

Cal-IPC Conference, October 7, 2004
 CRITICAL HABITATS WORKING GROUP NOTES
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Main themes/questions that came up during round of introductions:

- 1) Can we develop guidelines for restoration work in various sensitive species habitat types?
- 2) How to work with volunteer groups in sensitive habitats
- 3) Permitting process – costly and time consuming to get restoration projects permitted, especially with threatened and endangered (T&E) species
- 4) How to monitor impacts of restoration projects on T&E species
- 5) Current herbicide toxicity data for T&E species not readily available

TOPIC 1: Permitting Issues

COMMENTS

- 1) Is it possible to create a MOU with permitting agencies for various types of weed removal projects in different habitats so that we are not constantly re-inventing the wheel (e.g. LACDWP has a 10 year project permit for all maintenance vs. many single year permits)?
- 2) New revision in CEQA (just came out three weeks ago) stated that small restoration projects (< 5 acres) can apply for categorical exclusion
- 3) Sustainable Conservation and Santa Cruz County RCD working with SC County to set up county-wide permit process for erosion control/restoration projects. Ventura

- Endangered Species office (FWS) is not comfortable granting county-wide permits through RCDs, but it may be possible to work around this by ensuring that a qualified biologist will work on the projects.
- 4) Monterey County RCD working with CDFG to streamline permitting process for private landowners – maybe watch this process and see what happens
 - 5) 10A 1A permit versus Section 7 permit?- many different permits required for HCPs and agencies are not coordinated so very long process so can't get an HCP approved in time for project.
 - 6) Some inherent problems in regulatory offices (FWS ES offices): Understaffed, high turnover, permit requirements often depend on the specific agency biologist working on the proposal – Need to develop/acquire protocols for many T&E species/habitat types and ensure that these reside in agency files (not just minds of specific staff). BUT every restoration project has site-specific issues that must be addressed.
 - 7) Tips for streamlining process:
 - a. Building a good working relationship with regulators is the best way to facilitate the permitting process.
 - b. Include as much detail as possible in permit application/proposal/consultation. This makes their job easier and shows that you have a good understanding of the system and the potential impacts that restoration work could have.
 - c. Clearly communicate long term benefits of restoration to T&E species despite potential take
 - d. Try to get regulators out to the field for a site visit.
 - e. Clearly outline goals and objectives for herbicide use.
 - f. Useful to have detailed monitoring plan in place
 - 8) Mosquito Abatement Issues need to be incorporated into restoration plans for all wetland areas (West Nile virus). There is not a lot of information available on impacts of mosquito control. County mosquito abatement offices are often very willing to get involved / attend public meetings and re-assure public that wetland restoration projects are good and not a threat to health. Form a relationship with them at early stage in project.
 - 9) FWS has certain accepted permitting rules for certain species that are often not based on current biological science, don't be afraid to challenge these "rules" (e.g. must spray at least 100 feet from elderberry – why?). Most regulating agencies have little to no field experience with herbicide, they simply see the word and say "buffer needed"
 - 10) FWS doesn't authorize take for pesticide use – look up to find exact info.

WHAT CAN CAL-IPC DO TO HELP WITH THE PERMITTING PROCESS?

- 1) Since Cal-IPC is respected by regulating agencies, can be part of county-wide MOUs
- 2) Create and distribute (website) contact list for various T&E species experts/agency biologists/ restorationists
- 3) Have more links on web site for permitting requirements/processes or set up a chat room to discuss permitting issues/ pool all restoration project plans/Section 7 Consultations that have worked with T&E species so that others can use this

- information to facilitate permitting process and spread restoration techniques that work well in sensitive habitat
- 4) Provide information/examples on how to build a good working relationship with regulating agencies
 - 5) Set up BMPs (Biological Monitoring Plan) for various habitat types, then layer in management practices for various species – can be used as a foundation for specific sites
 - 6) Create and distribute (website) a list of research questions that need addressing. Encourage graduate students to take on projects that will provide more scientific evidence on treatment effects/impacts – make a list of the gaps in information/what research needs exist
 - 7) PUBLIC OUTREACH: two constituencies 1) educate public as to benefits (lack of harm) of herbicide as a restoration tool, clarify differences between low-impact herbicide like glyphosate and the broader negative term “pesticide”. 2) regulating agencies – provide good data, explain systems, include them in public outreach because the agencies respond to public comments and need to ensure that they are not sued by the public.
 - 8) Organize workshops with restorationists, regulators, and biologists – perhaps at next year’s symposium to work together and identify issues and what can be done to streamline the process
 - 9) Work to get adequate staffing in regulatory agencies (e.g. a botanist that can come out to the field to see what you are proposing) – not sure how to do this.
 - 10) Cal-IPC symposium session devoted entirely to permitting issues – presentations sharing what has been done before regarding permitting, what worked, what didn’t work (anecdotal)
 - 11) Lobby herbicide companies to demand more toxicity studies/provide all information (active and inactive ingredients, surfactant), special studies for CA T&E species
 - 12) Encourage new products that register in California to report more than just the standard toxicity data – specify effects on T&E species
 - 13) CAL-IPC can put toxicity information on website, because often hard to locate. Often can get this information through university research – at least for Garlon, Aquamaster, RndUP. Link to good website: <http://extoxnet.orst.edu>
 - 14) Symposium session on the mechanisms by which various herbicides work – has been done in the past, but seems that it is time for a new cycle

TOPIC 2: Ways to minimize impacts of weed removal on T&E species

COMMENTS:

- 1) Timing of treatment (avoid nesting / blooming season)
- 2) Avoid high-impact treatments in sensitive habitat (e.g. carefully hand pull grass around certain sensitive areas such as butterfly host plants, but use tools/spot spray other areas)