

## California Habitat Conservation Planning Coalition

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August 18th, 2016

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814



Dear Jeanine Townsend:

Thank you for the opportunity to comment on the preliminary draft "Procedures for Discharges of Dredged or Fill Materials to Waters of the State" and for holding the July 7th workshop in Sacramento which provided many insights into the thinking behind this draft.

We are pleased to see that the Procedures require a Watershed Approach and that "where a watershed plan is available the permitting authority will determine whether the plan meets the definition of a watershed plan in the Policy and therefor is appropriate for use in the watershed approach for compensatory mitigation" (lines 981-985).

The draft further defines Watershed Plan as "a document that provides assessment and management information for a geographically defined watershed, including the analyses, actions, participants, and resources related to development and implementation of the plan" (lines 492-494). It defines a Watershed as "a land area that drains to a common waterway, such as a stream, lake, estuary, wetland, or ultimately the ocean."

We request that the Board amend the definition of a Watershed Plan by restoring language that was in your January 28th 2013 draft: "Watershed and regional plans include Habitat Conservation Plans and Natural Community Conservation Plans" (lines 187-190 of the 2013 draft). Please restore this language to line 494 of the draft Procedures.

Lines 1171 to 1174 of the current draft state "Compensatory mitigation projects may also be used to provide compensatory mitigation under the Endangered Species Act or for Habitat Conservation Plans, as long as they comply with the requirements of paragraph (j)(1) of this section." We ask that the Board add the term "Natural Communities Conservation Plans" so that this sentence reads: "Compensatory mitigation projects may also be used to provide compensatory mitigation under the Endangered Species Act or for Natural Community Conservation Plans and Habitat Conservation Plans, as long as they comply with the requirements of paragraph (j)(1) of this section."

Thank you for your consideration of our requests.

Sincerely,

A handwritten signature in black ink, appearing to read "John Hopkins", written over a horizontal line.

John Hopkins, Ph.D., Director  
California Habitat Conservation Planning Coalition