDA

1. **Welcome/introductions** (2 minutes)---Water District Board Chair Don Gage
2. **Proposed Revisions to the Draft Santa Clara Valley Habitat Plan** ---Liaison Group, Management Team, Consultants and Wildlife Agencies (45 minutes)
Desired Outcome: Review the status of each Local Partner's review of the Proposed Revisions and identify next steps.
3. **Wetlands Permitting**—Cay Goude, Debbie Cauble (5 minutes)
Desired Outcome: Provide update on communications with US Army Corps of Engineers and Regional Water Quality Control Boards re permitting/certifications based on the Habitat Plan
4. **Habitat Plan Contract Administration** -- Ken Schreiber (10 minutes)
Desired Outcome: Review possible changes to responsibility for administering consultant agreements for Plan activities
5. **Liaison Group Meeting Schedule** (5 minutes)
Desired Outcome: Confirm meeting schedule for November and December
6. **Discussion with Wildlife Agency staff** (5 minutes)
Desired Outcome: Share information and, when appropriate, reach common understanding regarding issues of interest.
7. **Public Comments** (5 minutes)
Desired Outcome: Receive comments from members of the public.



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Date: October 20, 2011 AGENDA ITEM 4
 TO: Governing Body Liaison Group
 FROM: Management Team
 SUBJECT: Administration of Consultant Agreements

PREPARED BY: Debbie Cauble for Kenneth Schreiber, Program Manager

Purpose of this Staff Report: Provide information to the Liaison Group about necessary changes in Local Partner roles re contract administration

Next Steps After Liaison Group Review: The Habitat Plan process will proceed consistent with direction from the Local Partners

Recommendation: Receive and comment on update regarding process for administering Habitat Plan consultant agreements and related budget.

Discussion: The purpose of this item is to update the Liaison Group on the status of administration of the consultant services needed for completion of a Final Santa Clara Valley Habitat Plan and related documents, as well as for pursuit of a Regional General Permit from the U.S. Army Corps of Engineers.

The County of Santa Clara currently serves as the contract administrator for the Local Partners. In that role the County has entered into, and administers, consultant agreements necessary for development of the Habitat Plan. The County receives funds from the Local Partners, based upon the agreed budget for Plan activities and the agreed cost-share formula, and disburses the funds based on approved invoices from the Plan consultants.

On September 27, the County’s Board of Supervisors approved moving forward with preparation of the Final Habitat Plan and related documents, as well as the effort to obtain a Regional General Permit from the Corps. In order to accept the Local Partners’ shares of the cost of this work exceeding the approved FY2012 Habitat Plan budget, the Government Code required the Board to recognize the new revenue by a 4/5 vote. That motion failed to garner more than 3 votes. Accordingly, the County is unable to serve as the contract administrator for the local partners as to those consultant agreements for which the Local Partners must contribute funds beyond the currently-approved Habitat Plan budget. Those agreements are: ICF (lead Plan consultant); Willdan (economic analysis), and Land Use Planning Services, Inc. (Project Manager).

The Management Team recommends that another Local Partner assume responsibility for administration of these 3 contracts going forward. This will require that Local Partner to enter into new agreements with the three consultants, incorporating the existing scopes of work as well as the additional scope previously reviewed by the Liaison Group and currently being considered by the governing bodies of each of the 6 Local Partners. It will also result in the need for the other Local Partners to remit their share of funding for the new work to the Local Partner who takes over this responsibility.

Staff will provide more information on this issue during the Liaison Group meeting.



Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan

Date: October 20, 2011

AGENDA ITEM 2

TO: Governing Body Liaison Group

FROM: Management Team

SUBJECT: Proposed Revisions to the Draft Santa Clara Valley Habitat Plan---
Review Status, Issues and Next Steps

PREPARED BY: Kenneth Schreiber, Program Manager

Purpose of this Staff Report: Provide a framework for the Liaison Group discussion of the status of the Valley Habitat Plan.

Next Steps After Liaison Group Review: The Habitat Plan process will proceed consistent with direction from the Local Partners resulting from review of the Proposed Revisions

Recommendation: The purpose of this agenda item is to have members of the Liaison Group and others working on the Plan provide an overview of each Partner's review of the Proposed Revisions and to discuss next steps in moving forward if all Local Partners decide to continue with preparation of the Final Plan.

Discussion: The following Local Partner reviews have occurred or will occur before the Liaison Group meeting:

- City of Gilroy: Initial City Council review on September 19th. On October 3rd City Council voted 4-3 to proceed with preparation of a Final Plan and to pursue US Army Corps permit
- City of Morgan Hill: Planning Commission review on September 27th. On September 28th City Council voted 4-0 (1 absent) to proceed.
- City of San Jose: initial City Council reviews on September 20th and September 27th with final review scheduled for October 18th.
- County of Santa Clara: Board Finance Committee review of Auditor's Special Study on September 19th. On September 27th the Board of Supervisors voted 3-2 to proceed.
- Santa Clara Valley Transportation Authority: Board review scheduled for November 3, 2011.
- Santa Clara Valley Water District: On September 13th Board of Directors voted 4-2 to proceed.