



COMMITTEE FOR  
GREEN FOOTHILLS

February 03, 2005

San Jose City Council  
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Ken Schreiber  
Program Manager, Santa Clara Valley HCP / NCCP  
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**Re: City of San Jose's failure to sign the MOU needed to begin planning a HCP for Santa Clara County**

Dear San Jose City Council Members and Mr. Schreiber:

The Committee for Green Foothills has a longstanding interest in the proposed Habitat Conservation Plan for Santa Clara County. As indicated in the attached letter, we first wrote the City of San Jose urging it to sign the Memorandum of Understanding it had negotiated seven months earlier with other Santa Clara County agencies to begin HCP process, which the City finally did sign about two months later. We also attended the first and only meeting for stakeholder organizations that has been organized so far by HCP planners, which was held late last year. CGF writes now to urge that the HCP process move forward in providing an appropriate stakeholder process and to urge the planning agencies to specifically include species living in the endangered serpentine soil habitats of Coyote Ridge.

The HCP process will clearly fail to meet the 2006 deadline for submitting a countywide HCP application that the relevant agencies promised to meet as part of the Highway 101 widening and the Bailey interchange construction. It is crucial that the agencies do not compound this mistake by following a process that provides for inadequate public participation, or one that fails to cover endangered and threatened species impacted by development in Santa Clara County.

Endangered Species Act listed species using serpentine soil habitats are an unusual example where the rare plants and the Bay checkerspot butterfly could benefit through active management – i.e., cattle grazing. Including the species that use this habitat will be an important determinant for environmental groups. With the serpentine habitat species, the HCP has the potential to provide significant benefits to the County's environment. Without serpentine species, the HCP seems more likely to simply be a means to facilitate development in the County over inconveniently placed species and their habitats. Committee for Green Foothills and other environmental organizations are interested in helping produce a good HCP, but we will oppose the proposal if we determine that it provides inadequate protection to listed species. The decision over whether to include serpentine habitat species is one important determinant of whether we would consider the end product a "good" HCP.

An adequate stakeholder process allowing true participation by stakeholder groups constitutes another necessary component of a good HCP. The only meeting of potential stakeholders so far has been under the auspices of the Watershed Management Initiative. WMI has its own procedures and priorities; we believe the HCP stakeholder process is sufficiently distinct and important that it should not be subsumed in WMI. We urge the planning agencies to hire an independent facilitator to conduct the stakeholder process. The process could follow the largely-successful process currently used in the South Bay Salt Ponds Restoration Project.

We urge the planning agencies to move forward with the HCP, to protect serpentine habitat species, and provide for true participation in the stakeholder process. We would happily provide additional details about our concerns and suggestions upon request. Please contact us if you have any questions.

Sincerely,

*<signed>*

Brian A. Schmidt  
Legislative Advocate, Santa Clara County