



Yolo Habitat Conservancy

County of Yolo • City of Davis • City of Winters • City of West Sacramento
City of Woodland • University of California, Davis

To: Honorable Sonia Cortés
Superior Court of California, County of Yolo
1000 Main Street
Woodland, CA 95695

November 16, 2020

To: Yolo County Grand Jury
P.O. Box 2142
Woodland, CA 95776

via e-mail: grandjury@yolocounty.org

RE: 2019-2020 Yolo County Grand Jury Report: The Hawk, the Beetle, and the Budget: An Evaluation of the Approved Yolo Habitat Conservation Plan in its First 16 Months

Honorable Sonia Cortés:

This letter responds to the findings and recommendations in the 2019-2020 Yolo County Grand Jury Report titled, “An Evaluation of the Approved Yolo Habitat Conservation Plan in its First 16 Months”. This response is provided by the Board of Directors of the Yolo Habitat Conservancy and its Executive Director.

F1. The YHC is a business attached to a cause (habitat and species conservation). If the business model fails (due to poor management or insufficient revenue), the Plan’s conservation objectives will not be accomplished.

Response: The respondents agree with this finding conceptually, but disagree with the characterization that YHC is a business. While YHC may be an enterprise, it is not a business, it is a public agency and seeks to maximize public benefits.

F2. The Plan as developed and approved is well constructed to accomplish its species and habitat conservation goals.

Response: The respondents agree with this finding.

F3. The Plan provides a centralized process for the mitigation of covered species / habitat impacts, for obtaining incidental take permits, and for the coordinated establishment of contiguous conservation lands in Yolo County that effectively benefit the Plan’s 12 covered species.

Response: The respondents agree with this finding.

- F4. The Swainson's Hawk is the covered species most associated with agricultural landscapes in Yolo County. Developing a workable conservation strategy for the hawk balances maintaining an economically viable agricultural landscape with protecting foraging and nesting habitats.**

Response: The respondents agree with this finding.

- F5. The Plan as developed by the YHC focused primarily on its conservation goals but failed to anticipate a sound financial model for its implementation and its ongoing success over a 50-year term.**

Response: The respondents disagree with this finding. YHC has spent considerable time and effort developing a sustainable fiscal model. Furthermore, YHC reviews and updates its fiscal model on a recurring five-year basis per section 8.4.1.6.2 of the Yolo Habitat Conservation Plan/Natural Community Conservation Plan.

- F6. For the Plan to endure and prosper, the YHC requires leadership from a person with a business management skill set who has some knowledge of conservation, as opposed to a conservation-oriented person who has some knowledge of business.**

Response: The respondents agrees that sound management is imperative to the success of any organization. However, the respondents also find it is important that YHC leadership, staff, and consultants have both management and conservation competencies.

- F7. The YHC Board of Directors has not developed a clear strategy that includes having an executive director in place whose daily responsibilities focus on managing money, people, and risk.**

Response: The respondents disagree with this finding. As of July 1, 2020, YHC has contracted with Yolo County for general administration of YHC. The scope of work is as follows:

The County Administrator's Office (CAO) will be responsible for the general administration and shall serve as the Executive Director of the Yolo County Habitat Conservancy and administer the Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) under the direction of the Board of Directors pursuant to Section 7.1 of the Joint Powers Agreement of the Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency. In conjunction with the existing Memorandum of Understanding with the Yolo County Department of Financial Services, these two agreements for service will be inclusive of all administrative, legal, human resource, finance, budget, and related administrative functions, as well as all oversight and administration of programmatic functions of HCP/NCCP including permitting, acquisition of easements, and management and monitoring tasks that are consultant staffed.



- F8. The future survival of the Plan depends upon the YHC Board of Directors' ability to limit its administrative expenses to match that portion of its revenue allocated to administration staff size and composition (a balance of YHC staff and consultants).**

Response: The respondents agree with this finding.

- F9. The Plan provides the YHC Board of Directors with the authority to partner with an existing land management agency (a plan operator) such as the Natomas Basin Conservancy that has an existing staff with the required qualifications and infrastructure to manage the Plan and to hire and manage the necessary environmental consultants.**

Response: The respondents agree with this finding.

- F10. The YHC Board of Directors has the authority to approve integration of YHC operations into the Office of the Yolo County Administrator with that office providing 20% of a manager position and 50% of an analyst position.**

Response: The respondents agree with this finding.

- F11. The availability of backup funding from JPA members is necessary for the Plan to survive.**

Response: The respondents disagree with this finding. While YHC has previously solicited loans and prepayments from member agencies, its FY20-21 budget does not contemplate additional loans or prepayments from member agencies.

- R1. By October 1, 2020, the YHC Board of Directors should find a person, plan operator, or other entity with the business skills needed to manage and lead the Plan in the short term as the interim executive director's contract expires.**

Response: This recommendation has already been implemented. As of July 1, 2020, YHC has contracted with Yolo County for general administration.

- R2. By December 31, 2020, the YHC Board of Directors should identify the specific business qualifications and skill sets required for an executive director or a plan operator to manage and lead the YHC in the long term.**

Response: This recommendation will not be implemented as it is not warranted. As of July 1, 2020, YHC has contracted with Yolo County for general administration. The contract term is July 1, 2020 to June 30, 2021. In the event the YHC Board of Directors is not satisfied with the County's administration of YHC it can terminate or not renew the contract.

- R3. By December 31, 2020, the YHC Board of Directors should do an analysis to match the YHC's staff size and composition (a balance of employees and consultants) with both its revenue and its conservation mission.**



Response: This recommendation will not be implemented as it is not warranted. YHC evaluates and forecasts its organizational needs as part of its annual budget process. Accordingly, at the present time and for the foreseeable future, agency staffing (including consultant support) will adjust from time to time to match revenues and needs.

- R4. By March 31, 2021, the YHC Board of Directors should evaluate how well the person, plan operator, or other entity chosen to manage and lead the YHC is serving the needs of the Plan and how well the Plan is serving Yolo County and the four cities that comprise the JPA.**

Response: This recommendation will not be implemented as it is not warranted. As of July 1, 2020, YHC has contracted with Yolo County for general administration. In the event the YHC Board of Directors is not satisfied with the County's administration of YHC it can terminate or not renew the contract. As mentioned above, the contract term is July 1, 2020 to June 30, 2021 and an evaluation of whether to extend this arrangement—which will include a consideration of the issues mentioned in this recommendation—will therefore occur on or before that date.

- R5. By April 15, 2021, the evaluation of the person, plan operator, or other entity chosen to manage and lead the YHC should be made available to the public on the YHC website.**

Response: This recommendation will not be implemented as it is not warranted. To the extent this recommendation contemplates disclosure of a personnel evaluation, evaluations of specific individuals are generally confidential and not subject to disclosure under state law. Furthermore, there are a variety of other performance measures and metrics included within YHC's annual budget and budget goals that can be used to assess the progress of the organization. The budget and budget goals are considered at least annually at public meetings of the Board of Directors.

- R6. By June 30, 2021, the YHC Board of Directors and the member agencies of the JPA should evaluate whether the Plan would be best served by partnering with an existing plan operator, such as the Natomas Basin Conservancy.**

Response: This recommendation will be not be implemented as it is not warranted. As of July 1, 2020, YHC has contracted with Yolo County for general administration. In the event the YHC Board of Directors is not satisfied with the County's administration of YHC it can terminate or not renew the contract and determine if an alternative administrative model is necessary.



Alexander Tengolics
Executive Director

