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Ecesis

California Society for Ecological Restoration Quarterly Newsletter

Programmatic Section 7 Biological Opinions from NMFS Improve Permitting of Aquatic Habitat Restoration in California *by Erik Schmidt¹*

The Endangered Species Act (ESA) states that all federal agencies are responsible for conserving threatened and endangered species and their habitats. Section 7 of the ESA requires federal agencies providing permits, funding or authorizations (federal actions that create a federal “nexus”) to cooperate and consult with NOAA’s National Marine Fisheries Service (NMFS or NOAA Fisheries) and the U.S. Fish and Wildlife Service (FWS) to ensure that their actions do not jeopardize species listed by the two Services as threatened or endangered. Whether proposing voluntary or mitigation activities, many habitat restoration project applicants, need a federal permit or have federal grant funding for their projects. Restoration proponents interact with Section 7 most frequently through permitting by the Army Corps, which authorizes projects affecting wetlands and other Waters of the United States under the Clean Water Act Section 404 and Rivers and Harbors Act of 1899.

continued next page

¹Regulatory Permitting Specialist, WRA Environmental Consultants schmidt@wra-ca.com

Above: Erik Schmidt and NMFS Engineer David White (now the California Supervisor for the NOAA Restoration Center) visited a fish passage and stream restoration project site on Mill Creek, a tributary to the Russian River, in Sonoma County. The project, managed by Trout Unlimited and designed and implemented by Prunuske Chatham Inc., opened up 11 miles of high-quality habitat for endangered coho salmon and threatened steelhead that had been blocked for decades by a small dam. *Photo courtesy Erik Schmidt*

Summer 2020 Volume 30, Issue 2

Guest Editor: Kari Dupler,
WRA, Inc. dupler@wra-ca.com

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Ecesis is published quarterly by the California Society for Ecological Restoration, a nonprofit corporation, as a service to its members. Newsletter contributions of all types are welcome. See page 13 for upcoming guest editors and a link to Guidelines.



Large wood structures placed in streams can improve habitat complexity for salmon and steelhead at low cost. *Photo courtesy Erik Schmidt*

Programmatic Section 7 Biological Opinions from NMFS *continued*

How to Conduct a Section 7 Consultation

To conduct Section 7 consultation, the project applicant or its consultant must provide a biological assessment so NMFS or FWS (or both, depending on the species affected) can determine the potential impacts of the project and complete the consultation with a formal biological opinion (BO) or “informal” concurrence letter. This entire process can take a couple of months to a year or longer, depending on the complexity of the project and the staff workload at NMFS or FWS. Until consultation is concluded, the project cannot be issued an Army Corps permit or go to construction. The same process and timeline apply to both beneficial habitat projects and development projects, some of which may have much larger impacts. For every applicant whose project has a federal nexus, Section 7 is a key part of regulatory review.

Programmatic biological opinions (PBOs) reduce the time required for NMFS staff biologists to complete Section 7 consultation from an average of 16 weeks to approximately two weeks.

In 2006, the NOAA Restoration Center (NOAA RC, the agency’s non-regulatory habitat restoration office) and NMFS’ Santa Rosa Office, recognizing the need to accelerate the implementation of habitat restoration and water quality improvement projects in the San Francisco Bay and North Central/Central Coast region, created the agency’s first programmatic (covering a program of multiple projects) Section 7 BO in California available for any restoration project applicant. Typically, BOs are issued for a single project applicant, but the Santa Rosa Office BO was developed for all project applicants with qualifying projects — covering many common types of restoration. The NOAA RC has since found that this and subsequent programmatic BOs (PBOs) reduce the time required for NMFS staff biologists to complete Section 7 consultation from an average of 16 weeks to approximately two weeks, a significant time and cost savings for the federal agencies and even more importantly, for project applicants.

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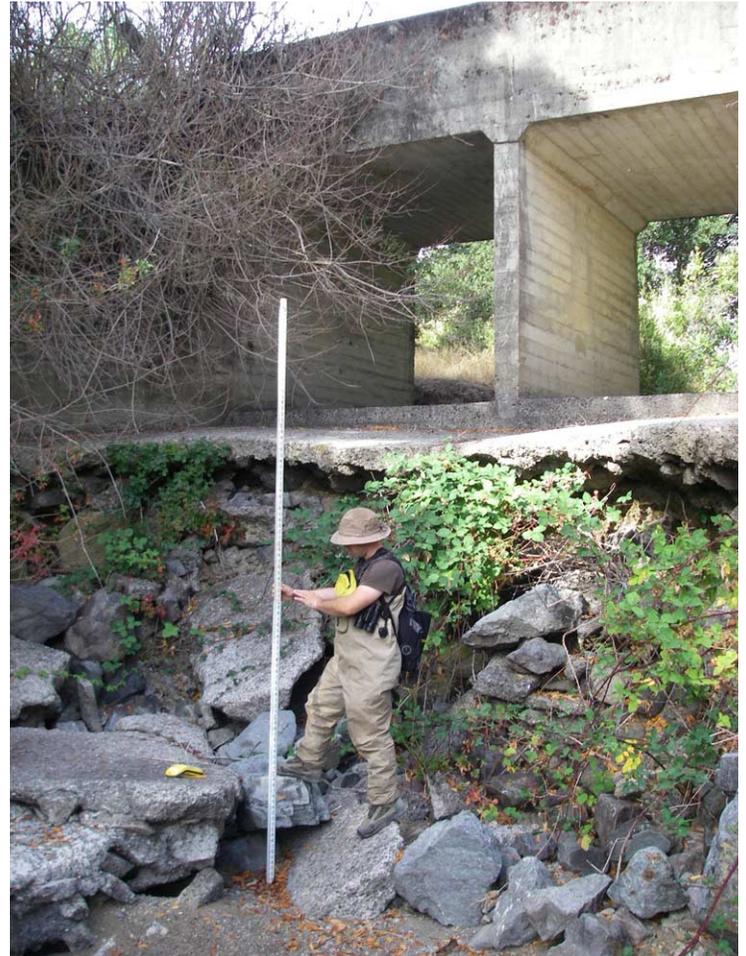
Removing fish passage barriers, such as this poorly functioning fish ladder, is a high priority for state and federal agencies. *Photo courtesy Nicholas Brinton*

Programmatic Section 7 Biological Opinions from NMFS *continued*

The 2006 PBO was followed in 2012 by a similar PBO for restoration projects in North Coast counties, a 2015 PBO for projects in Southern California, a 2016 newly updated PBO for the North/Central Coast, and a landmark 2018 PBO for restoration in the Central Valley, including the Sacramento and San Joaquin Valleys and the Delta. Altogether, the four PBOs managed by the NOAA RC allow for much more efficient review and approval of habitat projects in the entire state. This benefits listed salmon, steelhead, and sturgeon populations, other aquatic life, natural sediment transport processes, and properly functioning stream ecosystems, while minimizing incidental impacts to these listed species. The NOAA RC PBOs have facilitated permitting and construction of more than 180 habitat projects in our state through 2019 — culvert and other fish passage barrier modifications and removals, floodplain re-connection and creation of off-channel rearing habitat, instream flow enhancements, rural road erosion control, fish screen installation, placement of large wood for instream habitat, water conservation measures, and more. Unlike state programmatic permits and approvals for habitat restoration that are limited to small-scale projects, the NOAA RC PBOs are not size limited, encouraging the planning and implementation of larger restoration actions that can have more significant ecological benefits at a watershed or landscape scale.

It's important to be aware that PBOs, like other state and federal programmatic authorizations and permits for habitat restoration, are not a shortcut around the regulatory process. They require applicants to submit well-designed projects with all necessary technical information as well as detailed impact avoidance and minimization

NMFS PBOs have facilitated permitting and construction of more than 180 habitat projects in our state through 2019



A WRA fisheries biologist measures the off-set distance between the creek and the perched box culvert. This project aimed to restore function for salmonids by connecting the upper and lower sections of creek.

measures upfront, eliminating much of the back-and-forth that typically extends the permitting process. Early communication and cooperation with regulatory staff is key to taking advantage of these efficient regulatory tools.

Programmatic approvals are a relatively new way to bring together agency funding and permitting staff, and applicants and knowledgeable consultants, in partnerships that can help get much-needed habitat restoration work planned, designed, approved and constructed in a timely and cost-effective way. With their four PBOs covering restoration activities in anadromous fish habitat throughout the entire state, NOAA RC and NMFS have taken a leap forward and set a standard that can be followed by other agencies, as well as in other states, to get more beneficial conservation work completed. But project proponents need to do their part, too, becoming aware of what programmatics are available, how to plan ahead to use them, and by collaborating closely with their federal permitting and funding agencies to ensure a successful process.





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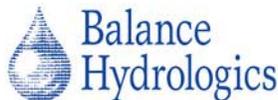
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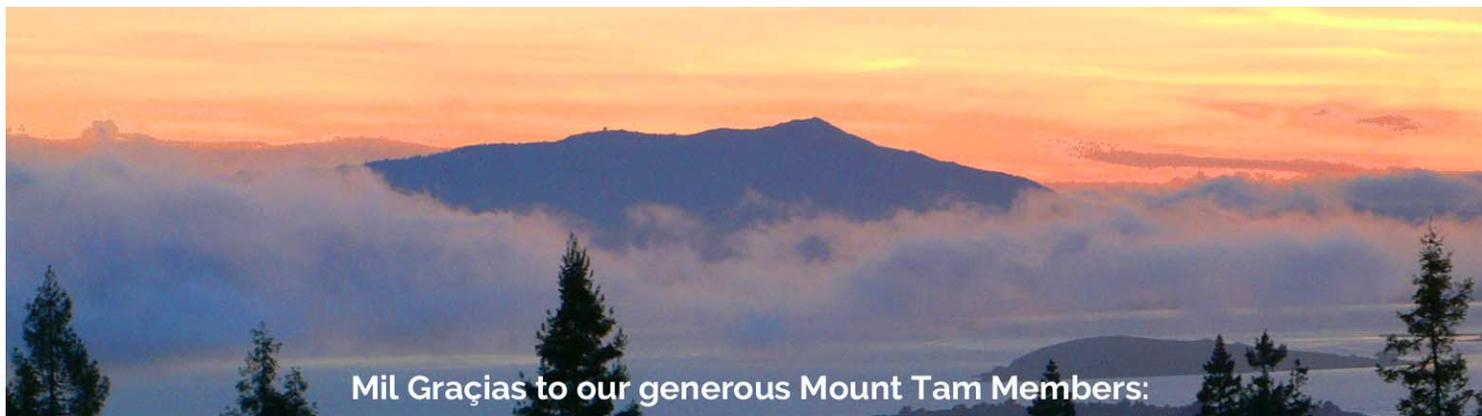
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Ross Taylor, Douglas W. McKinney, Gina Darin, Peter Howorth, and Mary Carroll



Black Lives Matter. Nationwide we are seeing a movement to influence real change by addressing the injustices that are rooted deeply within our society. As an organization dedicated to advancing the science, art, and practice of restoring native California ecosystems, we recognize that the restoration industry is also affected by systemic racism. We reaffirm our commitment to [#Restorationforall](#) regardless of race, gender, or sexual orientation. SERCAL will actively listen to, learn from, and highlight the voices of BIPOC communities, and focus on how we can enact positive change from within.

— SERCAL Board of Directors, July 2020

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One of the Conservancy's three opportunity parcels in the San Dieguito Lagoon, the Brigantine Basin site, at low tide. Restoration options considered here included expanding tidal access to improve hydrology, habitat diversity, and sea level rise resilience.

Artisanal, Free-range, Handcrafted Restoration Design: *Local tools for local needs*

by Mike Nieto¹

The San Dieguito River Valley Conservancy had a problem: what to do with three coastal wetland parcels left behind by previous development, and restoration efforts in various states of need and repair and under threat by climate change and ecological degradation. Like many conservation non-profits, the Conservancy has a passionate mission, a limited budget, and big ideas. What they wanted was a way to find the biggest ecological “bang” for their limited “buck,” while simultaneously setting them up for competitive grant funding.

The San Dieguito Lagoon is a tidal estuary straddling the City of San Diego and Del Mar in northern San Diego County. Once known as the big swamp next to the Del Mar race track and Bing Crosby’s house, this historically filled and farmed and degraded coastal lagoon has recently become the focus for regional conservation and habitat restoration efforts. The lagoon itself is a complex patchwork of public and private ownership with various goals including mitigation, passive recreation, and pure conservation. In the midst of the hubbub of large-scale, well-funded restoration and development in the area, the Conservancy identified three wetland “opportunity” parcels, degraded and threatened wetlands on the fringes of the

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Artisanal, Free-range, Handcrafted Restoration Design *continued*

lagoon, untouched by the larger projects in the area. The Conservancy did not want to see them left behind to be swallowed by sea level rise and other local threats, and organized a design project to develop some ideas.

WRA's Marlene Tyner-Valencourt, an ecologist turned restoration banker turned cat herder, stepped in to assist the Conservancy with a custom-tailored approach: first step, assemble a Team of local stake holders and experts; second, gather ideas in a series of high-energy design charrettes; third, create a custom-built functional model crafted to meet grants metrics; and finally, after the full menu of ideas was costed and distilled into functional

units, assist the Conservancy in selecting designs which provided the highest ecological value per grant dollar.

Fun fact: "charette" is French for cart. Back in the day at the Musee de Beaux arts in Paris, professors would walk down the rows and rows of art students, collecting their feverishly finished work into a cart for review. The Architecture and design world adapted this term to describe a systematic, time-driven creative process used to solve complex problems. For this San Dieguito project, restoration design thought-leaders were placed in a conference room sans cell phones to hash out the challenges of each

The Conservancy wanted to find the biggest ecological "bang" for their limited "buck," while simultaneously setting them up for competitive grant funding

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The Del Mar Center site is located at the San Dieguito Lagoon's northern border, adjacent to roads and shopping centers. Restoration here may consist of expanding the existing wetland footprint by reducing the slope grade at its edges, removing established iceplant in the process. The goal of this project is to capture and treat stormwater flows from adjacent development before they enter the Lagoon, while also increasing species and habitat diversity and sea level rise resilience.

Artisanal, Free-range, Handcrafted Restoration Design *continued*

parcel and argue potential design solutions to meet each specific ecological functional threat. Designs were informally couched under two broad categories: the “Honda Civic” designs, those elements which could be completed with an economical investment and minimum of permitting blood and treasure, and the “Tesla” concepts, designs that may require significant investment but had the potential to produce high ecological performance outcomes. The charette was then repeated and refined with both local technical experts and stakeholders and, after a long day of snacks, coffee, and the fumes of dry erase markers, reached a final design consensus on Hondas and Teslas for each site. The final spectrum of design elements spanned Honda Civic options such as volunteer weed control which favored sweat equity to hard capital. More Tesla-esque designs include the reimagining of MS4 outfalls into streams and tidal channels which, though permit and design intensive, have the potential to drastically add value to isolated wetlands disconnected from other wetland systems in the area.

Restoration designs are fun, but fun with funding is even better. To that end, Marlene worked hand-in-hand (a pre-Covid term) with Jonathan Applebaum, Conservation Manager at the Conservancy, to look at potential grant opportunities and tailor the goals and performance criteria for each site to specific grants using the grantor’s own language. Each design element was then rated, sorted, and evaluated by the technical experts using a custom-built, consensus-driven, qualitative functional index for each site. Basically, how much long-term ecological good would each element provide? These cost/benefit metrics were then used to evaluate ecological uplift per acre per dollar and are helping the Conservancy select the highest value design elements and meet specific requirements of the upcoming grant cycle.

All told, the project created was iterative, cooperative with the stakeholders, and was custom fit to the client and their needs. As low



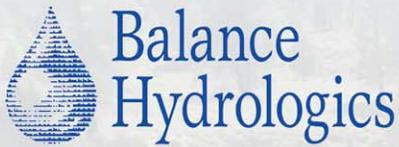
The Del Mar Triangle site, located within the floodplain of the San Dieguito River but hydrologically isolated from the Lagoon, could be restored to provide perennial water ponding capacity to support stormwater capture and provide migratory bird stopover habitat.

Restoration designs are
fun, but fun with funding
is even better.

hanging fruit of potential restoration sites are gobbled up for conservation and mitigation, a more integrated and nuanced relationship between designer and applicant may be needed to meet the increasing challenges of funding competition and scarcity of available restoration sites. The Conservancy is currently using these designs and functional lift metrics to position itself for the anticipated grant season. Stay tuned to see these local charettes turn into shovels and wetlands in the next few years. For more information about the Conservancy and their mission to create a 92,000-acre river park through northern San Diego County visit www.sdrvc.org.



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Our areas of expertise includes channel and floodplain restoration, surface-water and groundwater and their interaction, wetland creation, fish passage and habitat enhancement, channel bank repair, lagoon enhancement, and dam removal.

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A vertical graphic with a blue background on the right side. The left side shows a monarch butterfly perched on a yellow flower in a field. The text is overlaid on the blue background.

Meet a Member: **Jamie Silva**



Occupation: Environmental Scientist for the California Department of Water Resources

County of residence or work: Our offices are based out of West Sacramento. My research is adjacent to the Dutch Slough Restoration Project, near the town of Oakley.

What services do you provide for restoration in California, or what is your restoration passion?

Our department is responsible for 8,000 acres of tidal wetland restoration for the continued operations for the State Water Project. In implementing our restoration efforts, we are opening navigable waterways to make them accessible to the public via kayak or boat. I believe in our restoration goals of promoting primary and secondary productivity and habitat for endangered Delta Smelt and Chinook Salmon.

What is your specific discipline (or underlying education)?

My background is in Marine Biology from the University of California, Santa Cruz. As I navigated through life and various jobs, I was able to diversify my experience and learn from each one. My current position with the Department of Water Resources focuses on tidal wetland research, specifically invasive species prevention. Invasive plants plague newly restored tidal wetlands and promotes an environment that is conducive for invasive fish to colonize. We hope that our research will inform tidal wetland design that meets our goals and objectives before establishing tidal connectivity.

How did you get into the field of ecological restoration?

My introduction to ecological restoration came when I took on my current position under my boss, Gina Darin. Her background is in invasive species research and prevention. She is actively involved in Cal-IPC and continuously advocates for integrated pest management strategies for the Department. Her passion and drive to address invasive plants in the Delta was applied to our restoration efforts.

How long have you been a member of SERCAL?

I've been a member of SERCAL since 2017

How has SERCAL helped you in the past or what is the biggest benefit of your SERCAL membership?

SERCAL has allowed me to connect with other professionals that I would not have crossed paths with in my day-to-day work life. In doing so I've learned how to

bridge the gap between a state agencies and private contractors. The obstacles our respective organizations face vary as we plan and implement restoration . It's great to learn from each other how we overcome our own hurdles to restore California's native habitats.

What do you like best about the SERCAL conferences?

I love that the annual SERCAL conference gathers restoration professionals from all kinds of backgrounds. To be able to come together, learn from one another, and share our work is such an invaluable experience to further our careers and build lasting connections.

What is your favorite California native species?

Chinook Salmon.

Any advice for others in the field of restoration?

Be open to learn and lean on your mentors. You may not always see a path forward, but continue to believe in your passion and advocate for yourself.



Jamie became an integral member of the SERCAL Leadership Team long before he was elected to the Board in 2019. We greatly appreciate his commitment to making SERCAL the best it can be, for ALL. — JSJ

Fresh Perspectives

1. The Spotlight's on You

We are starting an effort to highlight the diverse disciplines and roles involved in our field and would like for YOU to share the story of your journey. We're calling it *Meet a Member* and you will see the questions we ask in Jamie Silva's interview on page 11.

Your interview may be published in an upcoming issue of *Ecesis*, on our website, and/or on social media (Instagram, Facebook, and LinkedIn). Make sure your employer is okay with you participating and be sure to let us know if there are any media restrictions in terms of how we share it.

The form and the spotlighted members are accessed through our Member Portal.

2. On Your Instagram Feed

 countrygentlemancooks



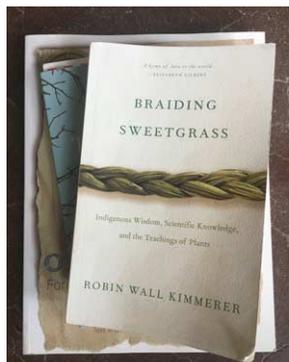
Botanist Justin Robinson may live on the other side of the country but he certainly brings it home to all of us in his affection for native plants and his gentle but persistent messages about empire, colonialism, and how it is that plants are “discovered” when they’ve been tended to and used by indigenous peoples for thousands of years. “Botany Bae” is well worth subscribing to!

[@countrygentlemancooks](#)

3. Top of the Reading Pile

Have you read *Braiding Sweetgrass* by Robin Wall Kimmerer? Whether you read the printed page or listen to her read it, there are so many ear-markable passages:

“Restoration is a powerful antidote to despair. Restoration offers concrete means by which humans can once again enter into positive, creative relationship with the more-than-human world, meeting responsibilities that are simultaneously material and spiritual.”

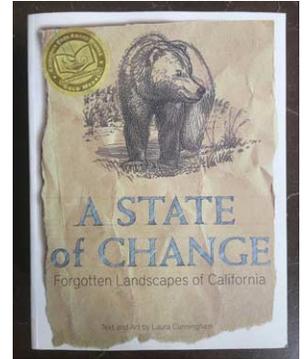


A botanist, a Citizen of the Potawatomi Nation, a mother, and a decorated professor, Kimmerer is just the medicine we all need as we navigate these days of unknowing what lies ahead.

4. For Your Illumination

A State of Change: Forgotten Landscapes of California by SERCAL member Laura Cunningham is a feast for the eyes and the soul.

“A triumph of natural history interpretation, *A State of Change* guides us through an all-but-forgotten world: California as it was prior to the arrival of Europeans. In evocative artwork and thought-provoking prose, Laura Cunningham strips away cities, freeways, and farms to reveal astonishingly diverse landscapes — endless fields of flowers, oak savannas, and vast inland seas — all alive with grizzly bears, condors, salmon, and elk. In exploring these scenes just out of living memory, we uncover the forces that shaped the Golden State as we know it today.”



Savor it or devour it, you will want this book within hand's reach whenever you seek inspiration.

5. Introducing *Ecesis* Contributing Editor, James Mizoguchi

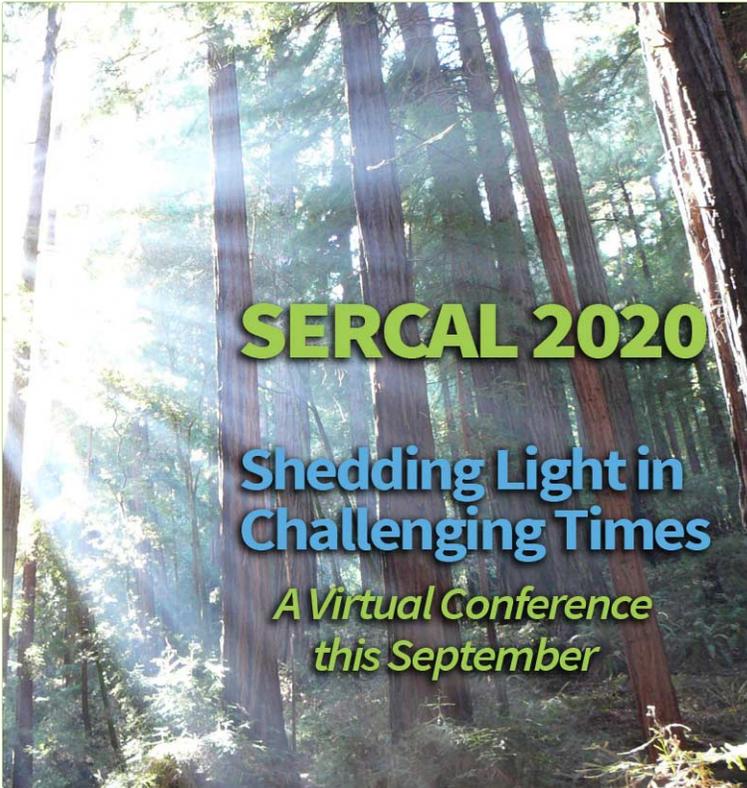
Ecesis has its first Contributing Editor! James will be scanning past issues of *Ecesis* and reaching out to contributors so that we can publish updates on their restoration projects. He loves to write and is also a talented editor!

James earned a B.S. at UC Davis in Wildlife and Fish Conservation Biology and graduated with a minor in Landscape Restoration. He became a SERCAL member when he joined the team at Cache Creek Conservancy in 2016 and is now a Restoration Ecologist at Triangle Properties. In 2019, he joined the Board's Leadership Team as a member of the Communications Committee.

“Truman Young redirected my academic and professional goals from wildlife conservation to restoration ecology. In that short conversation I was convinced that the conservation and sustainability of many species of wildlife and their habitats would rely upon successful restoration and enhancement of previous and existing habitat and open space. I hope to connect academics, students, and practitioners to create a supportive, knowledgeable community that can address ecological challenges and enhance awareness of restoration as a solution to ecological crises and as an academic and professional future for students.”

Welcome and thank you, James!

Did you know that the name of this newsletter, *Ecesis*, comes from the Greek *oikesis* meaning inhabitation — the establishment of an animal or plant in a new habitat?



Join us for eight webinar-style sessions beginning at 1pm and lasting about two hours. Registration at sercal.org

September

TUESDAYS	THURSDAYS
1 Plenary by Bruce Delgado Bureau of Land Management and Session Chair of Managing Invasive Plants	3 Grassland Ecosystems Chair: JP Marié CNGA (California Native Grasslands Association) and UC Davis
8 Restoration for Wildlife Chair: Cara Clark Central Coast Wetlands Group	10 Tech Tools Chair: Eric Donaldson Balance Hydrologics
15 Greenspaces and Trails Chairs: Ron Unger and Vicky Monroe CDFW	17 Grassland Ecosystems Chair: JP Marié CNGA and UC Davis
22 Hindsight is 2020 Chair: Kari Dupler WRA, Inc.	24 Restoration for Wildlife Chair: Cara Clark CCWG

Ecesis

Have you considered writing an article about a project you're working on? Or on a topic that's been top-of-your-mind? Or what about a photo essay of before and after? Here's a link to our Guidelines. Take a look at the articles in this or past issues and you'll get a good idea of the spectrum of topics we cover.

Upcoming issues:

Publish	Due Date*	Guest Editor
Oct 2020	Sep 15	Jeannine Ross
Jan 2021	Dec 15	Cindy Thompson
Apl 2021	Mar 15	Ross Taylor
Jul 2021	Jun 15	Mauricio Gomez
Oct 2021	Sep 15	Will Spangler
Jan 2022	Dec 15	Liz Agraz & Geoff Smick

*Contact Julie, James, or the Guest Editor (see all contacts, p. 15) early to secure your spot. Find guidelines at www.sercal.org/newsletter



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You are crucial to the resilience of California's native habitats

Just like our floral first responders, SERCAL members make California's ecological systems healthy and whole again. In the almost 3 decades since SERCAL was founded, so much — almost everything — has changed. Yet one thing remains constant: The exceptional power we have when we work together. We are grateful for all our members and want to recognize these individuals and businesses for their generous support in 2020:

\$500 Sustaining Businesses

Kevin Ghalambor **Burleson Consulting** *Folsom*
Kyle Matthews **Habitat Restoration Sciences** *Vista*
Jody Miller **S&S Seeds** *Carpinteria*
Greg Lohse **Wildlands** *Rocklin*

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Isaiah Thalmeyer **Point Blue** *Petaluma*
Josh Koepke **Samara Restoration** *Arcata*
Edmund Sullivan **Santa Clara Valley Habitat Agency** *Morgan Hill*
Liz Agraz **WRA** *San Rafael*

\$100 Sustaining Individuals

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Gina Darin *California Department of Water Resources* **Sacramento**
Peter Howorth *Santa Barbara Marine Mammal Center* **Santa Barbara**
Douglas W. McKinney *D&D Wildlife Habitat Restoration* **Spring Valley**
Ross N. Taylor *Ross Taylor & Associates* **McKinleyville**

The Last Word: *Interdependence*

The year 2020 has been a game-changer for all of us. COVID-19, and the constellation of impacts it has brought upon our work and personal environments, has profoundly altered how we navigate through each day. Black Lives Matter has demonstrated how imperative it is to actively move towards an interdependent and inclusive community.

SERCAL has been strengthening its ties with its long-term partners — the California Native Grasslands Association and Cal-IPC — and reaching out to develop new ties with groups like the Salmonid Restoration Federation. With regular video calls, we are finding new ways to collaborate and support each other as we (literally) Zoom into a new world.

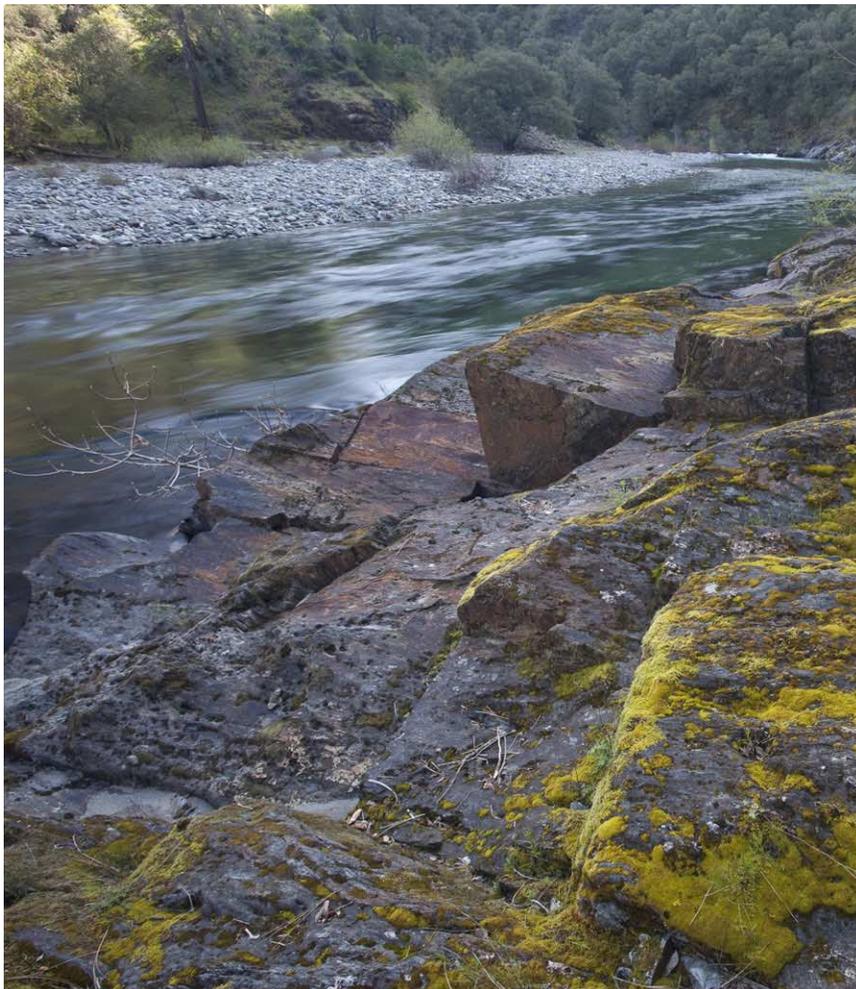
We miss seeing you in person but are developing virtual events to bring everyone together — you'll find two events on page 13. On July 30, we are hosting our first Zoom Trivia Night. Please join us: we'll be accepting Teams and Individual Players through July 29. And SERCAL 2020 will be coming to you webinar-style every Tuesday and Thursday through September. We have eight sessions lined up from our original April schedule and will be holding a call for abstracts later this Fall for when we "return" to Carmel Valley.

Have you joined us on Instagram? Facebook? LinkedIn? Should we move into Twitter? How can SERCAL better support you and your work? And would you like to help make that happen?

Take care, Be safe, and hope to see you soon! — *Julie St. John*

SERCAL, the California Society for Ecological Restoration, is a non-profit membership-based organization dedicated to advancing the science, art, and practice of restoring native California habitats.

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