Yolo

Habitat Conservation Plan / Natural Community Conservation Plan

Yolo HCP/NCCP Annual Report

for Fiscal Year 2019/2020

www.yolohabitatconservancy.org

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Acronyms and Abbreviations

AMM	Avoidance and Minimization Measure
CCRMP	Creek Resources Management Plan
CDFW	California Department of Fish and Wildlife
CE	Conservation Easement
CNLM	Center for Natural Lands Management
Conservancy	Yolo Habitat Conservancy
CRA	Conservation Reserve Area
FY19/20	Fiscal Year 2019/2020
HCP	Habitat Conservation Plan
NCCP	Natural Community Conservation Plan
PBBB	palmate-bracted bird's-beak
Permits	incidental take permits
Permittees	Yolo Habitat Conservancy, County of Yolo, and the Cities of Davis, Winters, West Sacramento, and Woodland
Plan Area	all lands within the boundary of Yolo County and an expanded area consisting of 1,174 acres for riparian conservation along Putah Creek in Solano County
SPE	Special Participating Entity
STAC	science and technical advisory committee
USFWS	U.S. Fish and Wildlife Service
VELB	valley elderberry longhorn beetle
WCB	Wildlife Conservation Board

1. Introduction and Overview

This is the second Annual Report for the Yolo Habitat Conservation Plan/Natural Community Conservation Plan (Yolo HCP/NCCP or Plan). This Annual Report summarizes activities undertaken by the Yolo Habitat Conservancy (Conservancy) and its partners between July 1, 2019 and June 30, 2020, which was the first full year of Yolo HCP/NCCP implementation. The content of this report provides information per the Plan, the Implementing Agreement, and permits. It also provides the Conservancy Board of Directors, U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the general public the opportunity to review the Conservancy's actions and progress toward Yolo HCP/NCCP implementation.

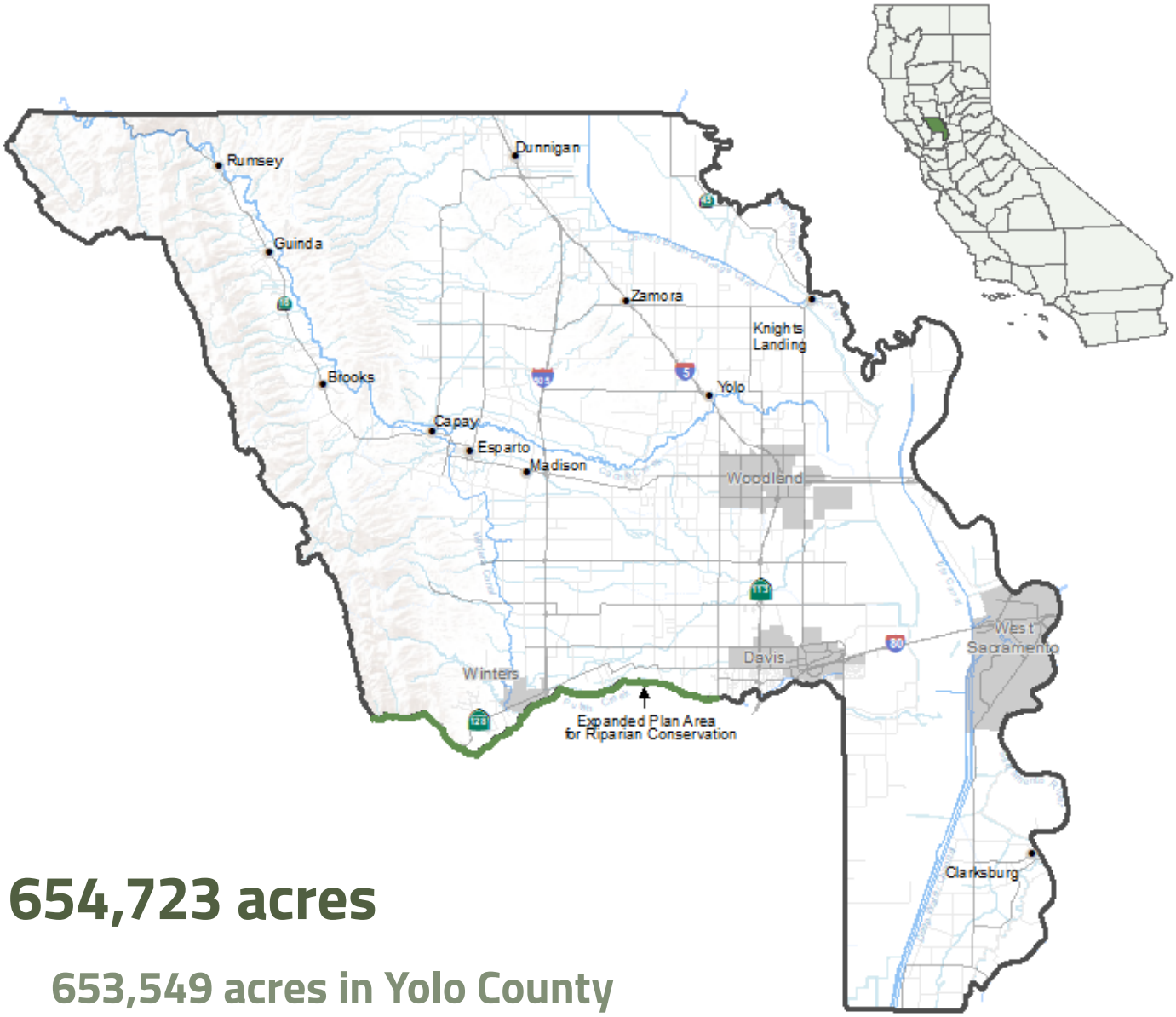
The components of this annual report include:

- **Covered Activities and Impacts**
- **Acquisition and Restoration**
- **Reserve Management**
- **Monitoring, Research, and Adaptive Management**
- **Stay-Ahead Provisions**
- **Changed and Unforseen Circumstances**
- **Program Administration**
- **Finances**

Yolo Habitat Conservation Plan / Natural Community Conservation Plan

The Yolo HCP/NCCP is a locally developed plan that offers a streamlined permitting process for development activities while implementing a regional conservation strategy that protects, enhances, and restores valuable natural resources in Yolo County and contributes to the recovery of 12 covered plant and wildlife species. The Yolo HCP/NCCP strikes a sensible balance between natural resource conservation and economic growth in the region.

Figure 1-1: Yolo HCP/NCCP Plan Area



654,723 acres

653,549 acres in Yolo County

Primary Plan Area that encompasses Yolo County and defines the area where the Yolo HCP/NCCP can provide permit coverage for development and other covered activities.

1,174 acres in Solano County

Expanded Plan Area that encompasses the riparian habitat on the southern half of Putah Creek that is included in the Yolo HCP/NCCP conservation strategy.

Overview

The Yolo HCP/NCCP is a 50-year regional plan to protect endangered species and natural resources while allowing for orderly development in Yolo County consistent with local General Plans. The Yolo HCP/NCCP is both a Habitat Conservation Plan (HCP) and Natural Community Conservation Plan (NCCP). This means that the Conservancy and the member agencies (County of Yolo, City of Davis, City of West Sacramento, City of Winters, and City of Woodland), known together as the Permittees, have obtained permits issued by USFWS and CDFW that allow the Permittees to comply with Section 10 of the federal Endangered Species Act and California's Natural Community Conservation Planning Act. The Permittees received permits from USFWS on September 26, 2018. The permits issued by CDFW were signed on January 10, 2019, which is the effective start date of the 50-year term of the Yolo HCP/NCCP.

Over the 50-year permit term of the Yolo HCP/NCCP, impacts from urban and rural projects, including operations and maintenance activities, will be offset by the creation of a reserve system managed for the benefit of 12 covered species (See Table 1-1), as well as the natural communities that they —and hundreds of other species — depend upon for habitat. Unlike individual site mitigation efforts, the Yolo HCP/NCCP reserve system takes a regional approach to species conservation that includes the protection of a network of habitat areas that support the life cycle and population needs of covered species to aid in the recovery of these species. The Yolo HCP/NCCP also commits to providing 8,231 acres of new conservation and the enrollment of 8,000 acres of existing conservation land in addition to the 16,175 acres of mitigation for development activities covered by the Yolo HCP/NCCP permits.

Through the Permittees, the Yolo HCP/NCCP provides local public agencies, private developers, consultants, and property owners a streamlined and cost-effective approach for requesting and receiving incidental take coverage for development projects. Prior to the Yolo HCP/NCCP, an applicant for any development that involved loss of federally or state protected plants, wildlife, or their habitats was, in many cases, required to obtain permits directly from state or federal agencies—a process that could take several years and incur high costs.

Yolo HCP/NCCP permit coverage applies only to eligible projects, known as covered activities, undertaken within the Yolo HCP/NCCP Plan Area (Plan Area). The Yolo HCP/NCCP covers a total of 21,559 acres of activities within five categories, including: urban and rural projects (17,550 acres), public/private operations and maintenance (706 acres), conservation strategy implementation (956 acres), and neighboring landowner agreements (2,347 acres). The Plan Area is 654,723 acres, including 653,549 acres contained within Yolo County and 1,174 acres in the expanded area for riparian conservation in Solano County on the south side of Putah Creek (See Figure 1-1).

Table 1-1: Yolo HCP/NCCP covered species

Common Name	Scientific Name	Status[a] Federal/State
Plants		
Palmate-bracted bird's beak	*Chloropyron palmatum*	E/E
Invertebrates		
Valley elderberry longhorn beetle	*Desmocerus californicus dimorphus*	T/-
Amphibians		
California tiger salamander (Central California DPS)	*Ambystoma californiense*	T/T
Reptiles		
Western pond turtle	*Actinemys marmorata*	-/CSC
Giant garter snake	*Thamnophis gigas*	T/T
Birds		
Swainson's hawk	*Buteo swainsoni*	-/T
White-tailed kite	*Elanus leucurus*	-/FP
Western yellow-billed cuckoo	*Coccyzus americanus occidentalis*	T/E
Western burrowing owl	*Athene cunicularia hypugaea*	-/CSC
Least Bell's vireo	*Vireo bellii pusillus*	E/E
Bank swallow	*Riparia riparia*	-/T
Tricolored blackbird	*Agelaius tricolor*	-/T

[a] *Status: C= Candidate for listing, CSC=California species of special concern, E=Endangered, FP=Fully protected under California Fish and Game Code, T=Threatened, - = no designation*

Benefits of the Yolo HCP/NCCP

Local control.
The Yolo HCP/NCCP moves compliance with state and federal endangered species laws for public and private activities from state and federal agencies to the local level. The Yolo Habitat Conservancy administers the permits and implements the Yolo HCP/NCCP in coordination with the member agencies (Yolo County, City of Davis, City of West Sacramento, City of Winters, and City of Woodland) with oversight from the CDFW and the USFWS to streamline the existing process while still providing comprehensive regulatory coverage for currently listed species and those that may be listed in the future.

Improved and increased species conservation.
Coordinated conservation planning through the Yolo HCP/NCCP will provide significant benefits to endangered and threatened species in Yolo County during and beyond the 50-year permit term as it replaces piecemeal mitigation with a regional coservation strategy and adds conservation beyond mitigation.

Streamlined permitting process.
The Yolo HCP/NCCP replaces a project-by-project mitigation process characterized by uncertainties associated with timing, costs, and litigation. This efficiency provides an economic benefit to public agencies and other projects in the form of streamlined Endangered Species Act permitting.

Preservation of working agricultural lands.
The Yolo HCP/NCCP recognizes that many agricultural working landscapes provide habitat. The premise of habitat and species conservation through preserved and carefully managed agriculture is foundational to the HCP/NCCP and integral to the values of Yolo County.

2. Covered Activities and Impacts

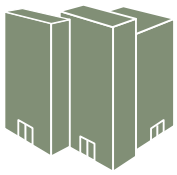
- This chapter provides an overview of the covered activities to which Permittees granted a certificate of approval, compliance, or inclusion during the reporting period.

Reporting Period Activities

Between July 1, 2019 and June 30, 2020, a total of eleven projects received permit coverage through the Yolo HCP/NCCP. The projects include five urban projects and activities, four rural projects and activities, and two conservation strategy implementation projects. Table 2-1 provides a list of all covered activities for which a Permittee granted take coverage during the reporting period. Information provided for each project includes a brief description of the covered activity, the Permittee extending the coverage, and permanent and temporary acreages disturbed. Figure 2-1 provides a map showing the location of covered activities. Table 2-2 provides a summary of permanent and temporary acreages disturbed by land cover type for the collective covered activities in the reporting period and cumulatively. Table 2-3 provides a summary of permanent and temporary acreages disturbed by modeled habitat for the collective covered activities in the reporting period and cumulatively. A total of 14 projects have received permit coverage between the start of Yolo HCP/NCCP implementation and the end of FY19/20.

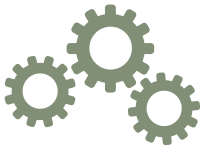
No Permittee, applicant, or Special Participating Entity (SPE) reported observations of harassment or mortality of covered species occurred during the reporting period.

Covered Activity Categories



Urban Projects and Activities

Rural Projects and Activities



Public/Private Operations and Maintenance

Conservation Strategy Implementation

Urban Projects and Activities

Urban projects and activities include covered activities that consist of general urban development, urban public services, infrastructure, and utilities within urban planning units (Planning Units 19, 20, 21, and 22). During the reporting period, five urban projects received streamlined permits through the Yolo HCP/NCCP. These projects included two hotels, residential roads and stormwater

collection associated with a residential housing site, and public trails within city owned open space areas providing a range of benefits for the communities in the Plan Area. Highlights of these approved projects are provided below.

General Urban Development:

The City of Woodland issued permits for two hotel projects, the Staybridge Hotel and Avid Hotel. Both of these projects are on developed or barren land cover so no natural community land cover types were impacted by these projects.

General Urban Development and Public Services:

The Yolo Habitat Conservancy issued a permit to the Yocha Dehe Wintun Nation for the construction of new residential roads and supporting stormwater collector channel associated with the Kisi Community project. This project is not subject to the jurisdiction of the Permittees due to its location on tribal lands; however, the Yolo Dehe Wintun Nation requested coverage under the Yolo HCP/NCCP as a SPE. The other two general urban development and public services projects covered by the Yolo HCP/NCCP during the reporting period included trails on parks managed by the City of Woodland and City of Davis. These projects are classified as urban projects due to the location of the project sites being within urban planning units.

Woodland Regional Park Trail project construction.
Photo Credit: Lars Anderson

Public and Private Operations and Maintenance

Operations and maintenance activities include activities that are necessary for the ongoing operations and maintenance of existing and planned land uses, facilities, and services in both urban and rural planning units throughout the Plan Area. Activity types that are eligible for coverage for operations and maintenance include: general urban and rural development operations and maintenance; public services, infrastructure, and utilities operations and maintenance; roads, bridges, bike lanes, and multi-use pathways; flood control facilities; general utilities; and activities associated with the Cache Creek Resources Management Plan. No operations and maintenance activities received permit coverage under the Yolo HCP/NCCP during FY19/20.

Conservation Strategy Implementation Projects

The Yolo HCP/NCCP provides take authorization for the actions described in Chapter 6, Conservation Strategy, of the Plan. The activity types include all the habitat modification, management and monitoring activities undertaken for the purposes of implementing this HCP/NCCP, as well as projects implemented by other groups that build on and support decades of local, state, and federal conservation efforts in the Plan Area, including conservation activities within the Yolo Bypass Wildlife Area, implementation of the Cache Creek Resources Management Plan (CCRMP) and Willow Slough Watershed Integrated Resources Management Plan, and the efforts of the Lower Putah Creek Coordinating Committee.

Public Access and Recreation in the Reserve System:

The City of Woodland issued itself permits to cover the habitat restoration activities associated with the creation of the Woodland Regional Park wetlands. The acreages of restored habitat will count directly towards the HCP/NCCP Conservation Strategy goals once the site is enrolled in the reserve system.

Habitat Enhancement, Restoration, and Creation:

The Conservancy issued permits to Granite Construction Company to implement a CCRMP activity consistent with the HCP/NCCP Conservation Strategy. The project involved skimming a gravel bar within Cache Creek to improve the downstream flow that will result in improved creek health and net benefits to covered species.

Figure 2-1: Covered Activities FY19/20

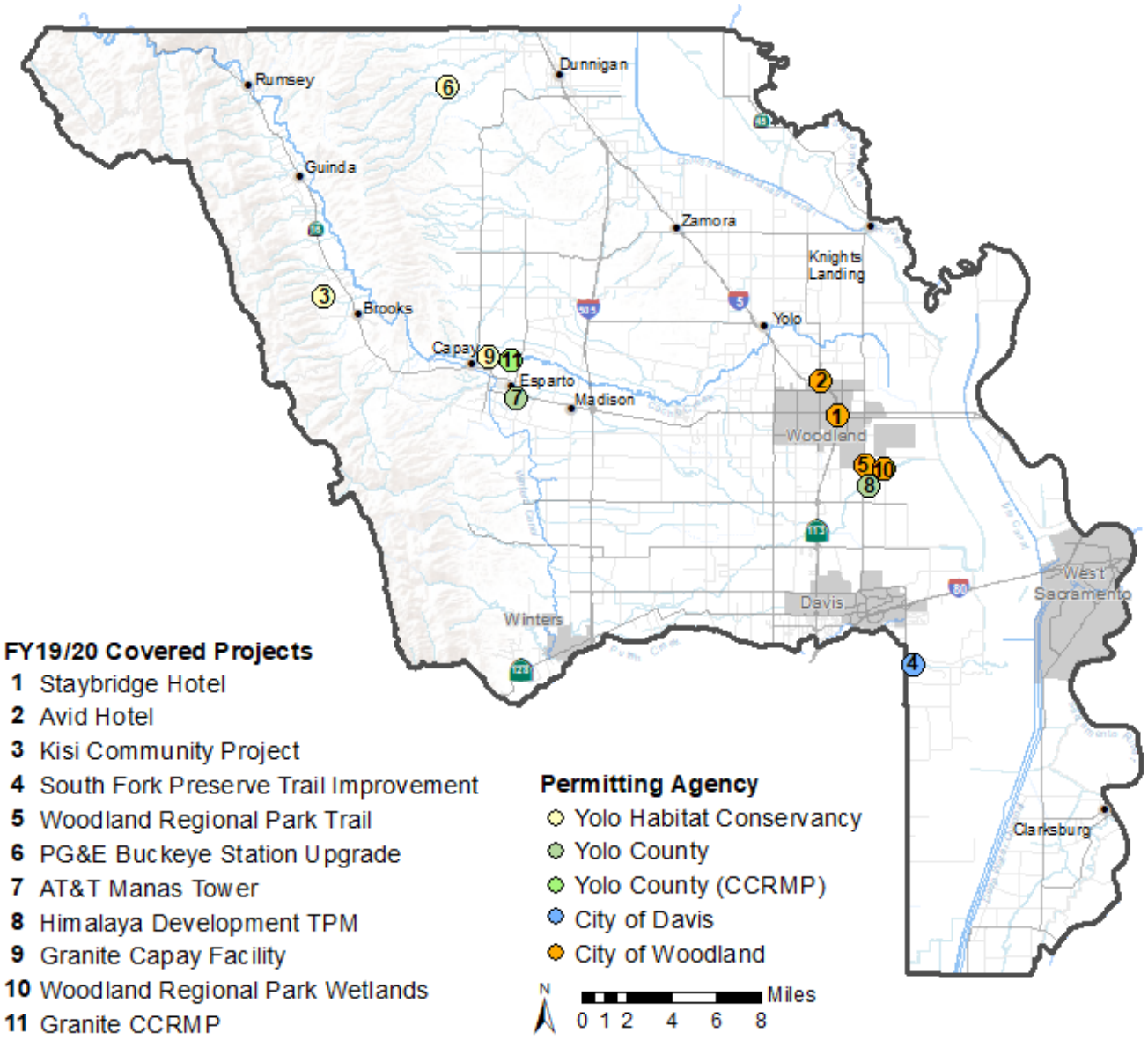


Table 2-1: All covered activities for which take coverage was granted during FY19/20

Project ID	Project Name	Activity Type	Covered By	Description	Perm. Impacts (acres)	Temp. Impacts (acres)
Urban Projects and Activities						
(1) 2018_05	Staybridge Hotel	General Urban Development	City of Woodland	The project consists of the construction of a 109 room, 4-story, 75,286 square foot hotel.	0	0
(2) 2018_10	Avid Hotel	General Urban Development	City of Woodland	The project consists of the construction of a 79 room, 4-story, 37,003 square foot hotel.	0	0
(3) 2019_09	Kisi Community Project	General Urban Development and Public Services	YHC (SPE)	The project consists of construction of new residential roads and supporting stormwater collector channel.	1.19	0
(4) 2019_11	South Fork Preserve Trail Improvement	General Urban Development, Public Service	City of Davis	The project enhances the public accessibility of the preserve in an effort to increase access and protect the habitat.	1.82	0
(5) 2019_22	Woodland Regional Park Trail	General Urban Dev., Public Services, Public Access and Recreation in the Reserve System	City of Woodland	The project consists of construction of a 1,600-foot pedestrian trail along a constructed wetland within a regional park.	0.9	0
Rural Projects and Activities						
(6) 2019_04	PG&E Buckeye Station Upgrade	Rural Public Service, Infrastructure and Utilities	YHC (SPE)	The project consists of replacing and/or upgrading the control valves and control hardware at Buckeye Creek Pressure Limiting Station for significantly improved reliability and performance.	9	0
(7) 2019_19	AT&T Manas Cell Tower	Rural Public Service, Infrastructure and Utilities	Yolo County	The project consists of the construction of a cellular tower.	0	0
(8) 2019_21	Himalaya Development TPM	General rural development and agricultural economic development	Yolo County	A parcel map to divide an approximately 157-acre agricultural parcel into a 43-acre parcel and a 113.5-acres parcel.	2.5	0
(9) 2019_23	Granite Capay Facility	Aggregate Mining	YHC (SPE)	The project consists of removal of one isolated elderberry shrub to facilitate mining activities as a part of an approved mining and reclamation plan.	0.3	0

Table 2-1 (continued)

Project ID	Project Name	Activity Type	Covered By	Description	Perm. Impacts (acres)	Temp. Impacts (acres)
Urban Projects and Activities						
Public and Private Operations and Maintenances						
none						
Conservation Strategy Implementation [a,b]						
(10) 2019_22	Woodland Regional Park Wetlands	Conservation Strategy	City of Woodland	The project consists of converting an approximately 22-acre landfill borrow pit to a wetland.	0	22.2
(11) ---	Granite CCRMP	CCRMP and Conservation Strategy Implementation	Yolo County (CCRMP)	The project consists of skimming an in-channel gravel bar to support CCRMP activities covered by the HCP/NCCP, "erosion control and channel maintenance" and "channel stabilization."	0.0	58

[a.] *The Yolo HCP/NCCP take limits do not apply to area of impact on natural communities or covered species habitat when the impacts result from conservation measures because the Yolo HCP/NCCP assumes conservation measures will have substantial net benefits to covered species. The limits imposed by the permits only apply to acres of natural communities or habitat for covered species that are lost to covered activities that are not conservation measures.*

[b.] *The Yolo HCP/NCCP incorporated the CCRMP restoration and enhancement actions into its conservation strategy to help meet the HCP/NCCP's biological objectives for ecosystem processes, natural communities and covered species, as described in Section 6.5.8.1.1 of the HCP/NCCP. Implementation of the CCRMP is both a covered activity and a conservation measure. The exception to this rule is for bank swallow nesting habitat, the HCP/NCCP provides for no more than 37 acres of barren floodplain to be permanently affected by bank stabilization activities along Cache Creek to protect property or valuable resources (Yolo HCP/NCCP, Section 5.7.11.1.1).*

Table 2-2: Permanent and temporary acreages disturbed by land cover type for the collective covered activities in the reporting period and cumulatively.

	Reporting Period Impacts (acres)		Cumulative Impacts (acres)		Total Allowed Impacts (acres)		Cumulative Impacts (% toward cap)	
	Permanent	Temporary	Permanent	Temporary	Permanent	Temporary	Permanent	Temporary
Natural Communities								
Rice	--	--	--	--	87	--	0.00%	NA
Cultivated Lands (non-rice)	--	--	18.9	--	9,910	203	0.19%	NA
Grassland	7	--	8.8	1.9	1,734	28	0.51%	6.78%
Blue Oak Woodland	0.4	--	0.4	0	3	--	13.30%	NA
Alkali Prairie	--	--	0	0	4	4	0.00%	NA
Fresh Emergent Wetland	--	--	0.20 [a]	--	88	--	0.22%	NA
Valley Foothill Riparian	2.23	--	2.33	--	588	--	0.40%	NA
Lacustrine and Riverine	0.78	--	0.88	0.4	236	31	0.37%	1.29%
Barren Floodplain	--	--	--	--	37	--	0.00%	NA
Total Natural Communities [b c]	***10.41***	***0***	***31.51***	***2.3***	***12,649***	***266***	***0.25%***	***0.86%***

[a] *The Annual Report prepared for FY18/19 documented 0.1-acres of temporary loss of Fresh Emergent Wetland. Because Table 5-1 of the HCP/NCCP does not identify any acres of temporary loss for that land cover type the acreages were shifted to the permanent column for the cumulative impacts and the percentage towards the total allowed impacts were recalculated.*

[b] *The totals for natural community loss do not match total impacts in Table 2-1 because some of the impacts consisted of land cover types that provide covered species habitat but do not belong to any natural communities with maximum allowable loss as listed in Table 5-1 of the HCP/NCCP (e.g., barren land that may support covered species).*

[c] *The Yolo HCP/NCCP take limits do not apply to area of impact on natural communities or covered species habitat when the impacts result from conservation measures because the Yolo HCP/NCCP assumes conservation measures will have substantial net benefits to covered species. The temporary impact acres resulting from Conservation Strategy Implementation are not included in Table 2-2 because by definition, any temporary loss of natural communities or habitat as a result of conservation measures is assumed to have substantial net benefits to the covered species. The exception to this rule is for bank swallow nesting habitat. The HCP/NCCP provides for no more than 37 acres of barren floodplain to be permanently affected by bank stabilization activities along Cache Creek to protect property or valuable resources (Yolo HCP/NCCP, Section 5.7.11.1.1).*

Table 2-3: Permanent and temporary acreages disturbed by modeled habitat for the collective covered activities in the reporting period and cumulatively.

Covered Species	Reporting Period Impacts (acres except where noted)		Cumulative Impacts (acres except where noted)		Total Allowed Impacts (acres except where noted)		Cumulative Impacts (% toward cap)	
	Permanent	Temporary	Permanent	Temporary	Permanent	Temporary	Permanent	Temporary
Valley elderberry longhorn beetle								
Riparian habitat	3	0	3	0	523	0	0.57%	NA
Non-riparian habitat	0	0	0	0	61	1	0%	0%
Total	***3***	***0***	***3***	***0***	***584***	***1***	**0.51%**	**0%**
California tiger salamander								
Aquatic breeding habitat	0	0	0	0	12	1	0%	0%
Upland habitat	6.2	0	6.2	0	398	1	1.56%	0%
Total	***0***	***0***	***6.2***	***0***	***410***	***2***	**1.50%**	**0%**
Western pond turtle								
Aquatic habitat	0.78	0	0.98	0.41	369	31	0.27%	1.32%
Nesting and overwintering habitat	6.84	0	6.84	0	3,133	112	0.22%	0.00%
Total	***7.62***	***0***	***7.82***	***0.41***	***3,502***	***143***	**0.22%**	**0.29%**
Giant garter snake								
Rice habitat	0	0	0	0	87	0	0.00%	NA
Aquatic habitat	0	0	0.2	0.36	109	1	0.18%	36.00%
Freshwater emergent habitat	0	0	0	0.05	76	0	0.00%	NA
Active season upland movement	0	0	0.8	0.42	441	3	0.18%	14.00%
Overwintering habitat	0	0	0.06	0	1,235	5	0.00%	0.00%
Total	***0***	***0***	***1.06***	***0.83***	***1,948***	***9***	**0.05%**	**9.22%**
Swainson's hawk								
Nesting habitat	2.63	0	2.64	0	651	0	0.40%	NA
Natural foraging habitat	6.7	0	8.37	1.85	1,407	22	0.59%	8.41%
Cultivated lands foraging habitat	0	0	17.83	0	9,399	202	0.19%	0.00%
Total	**9.33**	**0**	***28.84***	***1.85***	***10,806***	***224***	**0.27%**	**0.83%**
Nest trees	0	0	0	0	20[a]	0	0.00%	NA
White-tailed kite								
Nesting habitat	3.41	0	3.42	0	661	0	0.52%	NA
Primary foraging habitat	6.7	0	8.37	1.85	2,609	29	0.32%	6.38%
Secondary foraging habitat	0	0	17.83	0	7,969	205	0.22%	0.00%
Total	***10.11***	***0***	***29.62***	***1.85***	***10,578***	***234***	**0.22%**	**0.79%**
Western yellow-billed cuckoo								
Nesting/foraging habitat	**0**	**0**	**0**	**0**	**59**	**0**	**0%**	**0%**
Western burrowing owl								
Primary habitat	9.5	0	9.5	0	861	1	1.10%	0%
Other habitat	0				2,311	218	0%	0%
Total	***0***	***0***	***0***	***0***	***3,172***	***219***	**0.30%**	**0%**
Least Bell's vireo								
Nesting/foraging habitat	1.82	0	1.82	0	39	0	4.66%	0%
Bank swallow								
Nesting habitat	**0**	**0**	**0**	**0**	**37**	**0**	**0%**	**0%**
Tricolored blackbird								
Nesting habitat	0	0	0	0	86	0	0%	0%
Foraging habitat	5.8	0	5.8	0	8,942	230	0.06%	0%
Total	***5.8***	***0***	***0***	***0***	***9,028***	***230***	**0.06%**	**0%**
Palmate-bracted bird's beak								
Habitat	**0**	**0**	**0**	**0**	**4**	**0**	**0%**	**0%**

[a] *The Swainson's hawk nest tree take limit is set at 20 to account for the implementation of avoidance and minimization measures. The number of nest trees per planning unit will not exceed those provided in Table 5-5 and the total will not exceed 20 nest trees.*

3. Acquisition and Restoration

- This chapter describes Yolo HCP/NCCP land acquisition and restoration activities that occurred during the reporting period.

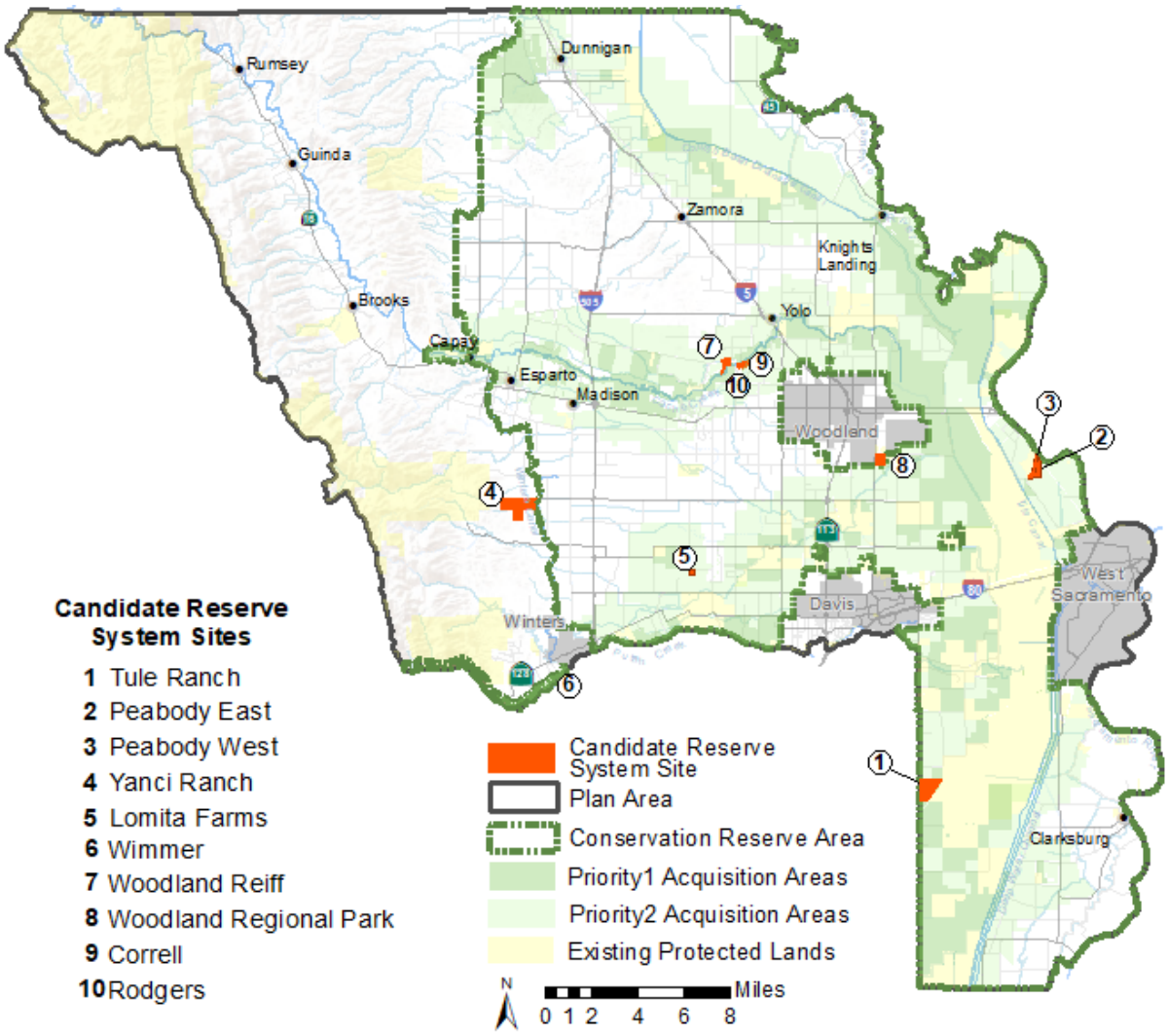
Acquisition

The heart of the Yolo HCP/NCCP conservation strategy is the creation of a reserve system that will include at least 33,406 acres (and up to 956 acres of additional restored natural community if loss of all allowable acres occurs) for the benefit of covered species, natural communities, biological diversity, and ecosystem function. The Conservancy will select lands for the reserve system based on reserve system assembly principles, criteria, and guidelines described in Yolo HCP/NCCP Section 6.4.1 Conservation Measure 1: Establish Reserve System. Of the 32,406 acres, 24,406 acres will consist of newly protected lands and 8,000 acres will consist of pre-permit reserve lands that the Conservancy enrolls into the reserve system and manages and monitors consistent with the Yolo HCP/NCCP.

STAC site evaluation at Correll Site.
Photo Credit: Chris Alford

No sites were enrolled in the Yolo HCP/NCCP reserve system in, or prior to, FY19/20. However, as shown in Table 3-1, the Conservancy has been actively working on making progress towards the enrollment of 10 sites. The Yolo HCP/NCCP has a two-step approval process for enrolling reserve system sites that is described along with the rest of the acquisition process in Yolo HCP/NCCP Section 7.5.2 Acquisition Process. The initial step involves determining whether the site is an appropriate site for inclusion in the reserve system based on information provided in an initial evaluation conducted by Conservancy representatives and a site and species evaluation conducted by the Yolo HCP/NCCP Science and Technical Advisory Committee (STAC). Once the Conservancy, CDFW, and USFWS all approve of a site as a candidate reserve system site, the Conservancy conducts remaining due diligence steps and works with the landowner, CDFW, and USFWS to develop a conservation easement and site-specific management plan using the Yolo HCP/NCCP

Figure 3-1: Candidate reserve system sites FY19/20



approved templates. Conservancy representatives then seek approval from the Conservancy's board of directors, CDFW, and USFWS to finalize these documents and enroll the site as a reserve system site. The dates in which approvals are granted are used by the Conservancy to identify the status of a site as an application site, candidate site, or reserve system site. The sites in Table 3-1 are all sites that have been approved as candidate sites either during or prior to FY19/20. The Tule Ranch site received its final approvals for reserve system enrollment during FY19/20; however, due to COVID, fires, and other factors the landowner opted to postpone recording the easement on the property. Since the easement for Tule Ranch was recorded in FY20/21, the Conservancy will document the acquisition of the site and the amount of natural and semi-natural community land cover and covered species habitat it provides in the FY20/21 annual report.

Table 3-1: Status of reserve system site acquisitions through FY19/20

Site Name	Approximate Area (acres)	Primary Land Cover Type(s)	Candidate Site Approvals			Final Enrollment Approval		
			YHC	CDFW	USFWS	YHC	CDFW	USFWS
Tule Ranch	433.01	cultivated lands (pasture)	5/18/15[a]	**3/25/20**	**3/26/20**	**1/27/20**	**3/25/20**	**3/26/20**
Peabody East	101.1	cultivated lands (field crops)	11/16/15[b]	4/15/19	4/15/19	-	-	-
Peabody West	101.17	cultivated lands (field crops)	11/16/15[b]	4/15/19	4/15/19	-	-	-
Yanci Ranch	795	grassland	2/22/16	**8/6/19**	**8/6/19**	-	-	-
Lomita Farms	40	grassland	**9/16/19**	**12/5/19**	**12/5/19**	-	-	-
Wimmer	20	valley foothill riparian, riverine	**9/16/19**	**12/5/19**	**12/5/19**	-	-	-
Woodland Reiff	115	grasslands, valley foothill riparian, riverine, seasonal wetland	**1/27/20**	**12/5/19**	**12/5/19**	-	-	-
Woodland Regional Park	167	grasslands, fresh emergent wetland, lacustrine	**1/27/20**	**1/8/20**	**1/8/20**	-	-	-
Correll	38.9	valley foothill riparian, grasslands, riverine, seasonal wetland	**5/18/20**	**6/4/20**	**6/4/20**	-	-	-
Rodgers	30	valley foothill riparian, grasslands, riverine, seasonal wetland	**5/18/20**	**6/4/20**	**6/4/20**	-	-	-

a. Site was initially approved as a Swainson's hawk foraging habitat mitigation program mitigation receiving site.

b. Site was initially approved as a Swainson's hawk foraging habitat conservation easement site.

Restoration

Restoration is an important part of the overall Yolo HCP/NCCP conservation strategy. The Conservancy will restore riparian, wetland, and aquatic land cover types at a ratio of one acre restored for each acre lost. If all allowable loss occurs, the Conservancy will restore up to 956 acres of riparian woodland and scrub, fresh emergent wetlands, and lacustrine and riverine natural communities. Two restoration efforts were initiated during FY19/20 as described below. The Conservancy is in the process of enrolling the sites where these projects are located in the Yolo HCP/NCCP reserve system and will count this restoration towards the conservation commitments of the Yolo HCP/NCCP when conservation easements are recorded on each site.

Woodland Regional Park Wetlands Restoration

The City of Woodland, Tuleyome, and the California Waterfowl Association, with input from the Conservancy and a variety of project partners, developed a restoration plan for the former borrow pit located at Woodland Regional Park. The restoration was constructed in 2020 and included excavating deeper open water areas to provide lacustrine habitat; leveling and grading portions of the site to create seasonal wetlands to provide fresh emergent wetland habitat; enhancing and restoring riparian habitat; constructing disturbance-free habitat islands and features that provide

Woodland Regional Park wetlands consruction site.
Photo Credit: Lars Anderson

shelter, nesting, or foraging habitat for various life stages of the covered species; and planting a variety of native riparian and wetland plants. A new well was drilled on site, equipped with a variable speed pump to provide groundwater with which the pond water level can be raised. This dedicated water supply system is critical to managing late-summer water levels for aquatic and wetland habitat and will be used to help ensure aquatic habitat is available even during periods of drought. Overall, the restoration project provides 1.23 acres of enhanced riparian habitat, 0.8 acres of restored riparian habitat, 7.26 acres of restored seasonal wetland habitat, and 6.56 acres of restored lacustrine habitat (ICF, 2020).

Woodland Reiff Elderberry Planting

The Woodland Reiff site is along Cache Creek. The site is held in fee title by Yolo County and is the process of being enrolled as a reserve system site. The Conservancy hired Triangle Properties to clear an approximately 5-acre portion of the site that was previously a mesic grassland area dominated by yellow starthistle and subsequently plant approximately 3.14 acres within that area with elderberries (both seedlings and transplants) as well as a variety of other native species as part of an HCP/NCCP VELB mitigation effort in 2019. This effort included transplanting elderberry (Sambucus nigra, ssp. cerulea) shrubs in 24 locations , planting 327 elderberry seedlings, and planting 567 other associated native plant seedlings. The native plants that were planted within the area in addition to elderberry include: 17 California blackberry (Rubus ursinus), 55 California box elder (Acer negundo), 42 California wild grape (Vitis californica), 78 California wild rose (Rosa californica), 55 Coyote brush (Baccharis pilularis), 59 Fremont cottonwood (Populus fremontii), 18 mule fat (Baccharis salicifolia), 33 Oregon ash (Fraxinus latifolia), 29 red willow (Salix laevigata), 23 sandbar willow (S. exigua), 118 valley oak (Quercus lobata), and 40 western sycamore (Platanus racemosa) (Triangle Properties, Inc. 2020). Temporary irrigation was installed within this area of the site and water is pumped from Cache Creek with a portable stream pump to this area during dry months (April through October) while seedlings are getting established.

Transplanted elderberries at Woodland Reiff VELB planting site. Photo Credit: Chris Alford

4. Reserve Management

This chapter provides a summary of all land management activities, including specific enhancement measures, undertaken on Yolo HCP/NCCP reserve lands and discusses the overall and site-specific management issues encountered by the Conservancy during the reporting period. This chapter also identifies enhancement actions the Conservancy has not implemented in accordance with the implementation schedule (i.e., behind or ahead of schedule) and an explanation for the deviation from the schedule.

Enhancement Measures

Tule Ranch Tree Planting:

The Tule Ranch site is an existing Swianson's hawk foraging habitat mitigation site that went through the review and approval process for becomming an HCP/NCCP reserve system site (See Chapter 3 for more information about the site). Per the recommendation of the STAC, the Conservancy required that the landowner of Tule Ranch commit to plant at least ten cottonwood trees around the existing pond as a condition of enrollment of the site in the Yolo HCP/NCCP reserve system

Tule Ranch tree planting.
Photo Credit: Scott Stone

Tule Ranch tree planting site.
Photo Credit: Scott Stone

in an effort to increase the future availability of nest tree sites. The landowner planted twelve cottonwood trees in March 2020 that were each approximately 16 feet tall and 4 inches in diameter. The day after the landowner planted them, a beaver cut down one of the trees. The landowner placed protective wiring around the remaining eleven trees and have not had any additional issues. This enhancement effort contributes towards HCP/NCCP Objective SH1.5 by establishing trees suitable for Swainson's hawk nesting within the cultivated lands reserve system.

Schedule

FY19/20 was the first full year of Yolo HCP/NCCP implementation and no sites are currently enrolled in the reserve system so the majority of efforts associated with the reserve system involved initial efforts to evaluate and enroll sites into the reserve system and conduct species baseline monitoring efforts. The Conservancy is not behind schedule on any enhancement actions.

5. Monitoring, Research, and Adaptive Management

This chapter summarizes the monitoring, research, and adaptive management activities the Conservancy and partners conducted during the reporting period. For monitoring activities, information provided includes a description of monitoring activities undertaken during the reporting period, a summary of monitoring results, data analysis results, and any knowledge gained from monitoring that is valuable to adaptive management. For directed studies, information provided includes a description of each study conducted during the reporting period, a summary of study results to date, and a description of how these results were or will be integrated into implementation. For adaptive management, information provided includes a description of the adaptive management decisions made during the reporting period, including how existing information was used to guide these decisions and the rationale for the actions; description of the use of independent scientists or other experts in the adaptive management decision-making processes; and a description of adopted and recommended changes to the conservation measures, avoidance and minimization measures, and monitoring plan(s).

This chapter also includes key components of the Yolo HCP/NCCP's compliance monitoring requirements for the stay-ahead provision and for changed and unforeseen circumstances.

Effectiveness Monitoring

During FY19/20, two different species-level monitoring efforts were undertaken to establish the baseline status of covered species. On

toring effort was a Plan Area survey of the Swainson's hawk nesting population while the other survey was a baseline survey of the palmate-bracted bird's beak population on the Woodland Regional Park site.

Swainson's hawk nesting surveys

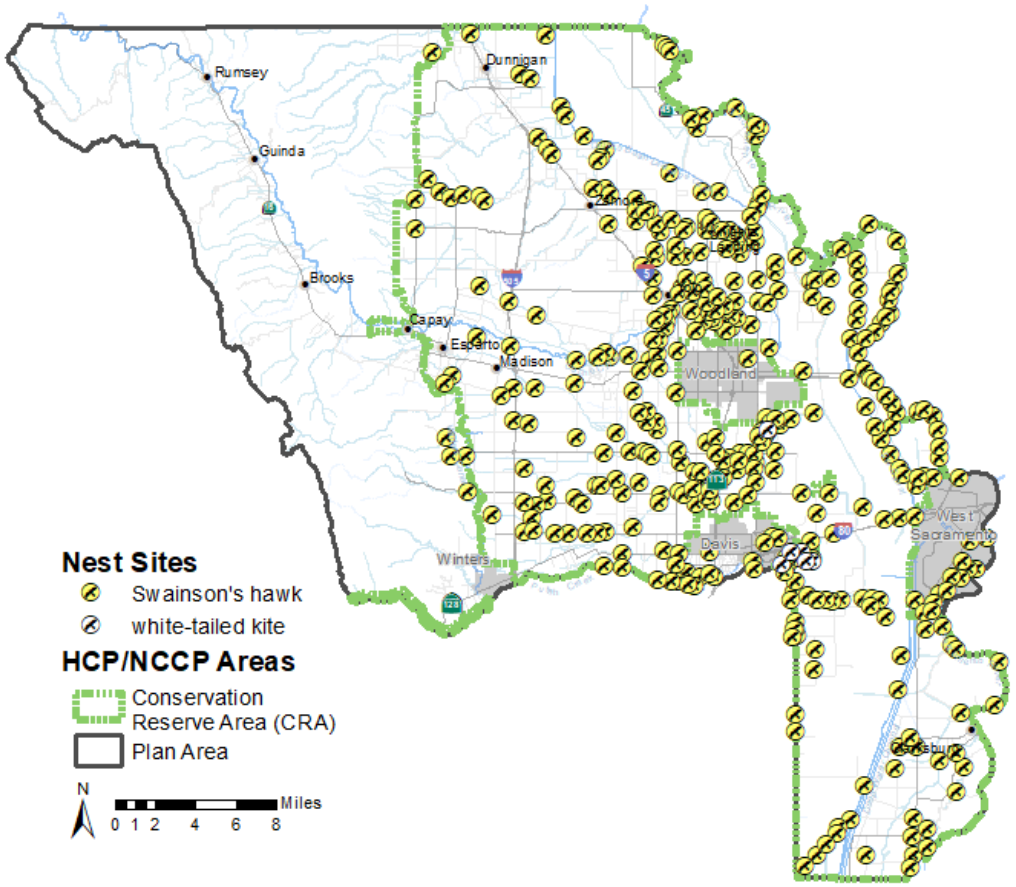
In compliance with monitoring provisions in Section 6.5.6.3.6 of the Yolo HCP/NCCP, the Conservancy contracted with Estep Environmental Consulting to conduct a census of the nesting population of Swainson's hawks within the Yolo HCP/NCCP Plan Area during the 2020 breeding season. White-tailed kite nests observations were also documented as a part of this survey. Monitoring efforts were conducted between April and July 2020. A total of 381 occupied nesting territories were located, exceeding the threshold population number of 270 that would trigger remedial conservation actions as described in Yolo HCP/NCCP Section 7.7.1.2.8. Estep also evaluated the amount of suitable foraging habitat

Swainson's hawk.
Photo Credit: AdobeStock

available at the time of the monitoring survey and estimated a total of 280,842 acres of suitable foraging habitat, including 25,000 acres of high value habitat (Estep, 2020). While available foraging habitat is currently above the threshold that would trigger remedial conservation action, it is still significantly less than the 327,083 acres of suitable foraging habitat identified in the 2007 survey. This reduction is correlated with a rapid increase in the conversion of suitable crop types to orchards.

Although a greater number of nesting territories and a higher rate of successful nests were observed in 2020 compared to the 2007 survey, the overall fledgling success rate averaged only one successful fledgling per nest. This low reproductive rate is consistent with recent monitoring in Sacramento County and elsewhere in the species' range. Estep speculates that this low reproductive rate is related to limited food resources in cultivated habitats or other reproduction-suppressing mechanisms (Estep, 2020). The Conservancy intends to update the crop information in the HCP/

Figure 5-1: Nest site locations surveyed in 2020



NCCP land cover layer in 2021 as part of an effort to identify priority areas for reserve system establishment that provide suitable foraging habitat within immediate proximity of suitable nest tree sites. The Conservancy will also utilize the occupied nest site location data collected during the 2020 Swainson's hawk nest population survey in the candidate conservation easement site evaluation process and as a baseline to inform future monitoring and long-term adaptive management efforts.

Palmate-bracted bird's-beak baseline survey

In compliance with monitoring provisions in Section 6.5.6.3.1 of the Yolo HCP/NCCP, the Conservancy contracted with the Center for Natural Lands Management (CNLM) to conduct a comprehensive baseline survey of palmate-bracted bird's-beak (PBBB) on Woodland Regional Park. This site is the one site identified for inclusion in the Yolo HCP/NCCP reserve system that has a known subpopulation of PBBB occurring on the site. The purpose of this monitoring effort was to document the occurrence and relative abundance of the species and to acquire the baseline data necessary to evaluate long-term adaptive management and monitoring. Surveys were conducted in June and early July 2020.

One patch of PBBB, with an estimated 282 individuals, was observed at Woodland Regional Park during the 2020 survey effort (CNLM, 2020). This known subpopulation of PBBB has been observed in this location in the past. The number of individuals observed during surveys conducted sporadically between 1996 and 2019 ranged from 0 to 482 individuals. In the most recently conducted surveys, CNLM staff observed an estimated 87 individuals in 2017, 42 individuals in 2018, and 85 individuals in 2019 (CNLM, 2020).

Non-native invasive species including perennial pepperweed and yellow starthistle were observed at Woodland Regional Park within the same area as the PBBB patch. The Conservancy intends to include management of these and other invasive species in the Woodland Regional Park management plan. The Conservancy will also use this information as a baseline to inform future monitoring and long-term adaptive management efforts.

Palmate-bracted bird's beak.
Photo Credit: Yolo Habitat Conservancy archives

Targeted Studies

No targeted studies were conducted during the reporting period.

Adaptive Management

No adaptive management occurred during the reporting period.

Stay-Ahead Provision Compliance Monitoring

The conservation strategy of an NCCP must be implemented at or faster than the rate at which the loss of natural communities or habitat for covered species occurs so that conservation always stays ahead of effects and rough proportionality is maintained between adverse effects on natural communities or covered species and conservation measures (California Fish and Game Code Section 2820(b)(3)(B)). The Yolo HCP/NCCP stay-ahead provision requires the Conservancy to ensure the amount of each natural community conserved, restored, or created by the Conservancy as a proportion of the total requirement for each natural community is roughly proportional to the impact on that natural community as a proportion of the total impact expected by all covered activities.

To measure compliance with the stay-ahead provision, the amount of each natural community conserved, restored, or created as a proportion of the total requirement by natural community must be equal to or greater than the impact on the natural community as a proportion of the total impact expected by all covered activities. As long as the pace of conservation measure implementation (i.e., preservation, restoration, or creation) does not fall behind the pace of covered activity impacts by more than 10 percent, the Conservancy will meet the stay-ahead provision.

The following assessment, once required, will provide an overview of status of Yolo HCP/NCCP reserve system assembly with respect to authorized take/habitat loss and a description of how implementation of conservation measures is roughly proportional in time and extent to the impacts on covered species and their habitats.

Stay-Ahead Assessment

The stay-ahead provision applies two years after the last local ordinance takes effect. As the reporting period pre-dates this timeline, no stay-ahead assessment is provided.

Unforeseen and Changed Circumstances Compliance

Unforeseen circumstances are events the Conservancy could not reasonably anticipate during development of the Yolo HCP/NCCP. If unforeseen circumstances arise during the life of the Yolo HCP/NCCP, wildlife agencies will not require the commitment of additional land or financial compensation or additional restrictions on the use of land, water, or other natural resources, other than those in the HCP/NCCP, unless the permittees authorize consent. Within these constraints, the wildlife agencies may require additional measures, but only if (1) they prove an unforeseen circumstance exists, (2) such measures are limited to modifications of the Yolo HCP/NCCP's operating conservation program for the affected species, (3) the original terms of the Yolo HCP/NCCP are maintained to the maximum extent practicable, and (4) the overall cost of implementing the Yolo HCP/NCCP is not increased by the modification. This section provides a description of actions implemented to respond to unforeseen circumstances.

Changed circumstances are changes in circumstances that affect a species or geographic area covered by an HCP that plan developers and wildlife agencies and can reasonably anticipate and for which they can plan. The Yolo HCP/NCCP identifies eight categories of changed circumstances and the triggers for when a changed circumstance occurs. This section provides a description of actions implemented to respond to changed circumstances.

Unforeseen Circumstances

No unforeseen circumstances occurred in the reporting period.

Changed Circumstances

The eight categories of changed circumstances identified in the Yolo HCP/NCCP and a summary of status during the reporting period are provided below.

1. New species listings. In the event that USFWS or CDFW lists a species whose range includes any portion of the Plan Area and that species is not already covered by the Yolo HCP/NCCP, the provisions of this changed circumstance will be automatically triggered.

A changed circumstance due to new species listing did not occur in the reporting period.

2. Climate change. Under the Yolo HCP/NCCP, an increase in temperature of up to 2.5°C (4.5°F), measured as a 10-year running average for three baseline periods (i.e., average annual temperature, average summer temperature [June, July, and August], and average winter temperature [December,

January, and February]) is considered a changed circumstance. Table 5-1 tracks the 10-year running average for three baseline periods.

A changed circumstance due to climate change did not occur in the reporting period.

3. Wildfire. The Yolo HCP/NCCP anticipates up to four catastrophic fires (each more than 10,000 acres) within the study area over the course of the permit term. This level of fire occurrence would be considered a changed circumstance for the purposes of the Yolo HCP/NCCP. In the event of a wildfire, the Conservancy will assess the proportion of the protected habitat area that has burned and likely effects on habitat use by covered species. The Conservancy will make an initial determination of whether or not the fire constitutes a changed circumstance and notify the wildlife agencies of the fire event.

A changed circumstance due to wildfire did not occur in the reporting period.

4. Nonnative invasive species or disease. Under the Yolo HCP/NCCP, the following are considered changed circumstances:

Infestations of new diseases or new nonnative invasive species that affect up to 25 percent of the extent (i.e., acres) of a predominant natural community (i.e., valley foothill riparian) or occupied covered species habitat within the reserve system in any given year; and

Spread of nonnative species or diseases on up to 25 percent within the reserve system in any given year.

A changed circumstance due to nonnative invasive species or disease did not occur in the reporting period.

5. Flooding. Flood damage in protected natural communities and habitats caused by storms that are at or below a 100-year flood event on a given stream is a changed circumstance.

A changed circumstance due to flooding did not occur in the reporting period.

6. Drought. The Yolo HCP/NCCP will fund remedial actions for up to five droughts that occur during the permit term. Of the five droughts, only one is anticipated to be more than six years in duration.

A changed circumstance due to drought did not occur in the reporting period.

7. Earthquakes. The Yolo HCP/NCCP will fund remedial actions for damage to reserve system infrastructure, natural communities, and covered species from any earthquake of magnitude 7.1 or lower.

A changed circumstance due to earthquake did not occur in the reporting period.

8. Loss of Swainson's hawk habitat and populations declining below the threshold.
Under the Yolo HCP/NCCP, the Conservancy committed to evaluating the effects on the Swainson's hawk nesting population if the amount of Swainson's hawk foraging habitat falls below 267,750 total acres or 24,560 high-value acres. The Conservancy committed to then meet and confer with the wildlife agencies if this evaluation determines that the nesting population has fallen below 240 breeding pairs.

Table 5-2 tracks Swainson's hawk habitat data as specified in Section 7.7.1.2.8, Regional Loss of Swainson's Hawk Habitat. This table indicates that the amount of high-value acres did not fall below the 24,560-acre threshold, and total acres of habitat did not fall below the 267,750-acre threshold. The amount of high-value and total habitat, however, has dropped significantly since Estep's evaluation on which the Conservancy based the changed circumstances strategy (Estep, 2015). The current acreage is close to the threshold, so the Conservancy hired Estep Environmental Consulting to conduct a countywide Swainson's hawk nest survey in 2020, to assess the number of breeding pairs and whether that number has fallen below the 240-pair threshold. A total of 381 occupied nesting territories, with a total of 377 active nests, were identified during this survey effort, which is greater than both the 240-pair threshold and the 290 occupied nesting territories observed by Estep during the 2007 survey (Estep, 2020).

A changed circumstance due to loss of Swainson's hawk habitat and populations declining below the threshold did not occur in the reporting period.

6. Program Administration

- This chapter summarizes administrative changes, minor modifications and revisions, and formal amendments to the HCP/NCCP proposed or approved during the reporting period.

Administrative Changes

Administrative changes are actions taken on the basis of Yolo HCP/NCCP interpretations that do not substantively change the purpose or intent of the Yolo HCP/NCCP's provisions and do not require modification or amendment of the Yolo HCP/NCCP or its associated authorizations. During the reporting period the following administrative changes were made:

Annual Fee Adjustment

The Conservancy adjusted the HCP/NCCP fees on March 16, 2020, consistent with Yolo HCP/NCCP Section 8.4.1.6.1 Automatic Adjustment of Fees and the Ordinance Amending the Conservancy's Adopted Fee Ordinance to Authorize the Executive Director to Implement Annual Fee Adjustments (Ordinance No. 2019-02).

Minor Modifications

Minor modifications are changes to the Yolo HCP/NCCP document made in response to new information, changes in scientific understanding, technological advances, and other such circumstances. Minor modifications do not include changes that would adversely affect covered species, the level of take, or the obligations of Permittees. The Conservancy did made two minor modifications to the Yolo HCP/NCCP during the reporting period. Both are modifications to template documents included as appendices to the Yolo HCP/NCCP.

STAC Evaluation Criteria Update (Yolo HCP/NCCP Appendix F)

The Conservancy made modifications to the candidate conservation easement site evaluation process, including the STAC Evaluation Criteria template that is used to evaluate candidate sites, in an effort to improve the site evaluation process by including a more comprehensive review of a property and its surroundings as it relates to the conservation goals and objectives of the HCP/NCCP. Because this document is included in the Yolo HCP/NCCP as Appendix F, changes to the document are considered a minor modification to the Yolo HCP/NCCP if the changes are consistent with the HCP/NCCP conservation strategy. The primary modifications to the site evaluation template include: 1) the addition of site considerations for HCP/NCCP goals and objectives (not just

species), 2) a transmittal memo that clearly summarizes the STAC recommendation and the ways in which the site will contribute to the HCP/NCCP reserve system, and 3) a column was added to summarize existing reserve system contributions so that it is easy to see how the site contributes to meeting HCP/NCCP goals and objectives relative to the current overall status of the reserve system. Conservancy representatives coordinated closely with the STAC when reviewing and making modifications to the existing STAC evaluation template and also provided USFWS and CDFW staff with draft and final versions of the updated STAC evaluation template for review and revisions. USFWS and CDFW representatives approved the updated STAC evaluation criteria update on March 5, 2020 and the Conservancy's Board approved the updated document on March 16, 2020. The updated template is provided as Appendix A.

Conservation Easement Template Update (Yolo HCP/NCCP Appendix K)

Shortly before the Yolo HCP/NCCP received its permit from CDFW and began implementation, Conservancy representatives initiated discussions with staff from the Wildlife Conservation Board (WCB) regarding the steps necessary for a candidate conservation easement site to receive acquisition funding from WCB. Among other requirements, WCB maintains a list of required items for all conservation easements funded by WCB. While the original Yolo HCP/NCCP easement template (Yolo HCP/NCCP Appendix K) meets most of these requirements, there are several requirements such as WCB noticing requirements and funder-specific language that was not contemplated in the original template. Because the Yolo HCP/NCCP easement template is included in the Yolo HCP/NCCP as Appendix K, changes to the document are considered a minor modification to the Yolo HCP/NCCP as long as the changes do not result in adverse effects or take of covered species beyond what the HCP/NCCP provides. The changes made to the easement template are additional notices to WCB in circumstances where the easement is being funded partially or entirely by WCB, funder-specific terms regarding things such as signage and carbon credit sales, and minor administrative edits to fix minor formatting or grammar issues. All of the edits made to the template underwent several rounds of review by Conservancy, WCB, CDFW, and USFWS staff and legal representatives. CDFW and USFWS provided their approval of the updated Yolo HCP/NCCP easement template on January 9, 2020.

The updated template is provided as Appendix B.

Amendments

Amendments are changes to the Yolo HCP/NCCP that are more significant than administrative actions or the minor modifications described above. Any proposed changes to the Yolo HCP/NCCP that do not qualify for treatment as administrative actions or minor modification require an amendment to the Yolo HCP/NCCP document and corresponding amendment to the permits, in accordance with applicable laws and regulations regarding permit amendments. No amendments to the Yolo HCP/NCCP were completed during the reporting period.

Other Activities

Public Outreach and Education

The Conservancy used a variety of methods to provide public outreach and education during FY19/20. The Conservancy's primary means of communications with the general public and interested parties includes the maintenance of a public-facing website for the Yolo HCP/NCCP and an email distribution list. The website includes information on establishing conservation easements, annual monitoring reports, permitting applications and other resources, and as well as public outreach materials for landowners and other people who may participate or have interest in the HCP/NCCP. The email distribution list is used periodically to send out announcements about upcoming Conservancy Board Meetings and other information relevant to the Yolo HCP/NCCP. The Conservancy's Interim Executive Director also provided PowerPoint presentations about the Yolo

7. Finances

This chapter summarizes funds collected by the Conservancy for Yolo HCP/NCCP implementation and the source of those funds (e.g., fees, grants), annual and cumulative expenditures by major cost category, and an explanation of deviations in expenditures from the annual budget. This chapter also includes other relevant information as appropriate for annual reporting purposes.

Financial Structure

The financial structure used to manage the finances of the Yolo HCP/NCCP has six separate funds:

- **Mitigation Fee Fund.** The Conservancy places revenue collected from mitigation fees in this fund and tracks expenditures of mitigation fees.

  The Conservancy places revenue from four types of mitigation fees in the Mitigation Fee Fund:

  - **Land Cover Fee**
  - **Fresh Emergent Wetlands Fee**
  - **Valley Foothill Riparian Fee**
  - **Lacustrine and Riverine Fee**

- **Grant Fund.** The Conservancy tracks all grant revenues and expenditures through this fund.

- **Other Revenue Fund.** The Conservancy places contribution to recovery fee revenue collected from Special Participating Entities, landowner contributions, and other non-mitigation fee revenue in this fund.

- **Mitigation Trust Account.** This fund contains mitigation fees collected under the Swainson's hawk foraging habitat mitigation program. The Swainson's hawk foraging habitat mitigation program was replaced by the Yolo HCP/NCCP as of January 11, 2019. The Conservancy will eventually exhaust these funds by purchasing conservation easements and close the account.

- **Pre-permit Endowment Fund.** This fund contains endowment funds collected to monitor conservation easements established prior to the official start of Yolo HCP/NCCP implementation (January 11, 2019).

- **Post-permit Endowment Fund.** The Conservancy places a portion of every HCP/NCCP mitigation fee collected in this fund to save for management and monitoring of the reserve system after the permit term ends in 50 years.

Annual Budget

The Conservancy adopted the annual budget for FY19/20 in May 2019. Table 7-1 below, provides the adopted budget summary along with actual revenue and expenditures accrued during FY19/20.

Table 7-1: Adopted budget, actual revenue, and actual expenditures for FY19/20

Description	Mitigation Fee Fund	Mitigation Account Fund	Grant Fund	Pre-Permit Endowment	Post Permit Endowment	Other Revenue Fund	TOTAL
Beginning Balance	$387,084	$722,801	-	$415,074	-	-	**$1,524,959**
Transfers*	($110,952)	-	$21,862	-	$10,368	$78,722	-
Revenue (Actual)	$4,433	-	$180,151	$3,554	-	$22,086	**$205,791**
Revenue (Budgeted)	$350,700	$4,000	$400,000	-	-	$105,000	**$859,700**
Expenditure (Actual)	($526,247)	($10,362)	($175,718)	($5,201)	-	($58,553)	**($776,081)**
Expenditure (Budgeted)	($738,552)	($747,500)	($421,000)	-	-	($149,226)	**($1,349,788)**
Actual Revenue vs. Expenditure	($521,814)	($10,362)	$4,433	($1,647)	-	($36,467)	**($565,857)**
Closing Balance	$336,543	$736,373	$26,295	$413,427	$19,825	$42,255	**$1,574,718**
Revenue Budget to Actual	167%	598%	45%			21%	**95%**
Expenditure Budget to Actual	71%	1%	42%			39%	**57%**

**The transfers between the Grant Fund, Other Revenue Fund, and the Post-Permit Endowment Fund were made to create new funds in the current fiscal year. The new funds will allow the Yolo Habitat Conservancy to track mitigation funds, grant funds, endowment funds, and other revenue with grant or mitigation fee restrictions separately.*

Revenue Sources

The Conservancy received revenue from state and federal grants, as well as mitigation fees. Table 7-2 summarizes the state and federal grants that were actively used during FY19/20 and Table 7-3 summarizes the mitigation fee fund revenue and expenditures for FY19/20.

Table 7-2: State and federal grant revenue and expenditures for FY19/20

Funding Source	Funding Entity	Purpose	Awarded to	Amount Awarded	Required Match	Expended through FY19/20
NCCP Local Assistance (P1720901)	CDFW (state)	Early Implementation Framework	YHC	$75,000	$15,000	$72,732
NCCP Local Assistance (P1820101)	CDFW (state)	Reserve System Pre-Acquisition Protocols and Pre-Permit Reserve Lands Enrollment	YHC	$93,000	$27,000	$15,284
Prop 84	WCB (state)	Development Phase IV	YHC	$275,000	$68,500	$188,700
		TOTAL		**$443,000**	**$110,500**	**$276,716**

Table 7-3: Mitigation Fee Fund revenue and expenditures for FY19/20

	Beginning Balance	Revenue	Interest	Expenditures	Closing Balance
TOTAL	$281,363	$576,573	$10,086	$535,210	$332,811

Endowment Funding

The Conservancy is setting aside 2.5% of every land cover fee and wetlands fee for the Post-Permit Endowment Fund. The Conservancy expects to explore transferring the Post-Permit Endowment Fund to a community foundation in the near future to ensure returns expected for long-term investments.

Mitigation Fee Act Annual Reporting

The Conservancy provides regular reports on the budget, which include summaries of the acquisition and use of mitigation fee funds to the Conservancy's Board of Directors during public meetings that comply with the Brown Act. This annual report also contains information necessary to meet the requirements of Govt. Code Sec. 66006 (b) (1) related to the Mitigation Fee Act as follows:

For each separate account or fund established pursuant to subdivision (a), the local agency shall, within 180 days after the last day of each fiscal year, make available to the public the following information for the fiscal year:

(A) A brief description of the type of fee in the account or fund.

The purpose of the Land Cover Fee is to mitigate for direct (project impact acreage) and indirect (project land cover fee buffer acreage) impacts on species covered by the Yolo HCP/NCCP. The Land Cover Fee revenues will be used to fund the acquisition of land that does or could provide habitat for covered species, the management and enhancement of such land and habitat, and the administrative actions necessary to accomplish these tasks, as more particularly set forth in the Yolo HCP/NCCP.

The purpose of the Wetlands Fee is to mitigate (in addition to the Land Cover Fee) for impacts to fresh emergent marsh, valley foothill riparian, and lacustrine and riverine land cover types. Revenue from the three Wetlands Fee types will be used to fund the restoration, creation and management of fresh emergent wetland, valley foothill riparian, and lacustrine and riverine lands and the administrative actions necessary to perform these tasks, as more particularly set forth in the Yolo HCP/NCCP.

(B) The amount of the fee.

The Yolo HCP/NCCP fees are updated annually on or about March 15. As of the March 2020 update, the Yolo HCP/NCCP per acre fees were as follows:

Table 7-4: Yolo HCP/NCCP fees at the end of FY19/20

Fee Type	Fee Amount (per acre)
Land Cover Fee	$14,950
Wetlands Fee	
Fresh Emergent Marsh	$76,042
Valley Foothill Riparian	$84,217
Lacustrine and Riverine	$60,986

(C) The beginning and ending balance of the account or fund.

See Table 7-3.

(D) The amount of the fees collected and the interest earned.

See Table 7-3.

(E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

None reportable within this period.

(F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.

None reportable within this period.

(G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan.

Table 7-5: Transfers that occurred in FY19/20

Transfers In	Transfers Out	Amount
Grant Fund	General Fund	$21,862
Other Revenue Fund	General Fund	$78,722
Post-Permit Endowment Fund	General Fund	$10,368
	TOTAL	**$110,952**

The transfers between the Grant Fund, Other Revenue Fund, and the Post-Permit Endowment Fund were made to create new funds in the current fiscal year. The new funds will allow the Yolo Habitat Conservancy to track mitigation funds, grant funds, endowment funds, and other revenue with grant or mitigation fee restrictions separately.

(H) The amount of refunds made pursuant to subdivision (e) of Section 66001 and any allocations pursuant to subdivision (f) of Section 66001.

None reportable within this period.

References

Center for Natural Lands Management (CNLM). September 2020. Palmate-bracted bird's-beak surveys on Woodland Regional Park Property. Report prepared for the Yolo Habitat Conservancy. Woodland, California.

Estep, J. 2015. A Proposed Conservation Strategy for the Swainson's Hawk in Yolo County, California. Prepared for the Yolo County Natural Heritage Program. March 2015.

Estep, J. September 2020. The 2020 Distribution, Abundance, and Habitat Associations of the Swainson's Hawk (Buteo swainsoni) in Yolo County, California. Woodland, California.

ICF. October 2020. Woodland Regional Park Natural Community Restoration Plan. Sacramento, California. Prepared for Yolo Habitat Conservancy, Woodland, California.

Triangle Properties, Inc. January 2021. Yolo Habitat Conservancy Elderberry Seedlings and Native Associates Planting Project: 1st Year Monitoring Report (2020). Yolo County, California.

Yolo County. 1996. Final Cache Creek Improvement Plan for Lower Cache Creek. August 20, 1996.

Yolo County. 1996. Final Cache Creek Resources Management Plan for Lower Cache Creek. Adopted August 20, 1996.

Yolo County. 1996. Final Off-Channel Mining Plan for Lower Cache Creek. July 30, 1996.

Appendix A

Updated STAC Evaluation Criteria (Yolo HCP/NCCP Appendix F)

Yolo Habitat Conservancy

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

[INSERT NAME OF PROPERTY]
Transmittal of STAC Evaluation to Wildlife Agencies

To: *[enter email addresses here]*

From: *[enter email addresses here]*
Direct questions to *[insert primary contact name]* at *[insert email and phone number]*

Application Name:
Application submittal date:
STAC site visit date:
Yolo Habitat Conservancy Board Meeting Date:
WA Coordinating meeting date:

	Palmate-bracted bird's beak
	Valley elderberry longhorn beetle
	California tiger salamander
	Western pond turtle

	Giant garter snake
	Swainson's hawk
	White-tailed kite
	Western yellow-billed cuckoo

	Western burrowing owl
	Least Bell's vireo
	Bank swallow
	Tricolored blackbird

The STAC has made the following recommendation:
[Insert summary of STAC recommendation. If the STAC does recommend the property for conservation easement or fee title acquisition, then state so and identify how it will contribute to the Yolo HCP/NCCP and which land cover and species will be preserved]

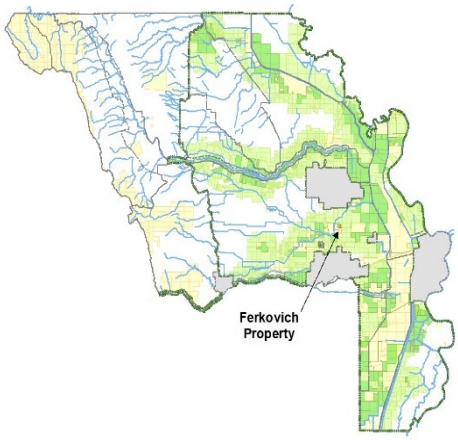
Yolo Habitat Conservancy
Science and Technical Advisory Committee

Yolo HCP/NCCP Property Evaluation

Introductory statement – property evaluation for purposes of consistency with conservation goals and objectives – preserve design criteria - and assessment of habitat elements for covered species (see Attachment 1)…

Name of Property:
Location:

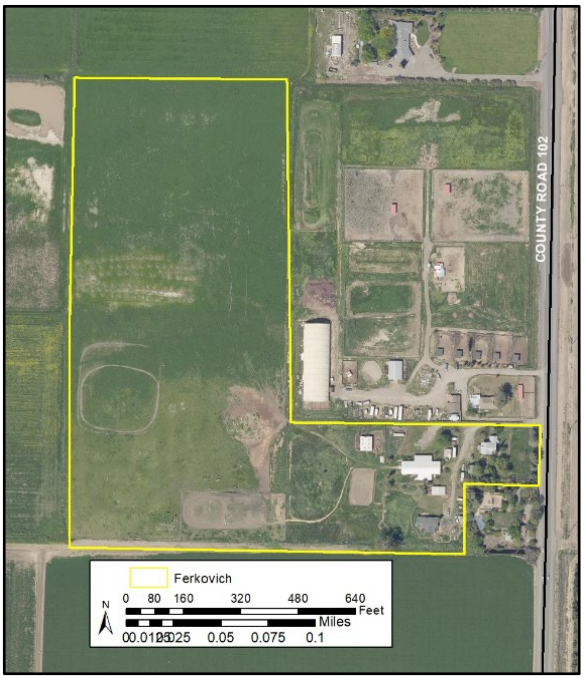
Indicate on map the location within the Plan Area, existing protected lands, and priority acquisition areas.



1. General Site Information:

Landowner Name(s): *[Insert name]*
Site Name: *[Insert name]*
Address: *[Insert address]*
APN(s): *[Insert APNs - identify any in Solano Co.]*
Size of property: *[Insert total parcel acres]*
Size of proposed CE area: *[Insert proposed CE acres]*
Planning Unit: *[Insert Planning Unit]*

Attach aerial photo of property delineating the property boundary, proposed CE area and adjacent land uses.



On-Site Property Features: *[Insert site description that includes land cover types, uses of the property, existing infrastructure, and other general information provided in the CE application]*

2. Site Attributes:

2.1 Proposed reserve system land type (Table 6-1(b), pg6-6): ***[pick one:*** *Newly Protected Lands, Restored / Created Lands, Pre-permit Reserve Lands]*

2.2 Reserve system site attribute requirements (pg6-90): *[check all that apply]*

- ☐ *The property is not currently protected lands status*
- ☐ *The property is within the Conservation Reserve Area, unless the land is adjacent to the Conservation Reserve Area*
- ☐ *The property is not in planning units 19, 20, 21, and 22 unless necessary to protect burrowing owl colony*

3. Reserve System Prioritization Guidelines (Section 6.4.1.4.2, 6-90)

3.1 Within priority acquisition area (Figure 6-6, pg6-89): *[Identify if the site is a Priority 1 or Priority 2 acquisition site]*

3.2 Priority acquisition priority (Section 6.4.1.4.2, pg6-90): *[Identify the attributes listed on 6-90 and/or 6-91 that make this site an acquisition priority]*

4. Land Acquisition Requirements (Section 6.4.1.5, pg6-91)

4.1 Potential contribution towards newly protected lands commitments (Table 6-2(a), pg6-7):

Protection Requirement	Total to date	Site Contribution	STAC Verified
Cultivated Lands (non-rice): *14,362 acres*			
2,500 acres western burrowing owl habitat			
14,362 acres Swainson's hawk foraging habitat			
Cultivated Lands (rice): 2,800 *acres*			
2,800 acres giant garter snake habitat			
Grassland: *4,430 acres, of which at least 3,000 acres is in planning unit 5*			
2,115 acres western burrowing owl habitat			
At least 2,000 acres California tiger salamander habitat (prioritize protection in critical habitat)			
4,430 acres Swainson's hawk foraging habitat			
Oak Woodland: *30 acres (10 acres as mitigation for loss of three acres of Blue Oak Woodland and conservation of an additional 20 acres of valley oak woodland)*			
Alkali Prairie: *33.7 acres on Woodland Regional Park*			
Fresh Emergent Wetland: *500 acres*			

500 acres giant garter snake habitat		
200 acres of tricolored blackbird nesting habitat and at least two active tricolored blackbird nesting colonies (colonies may be on pre-permit reserve land) (Table 6-2(b), Pre-permit Reserve Lands Commitments). High priority given to protecting colonies (in addition to the two protected) as colonies are found on potential Reserve System lands.		
***Valley Foothill Riparian:** 1,600 acres primarily in planning units 5 and 7.*		
Prioritize protection of valley elderberry longhorn beetle populations		
500 acres western yellow-billed cuckoo habitat		
600 acres least Bell's vireo habitat		
***Lacustrine and Riverine: 6**00 acres*		
At least 36 acres of aquatic California tiger salamander habitat. At least five pools that support all life stages of the salamander through all water year types (restored pools may contribute to this requirement)		
At least 420 acres of giant garter snake habitat.		
Other (Bank Swallow): 50 acres in planning unit 7, with at least one active bank swallow colony		
All Natural Communities: 24,406 acres		
At least 1,160 acres of giant garter snake active-season upland movement habitat and 2,315 acres of giant garter snake overwintering habitat		
At least 18,865 acres white-tailed kite foraging habitat		
At least 20 Swainson's hawk nest trees and 2 white-tailed kite trees (active within last five years)		
At least two breeding pairs of western burrowing owls for each pair displaced as a result of covered activities.		

5. Stay-Ahead Provisions Section 7.5.3

[Describe how the site can contribute to meeting stay-ahead provisions based on existing allocations of HCP/NCCP take coverage and anticipated upcoming covered activities impacts. After year 2 of HCP/NCCP implementation, include graphs showing existing permit coverage allocations, contributions to stay-

ahead contributions, and additional amount the candidate site would contribute towards meeting stay-ahead provisions.]

6. Occupancy Commitments

6.1 Potential contributions to covered species occupancy commitments (Table 6-2(c), pg6-9)
[Delete rows that are not applicable to the site. Add an explanation of how the site contributes to meeting the occupancy commitments that do apply]

Yolo HCP/NCCP Occupancy Requirements	Total to Date	Site Contribution	STAC Verified
Palmate-bracted bird's beak: *Increase the 10-year average population size of palmate-bracted bird's-beak on Woodland Regional Park by at least 10%, by managing and enhancing habitat. This will be achieved through monitoring and adaptive management of the population as described in Section 6.5.6.3.1, Palmate-Bracted Bird's Beak.*			
Valley elderberry longhorn beetle: *Occupied habitat will be prioritized during the site selection process for the reserve system. The location of habitat protection is subject to wildlife agency approval consistent with Section 7.5.2, Acquisition Process. The intent of the HCP/NCCP is to protect occupied habitat, but protection may include unoccupied habitat that may become occupied in the future.*			
California tiger salamander: *Protect at least five California tiger salamander breeding pools that are each found to support all life stages of the salamander through all water year types (i.e., drought year, wet year, moderate rainfall year).*			
Western pond turtle: *Protect at least 3 breeding sites.*			
Giant garter snake: *All giant garter snake habitat acquired for the reserve system that will count toward the achievement of the Yolo HCP/NCCP biological goals and objectives (Objectives GGS1.1, GGS1.2, and GGS1.3) will be occupied as defined in Section 6.4.1.8.3, Giant Garter Snake. A site is considered occupied if it is within an occupied habitat unit. The geographical extent of occupied habitat units at the time of Plan approval are shown in*			

Figure 6-12. These units were identified based on species occurrence data, habitat quality, habitat connectivity, and habitat patch size. After five years, an occupied habitat unit is considered to remain occupied if there is documented presence of both male and female individuals in both adult and juvenile age classes during at least two out of every five consecutive calendar years (i.e., measurements start after five years of Plan implementation).		
Swainson's hawk: *Protect 20 Swainson's hawk nest trees (a nest tree is a tree that has been occupied within at least one of the previous five years). The schedule for nest tree protection will be based on the HCP/NCCP's Stay Ahead provisions (Section 7.5.3, Stay Ahead Provision).*		
White-tailed kite: *Protect at least 2 nesting nest trees (a nest tree is a tree that has been occupied within at least one of the previous five years).*		
Western burrowing owl: *Maintain at least two active burrowing owl nesting sites. Additionally, maintain at least two active nesting sites for each nesting pair displaced by covered activities, and one active nesting site or single owl site for each non-breeding single owl displaced by covered activities. (An active nesting site is defined as a breeding burrow or burrow complex occupied by a single breeding pair. A single owl site is defined as a burrow or burrow complex occupied by a nonbreeding individual.)*		
Bank swallow: *50 acres of habitat on a site or sites occupied by this species in Planning Unit 7 or along the Sacramento River (a site is a habitat patch within one tenth of a mile of an occupied burrow).*		
Tricolored blackbird: *Maintain at least two tricolored blackbird nesting colonies in the reserve system.*		

6.2 Contribution to Yolo HCP/NCCP Biological Goals and Objectives (pg6-81 / Table 6-3, pg6-18)
[Delete rows that are not applicable to the site. Add an explanation of how the site contributes to meeting the objectives that do apply]

Yolo HCP/NCCP Objective	Total to Date Site Contribution	STAC Verified
Objective L-1.1: *Conserve 32,406 acres of natural communities and covered species habitats, composed of 24,406 acres of newly protected lands and 8,000 acres of additional pre-permit reserve lands enrolled into the reserve system. Restore or create up to 956 acres of wetlands and riparian natural community.*		
Objective L-1.2: *Include a variety of environmental gradients (e.g., hydrology, elevation, soils, slope, and aspect) within and across a diversity of protected and restored natural communities within the Plan Area.*		
Objective L-1.3: *Increase the size and connectivity of the network of protected lands in the Plan Area by acquiring newly protected lands for the reserve system adjacent to and between baseline protected lands.*		
Objective L-1.4: *Prioritize land acquisition and natural community restoration to support a corridor comprised of patches of woody and herbaceous riparian vegetation, where it can be sustained by natural flows, within the Cache Creek floodplain and extending the length of Cache Creek from the west boundary of planning unit 7 to the Cache Creek Settling Basin exclusive of existing and potential aggregate mining areas (Figures 6–3, Ecological Corridors).*		
Objective L-1.5: *Prioritize land acquisition and natural community restoration to support a corridor comprised of patches of woody and herbaceous riparian vegetation, where it can be sustained by natural flows, within the Putah Creek floodplain and extending the length of Putah Creek from the west boundary of planning unit 9 to the Putah Sinks exclusive of existing and*		

potential aggregate mining areas (Figure 6-3, Ecological Corridors).		
Objective L-1.6: *Prioritize land acquisition and restoration to support a corridor comprised of patches of woody and herbaceous riparian vegetation along the Sacramento River and Yolo Bypass in planning units 12, 14, 15, and 21 (Figure 6-3, Ecological Corridors).*		
Objective L-2.1: *Increase native species diversity and relative cover of native plant species, and reduce the introduction and proliferation of nonnative plant and animal species across the reserve system.*		
Objective L-2.2: *Increase the abundance of native insect pollinators that support reproduction of native plant species and long-term production of agricultural crops that support habitat for covered and other native wildlife species.*		
Objective L-2.3: *Allow for natural fluvial processes (erosion, deposition, meandering channels) along river reaches within the reserve system, consistent with goals of the Cache Creek Resources Management Plan and other relevant creek management plans that balance the need for natural fluvial processes with flood and erosion control needs.*		
Objective NC-CL1.1: *Protect at least 14,362 acres of unprotected non-rice cultivated lands that provide habitat value for covered and other native species. Field borders mapped as Semiagricultural/Incidental to Agriculture that provide habitat for covered species will count towards this requirement. Some of these lands may be substituted for grassland habitat upon approval by the wildlife agencies.*		
Objective NC-CL1.2: *Protect at least 2,800 acres of unprotected flooded rice that provides habitat value for covered and other native species. If these fields cannot be flooded due to drought or market conditions, ensure water remains in conveyance channels. Some of these lands may be substituted for wetlands that benefit*		

covered species, upon approval by the wildlife agencies.		
Objective NC-CL1.3: *Enroll at least 5,424 acres of cultivated lands natural community on baseline public and easement lands into the reserve system as pre-permit reserve lands.*		
Objective NC-CL1.4: *Maintain or enhance the habitat value of the cultivated lands natural community in the reserve system for raptors.*		
Objective NC-G1.1: *Protect 4,430 acres of unprotected grassland, including at least 3,000 acres in the Dunnigan Hills planning unit (PU 5).*		
Objective NC-G1.2: *Maintain and enhance the functions of protected grassland in the reserve system as habitat for covered and other native species by increasing burrow availability for burrow dependent species, and increasing prey abundance and accessibility for grassland-foraging species.*		
Objective NC-VFR1.1: *Protect, manage, and enhance 1,600 acres of unprotected valley foothill riparian distributed primarily in planning units 7 and 9.*		
Objective NC-VFR1.2: *Restore and manage 608 acres of valley foothill riparian natural community. Site the restoration to improve connectivity among patches of existing valley foothill riparian vegetation within the Cache Creek and Putah Creek corridors and the Sacramento River. Widen the riparian zones along creek corridors wherever feasible, creating larger nodes of riparian natural community along narrow riparian stretches.*		
Objective NC-AP1.1: *Protect 35 acres of alkali prairie natural community on the Woodland Regional Park prior to any loss of this natural community as a result of covered activities (Figure 6-4, Alkali Prairie Natural Community and Baseline Public and Easement Lands).*		
Objective NC-AP1.2: *Implement management activities (primarily control of nonnative plants and human activities)*		

within the Woodland Regional Park to reduce adverse effects on habitat conditions and enhance the functions of alkali prairie within the reserve system as habitat for covered and other native species, such as saltgrass.		
Objective NC-FEW1.1: *Protect and manage 500 acres of fresh emergent wetland.*		
Objective NC-FEW1.2: *Restore 88 acres of fresh emergent wetland natural community.*		
Objective NC-FEW1.3: *Enhance the functions of protected fresh emergent wetland as habitat for covered species (e.g., giant garter snake) and other native species.*		
Objective NC-LR1.1: *Protect, manage, and enhance 600 acres of lacustrine and riverine natural community providing habitat for covered and other native species.*		
Objective NC-LR1.2: *Restore or create 236 acres of lacustrine/riverine natural community.*		
Objective PBBB1.1 *Increase the 10-year running average of the size of the palmate-bracted bird's beak population on Woodland Regional Park by 10%, by managing and enhancing habitat.*		
Objective VELB1.1: *Within the 1,600 acres of protected valley foothill riparian natural community (Objective NC-VFR1.1), prioritize protection of populations of valley elderberry longhorn beetle along Lower Cache Creek and Lower Putah Creek and Sacramento River, and adjacent lands to provide for valley elderberry longhorn beetle population expansion consistent with the occupancy commitment for valley elderberry longhorn beetle in Table 6-2(c).*		
Objective VELB1.2: *Within the restored valley foothill riparian natural community (Objective NC-VFR1.2), establish elderberry shrubs and associated riparian plant species, and prioritize lands adjacent to existing populations to provide for population expansion.*		
Objective CTS1.1: *Within the 3,000 acres of protected grassland in the Dunnigan Hills planning unit (Objective NC-G1.1), include at*		

least 2,000 acres of modeled upland habitat within 1.3 miles of aquatic habitat for California tiger salamander and prioritize protection in designated critical habitat.		
Objective CTS1.2: *Within the 600 acres of protected lacustrine and riverine natural community (Objective NC-LR1.1), protect at least 36 acres of California tiger salamander aquatic habitat. Within the 236 acres of restored or created lacustrine/riverine natural community (Objective NC-LR1.2), restore or create 36 acres of aquatic habitat. Within the protected and restored aquatic habitat, include at least five California tiger salamander breeding pools that are each found to support all life stages of the salamander through all water year types, consistent with the occupancy commitment for this species in Table 6-2(c).*		
Objective CTS1.3: *If California tiger salamander is present or assumed to be present at the site of a covered activity, the covered activity will not remove aquatic habitat until at least four new occupied breeding pools2 are discovered or established in the Dunnigan Hills area and protected in the Dunnigan Hills area, with sufficient surrounding uplands to support the individuals using the protected aquatic habitat.*		
Objective WPT1.1: *Within protected and restored lacustrine and protected and enhanced riverine natural communities, add logs, rocks, and/or emergent vegetation for basking sites and other WPT habitat features, and meet the occupancy commitment for this species in Table 5-2(c).*		
Objective GGS1.1: *Protect and manage the 2,800 acres of protected rice land (Objective NC-CL1.2) in modeled giant garter snake habitat. Suitable emergent marsh can be substituted for rice land.*		
Objective GGS1.2: *Protect and manage 1,160 acres of upland natural communities (Objective L-1.1) to provide active season upland movement habitat and at least 2,315*		

acres to provide overwintering habitat for giant garter snake.		
Objective GGS1.3: *Protect, restore, and manage the 500 acres of fresh emergent wetland natural community (Objective NC-FEW1.1), at least 420 acres of the lacustrine/riverine natural community (Objective NC-LR.1.1), the restored fresh emergent wetland (Objective NC-FEW1.2), and restored lacustrine and riverine natural community (Objective NC-LR1.2) to conserve the giant garter snake. Ensure at least 80% of the aquatic habitat is perennial, and the remainder provides aquatic habitat for the giant garter snake during the active season at least through July of each summer.*		
Objective GGS1.4: *In addition to the newly protected and restored giant garter snake habitat (Objectives GGS1.1, GGS1.2, and GGS1.3), enroll at least 2,910 acres of giant garter snake habitat on eligible baseline public and easement lands into the reserve system as prepermit reserve lands.*		
Objective GGS1.5: *Meet the occupancy commitment for giant garter snake in Table 6-2(c) and described in Section 6.4.1.8.3..*		
Objective SH1.1: *Within the 14,362 acres of protected non-rice cultivated land natural community (Objective CL1.1), maintain crop types that support Swainson's hawk foraging habitat.*		
Objective SH1.2: *Protect and manage the 4,430 acres of grassland natural community (Objectives NC-GR1.1) to ensure that it provides Swainson's hawk foraging habitat.*		
Objective SH1.3: *Protect and maintain at least 20 unprotected Swainson's hawk nest trees (active within the last five years at the time tree is protected) within the reserve system, consistent with the occupancy commitments for this species in Table 6-2(c).*		
Objective SH1.4: *In addition to protection of newly protected lands (Objectives SH1.1, SH1.2, and SH1.3), enroll at least 4,580 acres of baseline public and easement lands into the reserve system as pre-permit reserve lands providing foraging habitat.*		

Objective SH1.5: In addition to restoration of riparian natural community (Objective NC-VFR1.2), establish trees suitable for Swainson's hawk nesting (native trees at least 20 feet in height) within the cultivated lands to meet a density of at least one tree per 10 acres (protected existing trees count toward the density requirement). Riparian restoration adjacent to these community types will also count toward nesting tree establishment.).		
Objective WTKI.1: *Protect at least 2 nesting nest trees (a nest tree is a tree that has been occupied within at least one of the previous 5 years), consistent with the occupancy commitment for white-tailed kite in Table 6-2(c).*		
Objective WYBC1.1: *Within the 1,600 acres of protected valley foothill riparian natural community (Objectives NC-VFR1.1), site at least 500 acres in modeled yellow-billed cuckoo habitat, and design at least 60 acres of the restored valley foothill riparian (Objective NCVFR1.2) to provide suitable habitat for this species.*		
Objective WBO1.1: *Of the 4,430 acres of protected grassland natural community (Objective NC-G1.1), site at least 3,000 acres in modeled western burrowing owl habitat.*		
Objective WBO1.2: *Of the 14,362 acres of protected non-rice cultivated lands (Objective NC-CL1.1), provide at least 2,500 acres of modeled western burrowing owl habitat.*		
Objective WBO1.3: *Maintain a minimum of two active burrowing owl nesting sites within the reverse system, and maintain two active nesting sites in the reserve system for each nesting pair displaced by covered activities and maintain one active nesting site or single owl site in the reserve system for each non-breeding single owl displaced by covered activities.*		
Objective WBO1.4: *Prioritize the acquisition of habitat protected under Objectives WBO1.1 and WBO1.2. The first priority is to identify and preserve occupied habitats in*		

the Yolo Bypass and adjacent lands (Planning Units 16 and 18). This is the portion of the Plan Area that supports the greatest potential for long-term sustainability of breeding colonies. The second priority is to identify and preserve habitat adjacent to occupied sites that have enhancement potential. The third priority will focus on modeled habitat in the Plan Area with historic records of burrowing owl occupancy and lands that are capable of supporting nesting activity through management and enhancement actions.		
Objective WBO1.5: *Implement management and enhancement practices to encourage burrowing owl occupancy on preserve lands. Management practices include maintaining appropriate vegetation height, prohibiting rodenticides, minimizing the spread of invasive weed species, and encouraging the presence of ground squirrels. Enhancement practices include the installation of artificial burrows to augment natural burrows where they are lacking, creating berms as future burrowing sites, and creation of debris piles to enhance prey populations. These actions are designed to maintain existing populations and encourage the expansion of nesting populations in the Plan Area.*		
Objective LBV1.1: *Of the 1,600 acres of newly protected valley foothill riparian (Objective NC-VFR1.1), site at least 600 acres in modeled least Bell's vireo habitat, and design the restored valley foothill riparian (Objective NC-VFR1.2) to provide suitable habitat for this species.*		
Objective BS1.1: *Protect 50 acres of unprotected bank swallow habitat on a site occupied by this species in planning unit 7 or along the Sacramento River.*		
Objective BS1.2: *Manage the 50 acres of protected bank swallow habitat (Objective BS1.1) to enhance bank swallow foraging habitat value by promoting open grass and forb vegetation, and controlling invasive plant species.*		

Objective TRBL1.1: *Within the 500 acres of protected fresh emergent wetland natural community (Objective NC-FEW1.1), site at least 200 acres in modeled tricolored blackbird nesting habitat.*		
Objective TRBL1.2: *Enroll at least 4,000 acres of tricolored blackbird foraging habitat and 150 acres of tricolored blackbird nesting habitat on baseline public and easement lands into the reserve system as pre-permit reserve lands.*		
Objective TRBL1.3: *Maintain at least two tricolored blackbird nesting colonies in the reserve system and prioritize newly protected nesting habitat in additional occupied areas as they are found. To avoid intensive disturbances (e.g., heavy equipment operation associated with construction activities) or other activities that may cause nest abandonment or forced fledging, include a buffer zone of at least 250 feet around protected active breeding colonies. This minimum buffer may be reduced in areas with dense trees, buildings, or other habitat features between potential nearby disturbances and the protected nest colonies or where there is sufficient topographic relief to protect the colonies from excessive noise or visual disturbance, as determined by a qualified biologist, with concurrence from the wildlife agencies.*		
Objective TRBL1.4: *Maintain at least 300 acres, consisting of at least 150-acre blocks, of tricolored blackbird foraging habitat in the reserve system without pesticides.*		
Objective TRBL1.5: *Manage and enhance protected tricolored blackbird nesting habitat to maintain habitat value for this species.*		

6.3 Ecological Gradients (pg6-81) *[check box and add a brief explanation to all that apply]*

- ☐ *The site includes a range of contiguous ecological gradients such as slope, elevation, or aspect.*
- ☐ *The site protects a high diversity of natural communities, habitats, and/or vegetation types.*

- ☐ *The site, in combination with existing public and easement lands in the Plan Area and/or lands that have been prioritized for acquisition through the Local Conservation Plan, create contiguous ecological gradients such as slope, elevation, or aspect.*
- ☐ *The site, in combination with existing public and easement lands in the Plan Area and/or lands that have been prioritized for acquisition through the Local Conservation Plan, create contiguous linkages among a high diversity of natural communities, habitats, and/or vegetation types.*

6.4 Connectivity (pg6-82) *[check box and add a brief explanation to all that apply]*

- ☐ *The site is within an Ecological Corridor or Essential Connectivity Area Identified in Figure 6-3*
- ☐ *The site is adjacent to other baseline and public easement lands (particularly Categories 1 and 2)*
- ☐ *The site provides connectivity between habitat types that support different life history functions for covered species (e.g., acquire SwHa riparian nesting habitat that is located within the foraging flight distance of SwHa foraging habitat areas)*
- ☐ *The site is located within the dispersal distance of known occupied covered species habitat*

6.5 Size (pg6-82) *[check box and add a brief explanation to all that apply]*

- ☐ *The site and at least one of the habitat types contained within it are of sufficient size on its own to meet one or more intended conservation benefits for one or more covered species.*
- ☐ *The site, in combination with priority acquisition lands immediately adjacent to it, are of sufficient size to meet the intended conservation benefits for one or more covered species.*

Covered Species Habitat Acquisition Patch Size, Configuration, and Habitat Connectivity Considerations (Table 6-5, pg6-83) *[Delete rows that are not applicable to the site. Add an explanation of how the site contributes to meeting the considerations that do apply]*

Minimum patch size/configuration considerations	Site Contribution	Site Verified
Valley elderberry longhorn beetle: *Minimum habitat patch size for a beetle is a single shrub. USFWS guidelines for replacing habitat for a single removed elderberry shrub require 1,800 square feet of area for restoration (USFWS 1999).*		
California tiger salamander: *At the end of the 50-year permit term, California tiger salamander protected habitat patches will be at least 1,000 acres in size with multiple breeding ponds, as recommended by Penrod et al. (2013) to support a viable California tiger salamander population. A protected habitat patch will include lands enrolled into*		

the HCP/NCCP, and may also include other lands protected and managed for California tiger salamander with wildlife agency-approved management plans and perpetual conservation easements that include the wildlife agencies as third-party beneficiaries. Configuration should follow geographical features (i.e., draws) that are more likely to be used as movement corridors.		
Western pond turtle: *Minimum patch size is 2.5 acres. Average home range size for adult male is 2.5 acres (Bury 1972). Average nesting distance from water is approximately 100 feet and average distance to upland refugia is 164 feet (Rathbun et al. 2002). Minimum patch size should be 2.5 acres of suitable aquatic habitat (perennial streams, large water conveyance canals, or large ponds) with a minimum 200-foot buffer of upland grassland or other uncultivated habitats around the perimeter.*		
Giant garter snake: *Minimum patch size is 320 acres. Wylie et al. (2002) reported home ranges ranging from 17 to 234 acres in Colusa County. E. Hansen in: ICF Jones & Stokes (2008) reports annual movements of between 0.42 to 0.78 mile along canals in the Natomas Basin. For this species, home range size is less relevant than connectivity of suitable aquatic habitat, which is essential. Minimum patch size should be 320 acres (using a movement distance of 0.5 mile (0.5 mile squared = 320 acres)) and should include suitable linear aquatic habitat with connectivity throughout the larger region and adjacent suitable habitat, particularly rice fields. Note that suitable linear aquatic habitat with connectivity is not present on rice farms west of Plainfield Ridge.*		
Swainson's hawk: *A contiguous area of 830 acres represents the smallest home range size of recorded home ranges in the Sacramento Valley (Estep 1989); however, Swainson's hawks will use, for foraging, patches that are smaller in size within the agricultural matrix as long as they are not permanently fragmented by unsuitable land uses. A*		

minimum patch size of 80 acres (unless contiguous with other Swainson's hawk preserves) of suitable habitat for foraging is recommended to account for rotational crop patterns within preserves. Swainson's hawks will use a variety of nesting conditions from dense riparian forest to a single isolated tree. Therefore, there is no minimum patch size recommended for Swainson's hawk nesting habitat.		
White-tailed kite: *Minimum patch size of 80 acres, (unless contiguous with other preserves) of suitable foraging habitat (seasonally or annually rotated) cropland, hay crops, irrigated or dry pastures, seasonal wetlands, and grassland. This roughly corresponds to average territory size (Dunk 1995).*		
Western yellow-billed cuckoo: *Minimum patch size is at least 25 acres (Gaines 1974) of mature cottonwood/willow riparian forest in a linear configuration along drainages, unless contiguous with other suitable preserved riparian forest. Habitat patches should be at least 330 feet wide and at least 990 feet long (Gaines 1974), with preservation priority given to patches greater than 50 acres and with widths over 660 feet (defined as suitable habitat by Laymon and Halterman [1989]).*		
Western burrowing owl: *No minimum patch size. See Section 6.4.1.8.1, Western Burrowing Owl.*		
Least Bell's vireo: *Minimum patch size is 1.5 acres of dense and structurally diverse riparian forest unless contiguous with other suitable preserved riparian habitat. This corresponds with the average territory size of least Bell's vireo, which is between 1.5 and 2.5 acres (USFWS 1998).*		
Bank swallow: *At least 17 feet of open, vertical, and erodible channel bank supporting soils that provide suitable nesting substrate (Garrison 1989).*		
Tricolored blackbird: *Patches of emergent wetland including tule/cattail or riparian scrub (e.g., blackberry brambles) of at least 0.5 acre in size (Beedy 1989).*		

Habitat Connectivity Considerations	Site Contribution	Site Verified
Valley elderberry longhorn beetle: *Focus preservation on areas that provide a gradient of habitat conditions that support elderberry extending from woody riparian to adjacent valley oak woodland.*		
California tiger salamander: *Habitat lands must include both breeding ponds and suitable and adjacent upland grassland habitat and should be contiguous with other protected lands to allow for dispersal and other possible movement corridors.*		
Western pond turtle: *Reserve system lands along stream courses should have sustainable permanent water flows and be free of significant upstream disturbances including toxins, streamside development, and other sources of potential upstream habitat degradation.* *Pond or lake reserve system lands should be contiguous with open grassland or other natural land habitats to facilitate dispersal.*		
Giant garter snake: *Connectivity of aquatic habitats (e.g., streams or canals) is essential to sustaining populations.* *Suitable upland over-wintering habitat is required immediately adjacent to aquatic habitat (banks, levees, edges, or open uncultivated lands). Adjacency with rice lands or wetlands is needed.*		
Swainson's hawk: *Give priority to foraging habitat areas that are within one mile of nesting habitat. This roughly corresponds to the minimum home range size (830 acres); however, Swainson's hawks regularly travel to more distant foraging habitats depending on seasonal changes in prey availability and accessibility (Estep 1989).* *Reserve system lands should be contiguous with other suitable agricultural lands at a minimum of 2,760 acres, the mean home range size of Swainson's hawks in the Sacramento Valley (Estep 1989).* *Focus on preserving lands that include potential nesting habitat (e.g., woodland patches, riparian, tree rows, isolated trees) or*		

have potential for enhancement of both nesting and foraging values.		
White-tailed kite: *Prioritize preservation of foraging habitat that includes or is adjacent to riparian nesting habitat, followed by areas located within 0.5 mile of nesting habitat. Reserve system lands should be contiguous with other suitable agricultural lands, grassland, or seasonal wetland habitats at a minimum of 300 acres to correspond with larger territory sizes (Henry 1983) and to accommodate multiple pairs.*		
Western yellow-billed cuckoo: *Protected habitat should be located within drainages that generally provide continuous canopy cover along its length to promote movement. Does not require continuous breeding habitat but at least cover and roosting habitat.*		
Western burrowing owl: *Give priority to occupied habitats and grassland habitats that support healthy ground squirrel populations. Protect burrowing owl habitats adjacent to existing habitat areas.*		
Least Bell's vireo: *Give priority to riparian habitats with significant willow (Salix sp.) or low strata dense herbaceous component. Protected sites should be contiguous with other protected riparian habitats and occur within a grassland/wetland or agricultural landscape and not near developed areas.*		
Bank swallow: *Focus preservation within channel reaches that currently or historically supported nesting colonies and that continue to support suitable habitat condition to provide for the ongoing replacement of existing nesting habitat that is lost as channels meander and erode.*		
Tricolored blackbird: *Protect habitat areas within 75 feet of a water source and 0.5 mile of wetland, irrigated pasture, alfalfa, or other land cover types that produce large numbers of insects.*		

6.6 Hydrology (pg6-68):

[Describe natural and man-made hydrology on the site and how it may maintain protected natural communities and habitats into the future (i.e., wetlands, ponds, streams and their supporting watersheds, sustainable irrigation supply, water rights, etc.).]

6.7 Surrounding Land Use (pg6-86):

[Describe surrounding land uses and identify land use characteristics that are compatible with the reserve and those that may negatively impact the reserve.]

7. Other Site Conditions

7.1 Existing Easements on Property

[Include powerlines, roads, agricultural, conservation, other easements]

7.2 Sources of Water

[List all sources of water available to the property – including existing wells, water rights, irrigation district supplies, etc]

7.3 Status of Mineral Rights

[Identify if the mineral rights on the property are held entirely by the property owner or have been severed. If the property owner holds the mineral rights, identify if there are any existing leases or other encumbrances. If the mineral rights have been severed, identify all parties that have an interest in the mineral rights and if there are any surface access or other limitations placed on those rights.]

8. Maps to provide to STAC prior to site visit

1. Site aerial map. As close as possible showing boundaries and including an inset to show location within the plan area.
2. Land cover/natural community map – on and within 1 mile of the site – identifies individual land cover types – and includes an acreage table indicating the onsite acres and the acres within 1 mile.
3. CNDDB or other occurrences within 4 miles of the site. Also include other protected properties and priority 1 and 2 acquisition lands on this map.

YOLO COUNTY HCP/NCCP PROPERTY EVALUATION
ATTACHMENT 1

COVERED SPECIES HABITAT EVALUATION AND SCORING WORKSHEET FOR PROSPECTIVE CONSERVATION EASEMENT PROPERTIES IN YOLO COUNTY

[Insert Name of Property]

Insert aerial or representative photo of site here

Prepared By:

The Yolo Habitat Conservancy
Science and Technical Advisory Committee

[Insert Date]

1. STAC Evaluation Information

Date of site visit:

Names of STAC members present during site visit:

Other individuals present during site visit (*names, affiliations*):

Conditions during site visit: ***(Note weather conditions, activities occurring on or near the site that may affect observations, etc.)***

2. General Site Information

Landowner Name(s):
Site Name:
Address:
APN(s):
Size of property (*total parcel acres*):
Size of proposed CE area: *(proposed CE acres)*
Planning Unit:

3. Description of Site

3.1 General description

(Include size and configuration, land uses, structures, water and riparian features, trees, proximity to roads and urban areas, and other key features identified during the site visit)

3.2 Management practices

(Management practices used on the property currently and historically to the extent known)

3.3 Sources and used of water on the site

(Other sources of water currently used for agriculture on site)

3.4 Crop History on Property (if applicable)

(Describe crop history the past 10-years and historically to the extent known)

3.5 General Description of Surrounding Area (HCP/NCCP pg6-86)

(Include land uses, major crop types and distribution, condition of adjacent properties, proximity to other conservation properties, availability of nesting trees, proximity to other biological features)

4. Summary and Recommendation

4.1 Covered Species Scores and Evaluation Summary

This section summarizes the presence or absence of habitat for each Covered Species on the property being evaluated. *Fill in the following table to indicate whether habitat is present for each species and the combined total score for each species evaluated (i.e., the total of the each of the evaluation categories for each species).*

Species	Habitat Present (Y/N)	Combined Score
Swainson's hawk		
White-tailed kite		
Burrowing owl		
Tricolored blackbird		
Yellow-billed cuckoo		
Least Bell's vireo		
Bank swallow		
Giant garter snake		
Western pond turtle		
California tiger salamander		
Valley elderberry longhorn beetle		
Palmate-bracted bird's beak		

Briefly summarize species evaluation, including reported species occurrences, presence of onsite and offsite breeding, cover, and foraging habitats, and other pertinent habitat elements (if habitat is not present, indicate with N/A):

Swainson's hawk:

White-tailed kite:

Burrowing Owl:

Tricolored Blackbird:

Yellow-billed Cuckoo:

Least Bell's Vireo:

Bank Swallow:

Giant Garter Snake:

Western Pond turtle:

California Tiger Salamander:

Valley Elderberry Longhorn Beetle:

Palmate-bracted Bird's Beak:

4.2 Recommendation

Insert recommendation (to approve, not approve, or conditionally approve the site for inclusion in the HCP/NCCP reserve system) along with rationale for the recommendation. The rational should refer to both the ability of the site to provide suitable habitat elements for Covered Species observed during the pre-field and field site visit as well as factors included in the Initial HCP/NCCP Consistency Evaluation (Attachment 1), such as the ability of the site to contribute to the HCP/NCCP goals and objectives, ability of the site (on its own or in conjunction with adjacent sites) to meet species and patch size requirements, and occupancy records.

5. Property Scoring and Evaluation

Each property will be evaluated based on existing habitat conditions for each of the 12 Covered Species and its potential contribution to meeting the conservation objectives for each of the Covered Species addressed in the HCP/NCCP. The conservation objectives indicate the number of habitat acres needed for each species, minimum patch sizes, and geographic considerations to address the distribution of protected lands throughout the Plan Area. The scoring system addresses key habitat attributes for each species and can total to a maximum of 100 points for each species. Attributes are divided into broader evaluation categories with the primary focus on onsite habitat conditions. Management and other landscape attributes are also included, where applicable. Some of these may be redundant for multiple species, but should still be included in the scoring for each species in order to retain scoring consistency. Some species, such as the Swainson's hawk are more wide-ranging and have broader habitat requirements. Others, such as the valley elderberry longhorn beetle, the California tiger salamander, and the riparian obligate species – least Bell's vireo and yellow-billed cuckoo – are more geographically restricted or have narrower habitat requirements and thus are evaluated using fewer species-specific attributes. Others, such as the giant garter snake have geographic limitations as determined by the conservation objectives; however, landscape and management attributes may still apply. A numeric score is derived for each species for which habitat is present on the evaluated property; however, an in-field qualitative assessment is also conducted by the STAC,

which also contributes to the overall scoring and recommendation. The scores for all applicable Covered Species are then summarized following the species-specific evaluations. A recommendation is made on the basis of evaluation scores, other qualitative attributes, the number of Covered Species that would benefit from protection of the property, and the contribution to meeting the conservation objectives.

For each Covered Species the scoring system consists of attributes aggregated into evaluation types that together represent the important attributes for evaluating species habitat suitability. These vary among species, but in total include the following:

- Nesting Habitat
- Foraging Habitat
- Land Cover/Habitat
- Presence/Absence
- Landscape Factors
- Management Factors

Attribute scores are then tallied. Scores are aggregated as applicable to create scores for each evaluation type applicable to each species.

5.1 Swainson's Hawk

Conservation of the Swainson's hawk will be met by achieving conservation objectives for cultivated lands, grasslands, and riparian natural communities, and protecting a segment of the nesting population. To be considered for Swainson's hawk conservation, a property must have a minimum of 80 contiguous acres of suitable foraging habitat or be contiguous with existing protected properties that support suitable Swainson's hawk foraging habitat. The scoring system for Swainson's hawk consists of eight attributes aggregated into four evaluation types (nesting habitat, foraging habitat, landscape factors, and management factors) that together represent the important attributes for evaluating Swainson's hawk habitat suitability.

SWHA 1. Availability of onsite foraging habitat. A property may have a variety of crops or cover types, each with different habitat value. Value is attributed in the following table on the basis of seasonal variability and differences in prey abundance and accessibility between the different foraging land uses. To simplify the evaluation and to account for seasonal and annual changes in the landscape, all crops that are seasonal or annually rotational are combined into a single category (rotational row/grain crops). To assess all potential foraging habitat types, determine the number of acres of each type, then calculate proportions of each. Relative values of different types are reflected in the multiplier values. Next, multiply the proportional values by the multiplier to derive a point score for each type. Then sum the scores for total points.

SWHA 1. Foraging Habitat – onsite (maximum 20 points)						
Vegetation Type	**Acres**	**Percent of Total**	**Variability**	**Factors Influencing Score**	**Multiplier**	**Score**
Alfalfa and other multiple-cut hays			Consistent – high	Moderate to high prey abundance, high prey accessibility	0.20	
Native perennial grassland			Consistent – moderate to high	High prey abundance, moderate prey accessibility	0.16	
Pastures – hayed-moderately grazed or managed grass			Consistent – moderate to high	Moderate prey abundance, high prey accessibility	0.16	
Rotational row/grain crop			Variable from low to moderate	Moderate prey abundance – low to moderate accessibility	0.14	
Idle field – ruderal-weedy			Variable from low to moderate	Moderate prey abundance – low to moderate accessibility	0.14	
Irrigated pasture – grazed only			Consistent – moderate	Low to moderate prey abundance – high prey accessibility	0.12	
Dryland pasture – annual grassland			Consistent – moderate	Low to moderate prey abundance, moderate to high accessibility	0.10	
Managed seasonal wetland			Variable – low to moderate	Low to moderate prey abundance, moderate prey accessibility	0.05	
Rice			Low to none	Low prey abundance, low prey accessibility	0.0	
Orchard/Vineyard			Low to none	Low prey abundance, low prey accessibility	0.0	
Developed			None	Low prey abundance, low prey accessibility	0.0	
Other non-habitat			None	No prey accessibility, out of range, topography.	0.0	
Total Acres					**Total Score**	

FIELD NOTES: *Describe the current foraging habitat conditions: crops, farming methods, irrigation, crop rotation, etc.*

SWHA 2. Availability of onsite potential nest trees. Potential nest trees add value to the property by providing future nesting opportunities. Swainson's hawks generally use mature trees but nest in a variety of conditions from single isolated trees to dense riparian woodlands. All have similar value with regard to the nest site itself. But different nesting habitat types can be distinguished by other factors, including their long-term sustainability, ability to regenerate, and protection from removal or disturbances. The scoring is therefore based on these factors as well as the number of trees. A suitable tree is generally defined on the

basis of minimum tree height by species documented for Yolo County Swainson's hawk nest trees: valley oak - 30 feet; walnut - 30 feet; cottonwood - 40 feet, willow - 20 feet; redwood and other suitable conifers - 40 feet; eucalyptus - 50 feet; sycamore - 40 feet; locust - 20 feet. However, the determination of a suitable nest tree should also be made on the basis of site examination in order to include trees that otherwise appear suitable but may not reach the minimum heights noted here.

The second evaluation attribute is the availability of onsite nesting trees. Add up (or estimate if numerous) the total number of trees on the property. Then standardize by converting these totals to the number of trees per 100 acres. Different nesting types have been given different values based on the factors described for each in column four. The multiplier reflects those differences. The maximum score for this attribute is 20 points. So, if the score is greater than 20, it receives a total of 20 points. This indicates that at some point more trees do not improve habitat value. If the score is less than 20, then it receives that number.

SWHA 2. Availability of Onsite Potential Nest Trees (max score of 20)

Type	Total Number	Number per 100 acres	Factors Influencing Score	Multiplier	Score
Riparian Woodland			High sustainability, expansion, regeneration, low disturbance from farming	3	
Tree Grove			Mod to high sustainability, regen, low to mod disturbance from farming	2.6	
Tree Row			Low to moderate sustainability, regen, mod disturbance from farming	2.4	
Farmyard Trees			Low sustainability, regeneration, mod to high disturbance from farming	2.2	
Isolated Trees			Low sustainability, regeneration, high disturbance from farming	2.0	
Total trees				**Total Score**	

FIELD NOTES: *Describe nesting habitat conditions: habitat types, tree species, condition.*

SWHA 3. Foraging habitat offsite on surrounding lands within 1 mile.

The foraging value of a property is in part based on the availability of suitable foraging habitat in the surrounding area. The assumption is that a property that includes suitable foraging habitat but is isolated from other suitable foraging habitat (i.e., surrounded by a high proportion of rice, orchards, vineyards, or other unsuitable crop types) is less likely to be regularly used compared with one that occurs within a matrix that includes a predominance of suitable habitat. A one-mile radius area from the boundary of the applicant parcel is used as

the evaluation area. This area is considered sufficient to describe surrounding land uses and has the greatest influence on the value of the applicant parcel. Scoring is similar to onsite foraging habitat in that acres are calculated for each type and totaled, a percent of total for each is then calculated, and a multiplier is applied using the same proportional scale as onsite foraging but that totals to a maximum of 14 points. The lower total point value assigned to offsite foraging habitat compared with onsite foraging habitat (attribute number 1) reflects the lack of control that onsite managers have over the type of crop and land uses on offsite lands.

SWHA 3. Foraging Habitat – offsite within 1 mile (maximum 14 points)

Vegetation Type	Acres	Percent of Total	Variability	Factors Influencing Score	Multiplier	Score
Alfalfa and other multiple-cut hays			Consistent – high	Moderate to high prey abundance, high prey accessibility	0.14	
Native perennial grassland			Consistent – moderate to high	High prey abundance, moderate prey accessibility	0.112	
Pastures – hayed-moderately grazed or managed grass			Consistent – moderate to high	Moderate prey abundance, high prey accessibility	0.112	
Rotational row/grain crop			Variable from low to moderate	Moderate prey abundance – low to moderate prey accessibility	0.098	
Idle field – ruderal-weedy			Variable from low to moderate	Moderate prey abundance – low to moderate accessibility	0.098	
Irrigated pasture – grazed only			Consistent – moderate	Low to moderate prey abundance – high prey accessibility	0.084	
Dryland pasture – annual grassland			Consistent – moderate	Low to moderate prey abundance – mod to high prey accessibility	0.07	
Managed seasonal wetland			Variable – low to moderate	Low to moderate prey abundance – mod prey accessibility	0.056	
Rice			Low to none	Low prey abundance, low prey accessibility	0.0	
Orchard/Vineyard			Low to none	Low prey abundance, low prey accessibility	0.0	
Developed			None	Low prey abundance, low prey accessibility	0.0	
Other non-habitat			None	No prey accessibility, out of range, topography.	0.0	
Total Acres					**Total Score**	

FIELD NOTES: *Describe the current foraging habitat conditions within 1 mile of the property.*

SWHA 4. Availability of offsite potential nesting trees within 1 mile.

Offsite nesting habitat also enhances overall value by providing nesting opportunities in the vicinity of the evaluated property and thereby potentially increasing the foraging use of the evaluated property. Here we use the same approach as we used for onsite nesting habitat. In this case, each nesting habitat type is differentially valued based on its assigned multiplier, which reflects the influencing factors noted, similar to onsite nesting habitat. However, in this case, the total number of trees for each type are quantified out to 1 mile from the parcel boundary and then standardized by calculating the number of trees per 100 acres. Then applying the multiplier gives a score for each type. Total points, which cannot exceed 14, are derived by summing the individual scores. As with the onsite nesting, a total that exceeds 14 is scored as 14, and a total less than 14 is scored as that number.

SWHA 4. Availability of Offsite Potential Nesting Trees within 1 mile (maximum score of 14 points)

Type	Total Number	Number per 100 acres	Factors Influencing Score	Multiplier	Score
Riparian Woodland			High sustainability, expansion, regeneration, low disturbance from farming	3	
Tree Grove			Mod to high sustainability, regeneration, low to mod disturbance from farming	2.6	
Tree Row			Low to mod sustainability, regeneration, moderate disturbance from farming	2.4	
Farmyard Trees			Low sustainability, regeneration, mod to high disturbance from farming	2.2	
Isolated Trees			Low sustainability, regeneration, high disturbance from farming	2.0	
Total trees				**Total Score**	

FIELD NOTES: *Describe nesting habitat conditions: habitat types, tree species, condition within 1 mile of the property.*

SWHA 5. Documented Swainson's hawk nesting within 4 miles. This attribute assumes that the proximity of active Swainson's hawk nest sites to the evaluated property influences the habitat value of that property. Foraging use of a property is assumed to decrease with increasing distance of active nests. The evaluated distance extends out 4 miles rather than 1 mile as in the offsite foraging and nesting attributes because Swainson's hawks regularly travel large distances while foraging and because the presence of active nests sites is considered to have greater value with regard to the potential use of the evaluated property than unoccupied habitat. The evaluation of this attribute is simplified by scoring that is based on the

nearest recorded nest. Multiple nests, or nesting density, does not influence the score. For this attribute, select only one of the 5 distance categories using information on the current nesting distribution.

SWHA 5. Documented Nesting (select one; max 12 points)		
Distance	**Points**	**Score**
Onsite	12	
Within 1 mile	6	
Within 2 miles	4	
Within 3 miles	2	
Within 4 miles	1	

FIELD NOTES: *Describe the nesting distribution within 4 miles of the property.*

SWHA 6. Proximity to other protected properties. Existing protected properties that are fully protected as per the Yolo HCP/NCCP definition are scattered throughout the Plan Area. Many of these provide valuable habitat for the Swainson's hawk. It is assumed that closer proximity to other protected lands enhances the value of the evaluated property by providing nearby stable long-term habitat value.

SWHA 6. Proximity to other Protected Properties (Select one; maximum 6 points)		
Proximity	**Max Points**	**Score**
Adjacent	6	
Within 1 mile	3	
Within 2 miles	2	
Within 5 miles	1	

FIELD NOTES: *Describe other protected parcels within 5 miles.*

SWHA 7. Habitat enhancement/Restoration practices. While agricultural productivity must remain the primary objective for landowners, there are several wildlife enhancement practices that can be prescribed for cultivated lands that benefit the Swainson's hawk. Additional credit in the evaluation is given to those properties that currently engage in management activities that provide benefit or those that agree to additional conservation easement conditions that require implementation of the management activity.

SWHA 7. Habitat Enhancement/Restoration Practices (max 14 points)

Management Activity	Definition	Points	Score
Hedgerow creation	Hedgerows are at least 15-feet wide and at least 400 linear feet. They typically are established along agricultural field borders or along the edges of water conveyance canals. They may be dominated by open native perennial grasses to enhance prey populations but can also include trees and shrubs. They provide refuge to rodent prey species and nesting/cover habitat for many species.	5	
Riparian restoration	Riparian restoration is the re-establishment of native trees and shrubs along natural streams and along some large, permanent water conveyance channels, such as the DWSC and the Knights Landing Ridge Cut. Riparian restoration can provide nesting, roosting, and cover habitat for several Covered Species, including Swainson's hawk, white-tailed kite, least Bell's vireo, Yellow-billed cuckoo, and valley elderberry longhorn beetle.	4	
Grassland Restoration	Grassland restoration includes planting and maintaining grassland landscapes that had been damaged through overgrazing or infestation of invasive species; maintaining appropriate livestock grazing levels to promote healthy grassland pastures; converting annual grasslands to native grasslands; and managing grasslands to promote specific habitat requirements of covered species, such as burrowing owls.	3	
Tree planting	Planting of trees can provide future nesting habitat for Swainson's hawks and white-tailed kites and can be particularly valuable where suitable trees are lacking or are in decline. Points are scored based on planting or agreement to plant at least 5 trees per 100 acres and accompanied by a plan that establishes remedial measures in the event of mortality.	3	
Postpone disking and bedding of fields until late August	For crops that are harvested during the summer, including wheat and early-harvested tomatoes, postponing disking and bedding retains waste material in the field and continues to provide habitat for rodent prey species that can then be accessed by foraging Swainson's hawks. Postponing disking until late August creates a final pulse of foraging activity in those fields just prior to migration.	1	
Maintaining trees and encouraging regeneration	The ongoing loss of mature trees and the lack of regeneration of valley oaks is an important habitat issue in Yolo County. Landowners that avoid cultivating in the root zone of trees or that otherwise take action to protect trees on their property provide benefit to Swainson's hawks and white-tailed kites.	1	

Other (describe below)			
	SCORE:		

FIELD NOTES: *Describe the management activities that the landowner is currently performing or intends to perform under the easement conditions to enhance habitat for Swainson's hawk.*

SWHA 8. Factors that increase mortality risk or degrade habitat value.

Some activities or proximity issues can increase the risk of mortality and degrade habitat value for nesting and foraging Swainson's hawks. Examples include properties with nesting habitat along busy highways; properties with large wind turbines near foraging or nesting habitat; properties with electrical substations; proximity to extreme disturbances (e.g., pumping stations, industrial/manufacturing complexes), properties adjacent to planned urban development. Scoring is based on the onsite assessment and ranges from negative 1 to negative 10 points using the collective opinion of the STAC evaluation staff.

SWHA 8. Factors that Increase Mortality Risk or Degrade Habitat Value (maximum score of 0 points)		
Disturbance Activity	**Point Range**	**Score**
Potential mortality due to proximity to high risk roads, turbines, substations, etc.	-1 to -10	
Proximity to extreme urban disturbances	-1 to -10	
Recreational disturbances including off-road vehicle use	-1 to -10	
Other (describe below)	-1 to -10	
	SCORE:	

FIELD NOTES: *Describe the current disturbances and land use practices that increase mortality risk or degrade habitat value.*

Scoring Summary

The scoring summary consists of total points for each of the scoring factors, aggregated by evaluation type.

Scoring Summary – Swainson's Hawk					
Evaluation Type	**Factor #**	**Factor**	**Max. Points**	**Score**	**Combined Score**
Foraging Habitat	SWHA 1	Foraging Habitat – onsite	20		
Nesting Habitat	SWHA 2	Nesting Habitat – onsite	20		
Landscape Factors	SWHA 3	Foraging habitat – offsite	14		
	SWHA 4	Nesting habitat – offsite	14		
	SWHA 5	Documented nesting	12		
	SWHA 6	Proximity to protected parcels	6		
Management Factors	SWHA 7	Habitat Enhancement/Restoration	14		
	SWHA 8	Factors that Degrade Value	0		

Summary Description, Rationale, and Qualitative Assessment

This section summarizes the scoring evaluation and includes a qualitative assessment that addresses other attributes of the property beyond that which are addressed in the scoring. The STAC will then make a recommendation using both the scoring evaluation and other factors that may contribute to the conservation of the species.

5.2 White-Tailed Kite

Conservation of the white-tailed kite will be met by achieving conservation objectives for cultivated lands, grasslands, managed seasonal wetlands, and riparian natural communities. There are no species-specific objectives for white-tailed kite because its habitat requirements overlap considerably with the Swainson's hawk. However, like the Swainson's hawk, to be considered for white-tailed kite conservation, a property must have a minimum of 80 contiguous acres of suitable foraging habitat or be contiguous with existing protected properties that support suitable white-tailed kite foraging habitat. In addition, there are some differences, particularly with regard to the foraging use of managed seasonal wetlands and rice fields. Therefore, the scoring for white-tailed kite will use the same attribute scoring as the Swainson's hawk with the exception of onsite foraging habitat (WTKI 1), which considers the value of these foraging habitat types; and the proximity to documented white-tailed kite nest sites (WTKI 2). As with the Swainson's hawk scoring, attributes are aggregated into four evaluation types, onsite foraging, onsite nesting, landscape factors, and management factors.

WTKI 1. Availability of onsite foraging habitat. The availability of onsite foraging habitat for the white-tailed kite is addressed similarly to the Swainson's hawk except the scoring reflects the higher values associated with grassland, seasonal wetlands, and rice habitats. The kite's foraging behavior, including hovering or kiting, allows it greater accessibility to rodent prey in some cover types. Also, since it also occurs in Yolo County during the winter (unlike the Swainson's hawk), rice fields also provide some foraging value during this period. The kite can also utilize rice checks more effectively due to its foraging behavior.

To assess all potential foraging habitat types, determine the number of acres of each type, then calculate proportions of each. Relative values of different types are reflected in the multiplier values. Next, multiply the proportional values by the multiplier to derive a point score for each type. Then simply sum the point values for a total score (maximum of 20 points) for this attribute.

WTKI 1. Foraging Habitat – onsite (maximum 20 points)						
Vegetation Type	**Acres**	**Percent of Total**	**Variability**	**Factors Influencing Score**	**Multiplier**	**Score**
Alfalfa and other multiple-cut hays			Consistent – high	Moderate to high prey abundance, high prey accessibility	0.20	
Native perennial grassland			Consistent – moderate to high	High prey abundance, moderate prey accessibility	0.18	
Pastures – hayed and moderately grazed/managed grasslands			Consistent – moderate to high	Moderate prey abundance, high prey accessibility	0.18	
Managed seasonal wetland			Seasonally variable – moderate	Moderate prey abundance – high prey accessibility	0.16	
Irrigated pasture			Consistent – moderate	Low to moderate prey abundance – high prey accessibility	0.14	
Dryland pasture – annual grassland			Consistent – moderate	Low to moderate prey abundance – moderate to high prey accessibility	0.12	
Rotational row/grain crop			Variable from low to moderate	Moderate prey abundance – low to moderate prey accessibility	0.10	
Idle field – ruderal-weedy			Variable from low to moderate	Moderate prey abundance – low to moderate accessibility	0.10	
Rice			Seasonally variable	Low prey abundance, high prey accessibility	0.08	
Orchard/Vineyard			Low to none	Low prey abundance, low prey accessibility	0.0	
Developed			None	Low prey abundance, low prey accessibility	0.0	
Other non-habitat			None	No prey accessibility, out of range, topography.	0.0	
Total Acres					**Total Score**	

FIELD NOTES: *Describe the current foraging habitat conditions: crops, farming methods, irrigation, crop rotation, etc.*

WTKI 2. Availability of onsite potential nest trees. Potential nest trees add value to the property by providing future nesting opportunities. White-tailed kites use a variety of nesting tree types and conditions from small willow trees to mature valley oaks. They typically nest in riparian woodlands, groves, or savannahs, but may also be found in tree rows and occasionally in isolated trees. All have similar value with regard to the nest site itself. But, as with Swainson's hawk, different nesting habitat types can be distinguished by other factors, including their long-term sustainability, ability to regenerate, and protection from removal or disturbances. The scoring is therefore based on these factors as well as the number of trees. A suitable tree is generally defined on the basis of minimum tree height by species documented for Yolo County white-tailed kite nest trees: valley oak - 30 feet; walnut - 30 feet; cottonwood - 40 feet, willow - 15 feet; redwood and other suitable conifers - 40 feet; eucalyptus - 50 feet; sycamore - 40 feet; locust - 20 feet. However, the determination of a suitable nest tree should also be made on the basis of site examination in order to include trees that otherwise appear suitable but may not reach the minimum heights noted here. The second evaluation attribute is the availability of onsite nesting trees. Add up (or estimate if numerous) the total number of trees on the property. Then standardize by converting these totals to the number of trees per 100 acres. Different nesting types have been given different values based on the factors described for each in column four. The multiplier reflects those differences. The maximum score for this attribute is 20 points. So, if the score is greater than 20, it receives a total of 20 points. This indicates that at some point more trees do not improve habitat value. If the score is less than 20, then it receives that number.

WTKI 2. Availability of Onsite Potential Nest Trees (max 20 points)

Type	Total Number	Number per 100 acres	Factors Influencing Score	Multiplier	Score
Riparian Woodland			High sustainability, expansion, regeneration, low disturbance from farming	3	
Tree Grove or Savannah			Mod to high sustainability, regen, low to mod disturbance from farming	2.6	
Tree Row			Low to moderate sustainability, regen, mod disturbance from farming	2.4	
Farmyard Trees			Low sustainability, regeneration, mod to high disturbance from farming	2.2	
Isolated Trees			Low sustainability, regeneration, high disturbance from farming	2.0	
Total trees				**Total Score**	

FIELD NOTES: *Describe nesting habitat conditions: habitat types, tree species, condition.*

WTKI 3. Foraging habitat offsite on surrounding lands within 1 mile.

The foraging value of a property is in part based on the availability of suitable foraging habitat in the surrounding area. The assumption is that a property that includes suitable foraging habitat but is isolated from other suitable foraging habitat (i.e., surrounded by a high proportion of orchards, vineyards, or other unsuitable crop types) is less likely to be regularly used compared with one that occurs within a matrix that includes a predominance of suitable habitat. A one-mile radius area from the boundary of the applicant parcel is used as the evaluation area. This area is considered sufficient to describe surrounding land uses and has the greatest influence on the value of the applicant parcel. Scoring is similar to onsite foraging habitat in that acres are calculated for each type and totaled, a percent of total for each is then calculated, and a multiplier is applied using the same proportional scale as onsite foraging but that totals to a maximum of 14 points. The lower total point value assigned to offsite foraging habitat compared with onsite foraging habitat (attribute number 1) reflects the lack of control that onsite managers have over the type of crop and land uses on offsite lands.

WTKI 3. Foraging Habitat – offsite within 1 mile (maximum 14 points)

Vegetation Type	Acres	Percent of Total	Variability	Factors Influencing Score	Multiplier	Score
Alfalfa and other multiple-cut hays			Consistent – high	Moderate to high prey abundance, high prey accessibility	0.14	
Native perennial grassland			Consistent – moderate to high	High prey abundance, moderate prey accessibility	0.13	
Pastures – hayed and moderately grazed/managed grasslands			Consistent – moderate to high	Moderate prey abundance, high prey accessibility	0.13	
Managed seasonal wetland			Seasonally variable – moderate	Moderate prey abundance – high prey accessibility	0.11	
Irrigated pasture			Consistent – moderate	Low to moderate prey abundance – high prey accessibility	0.10	
Dryland pasture – annual grassland			Consistent – moderate	Low to moderate prey abundance – moderate to high prey accessibility	0.08	
Rotational row/grain crop			Variable from low to moderate	Moderate prey abundance – low to moderate prey accessibility	0.07	
Rice			Seasonally variable	Low prey abundance, high prey accessibility	0.06	
Orchard/Vineyard			Low to none	Low prey abundance, low prey accessibility	0.0	
Developed			None	Low prey abundance, low prey accessibility	0.0	

Other non-habitat			None	No prey accessibility, out of range, topography.	0.0	
Total Acres					**Total Score**	

FIELD NOTES: *Describe the current foraging habitat conditions within 1 mile of the property.*

WTKI 4. Availability of offsite potential nesting trees within 1 mile.

Offsite nesting habitat also enhances overall value by providing nesting opportunities in the vicinity of the evaluated property and thereby potentially increasing the foraging use of the evaluated property. Here we use the same approach as we used for onsite nesting habitat. In this case, each nesting habitat type is differentially valued based on its assigned multiplier, which reflects the influencing factors noted, similar to onsite nesting habitat. However, in this case, the total number of trees for each type are quantified out to 1 mile from the parcel boundary and then standardized by calculating the number of trees per 100 acres. Then applying the multiplier gives a score for each type. Total points, which cannot exceed 14, are derived by summing the individual scores. As with the onsite nesting, a total that exceeds 14 is scored as 14, and a total less than 14 is scored as that number.

WTKI 4. Availability of Offsite Potential Nesting Trees within 1 mile (maximum 14 points)

Type	Total Number	Number per 100 acres	Factors Influencing Score	Multiplier	Score
Riparian Woodland			High sustainability, expansion, regeneration, low disturbance from farming	3	
Tree Grove			Mod to high sustainability, regeneration, low to mod disturbance from farming	2.6	
Tree Row			Low to mod sustainability, regeneration, moderate disturbance from farming	2.4	
Farmyard Trees			Low sustainability, regeneration, mod to high disturbance from farming	2.2	
Isolated Trees			Low sustainability, regeneration, high disturbance from farming	2.0	
Total trees				**Total Score**	

FIELD NOTES: *Describe nesting habitat conditions: habitat types, tree species, condition within 1 mile of the property.*

WTKI 5. Documented white-tailed kite nesting within 1 mile. This attribute assumes that the proximity of active white-tailed kite nest sites to the evaluated property influences the habitat value of that property. Foraging use of a property is assumed to decrease with increasing distance of active nests. White-tailed kites occupy relatively small home ranges, typically foraging within 1 mile of the nest. The evaluation of this attribute is simplified by scoring that is based on the nearest recorded nest. Multiple nests, or nesting density, does not influence the score. For this attribute, select only one of the 5 distance categories using information on the current nesting distribution.

WTKI 5. Documented Nesting (select one; maximum 12 points)		
Distance	**Points**	**Score**
Onsite	12	
Within 0.25 mile	6	
Within 0.5 miles	4	
Within 1 mile	2	
>1 mile	0	

FIELD NOTES: *Describe reported nesting occurrences within 1 mile of the property.*

WTKI 6. Proximity to other protected properties. Existing protected properties that are fully protected as per the Yolo JPA definition are scattered throughout the Plan Area. Many of these provide valuable habitat for the white-tailed kite. It is assumed that closer proximity to other protected lands enhances the value of the evaluated property by providing nearby stable long-term habitat value.

WTKI 6. Proximity to other Protected Properties (Select one; max 6 points)		
Proximity	**Points**	**Score**
Adjacent	6	
Within 1 mile	3	
Within 2 miles	1	
>2 miles	0	

FIELD NOTES: *Describe other protected parcels within 2 miles.*

WTKI 7. Habitat enhancement/Restoration practices. While agricultural productivity must remain the primary objective for landowners, there are several wildlife enhancement practices that can be prescribed for cultivated lands that benefit the white-tailed kite. Additional credit in the evaluation is given to those properties that currently engage in

management activities that provide benefit or those that agree to additional conservation easement conditions that require implementation of the management activity.

WTKI 7. Habitat Enhancement/Restoration Practices (max 14 points)			
Management Activity	**Definition**	**Points**	**Score**
Hedgerow creation	Hedgerows are at least 15-feet wide and at least 400 linear feet. They typically are established along agricultural field borders or along the edges of water conveyance canals. They may be dominated by open native perennial grasses to enhance prey populations but can also include trees and shrubs. They provide refuge to rodent prey species and nesting/cover habitat for many species.	5	
Riparian restoration	Riparian restoration is the re-establishment of native trees and shrubs along natural streams and along some large, permanent water conveyance channels, such as the DWSC and the Knights Landing Ridge Cut. Riparian restoration can provide nesting, roosting, and cover habitat for several Covered Species, including Swainson's hawk, white-tailed kite, least Bell's vireo, Yellow-billed cuckoo, and valley elderberry longhorn beetle.	4	
Grassland Restoration	Grassland restoration includes planting and maintaining grassland landscapes that had been damaged through overgrazing or infestation of invasive species; maintaining appropriate livestock grazing levels to promote healthy grassland pastures; converting annual grasslands to native grasslands; and managing grasslands to promote specific habitat requirements of covered species, such as burrowing owls.	3	
Tree planting	Planting of trees can provide future nesting habitat for Swainson's hawks and white-tailed kites and can be particularly valuable where suitable trees are lacking or are in decline. Points are scored based on planting or agreement to plant at least 5 trees per 100 acres and accompanied by a plan that establishes remedial measures in the event of mortality.	3	
Postpone disking and bedding of fields until late August	For crops that are harvested during the summer, including wheat and early-harvested tomatoes, postponing disking and bedding retains waste material in the field and continues to provide habitat for rodent prey species that can then be accessed by foraging white-tailed kites. Postponing disking until late August creates a final pulse of foraging activity in those fields just prior to migration.	1	
Maintaining trees and encouraging regeneration	The ongoing loss of mature trees and the lack of regeneration of valley oaks is an important habitat issue in Yolo County. Landowners that avoid cultivating in the root zone of trees or that otherwise take action to protect trees on	1	

	their property provide benefit to Swainson's hawks and white-tailed kites.		
Other (describe below)	Grassland restoration		
	SCORE:		

FIELD NOTES: *Describe the management activities that the landowner is currently performing or intends to perform under the easement conditions to enhance habitat for white-tailed kite.*

WTKI 8. Factors that increase mortality risk or degrade habitat value.

Some activities or proximity issues can increase the risk of mortality and degrade habitat value for nesting and foraging white-tailed kites. Examples include properties with nesting habitat along busy highways; properties with large wind turbines near foraging or nesting habitat; properties with electrical substations; proximity to extreme disturbances (e.g., pumping stations, industrial/manufacturing complexes), properties adjacent to planned urban development. Scoring is based on the onsite assessment and ranges from negative 1 to negative 10 points using the collective opinion of the STAC evaluation staff.

WTKI 8. Factors that Increase Mortality Risk or Degrade Habitat Value (maximum score of 0 points)		
Disturbance Activity	**Point Range**	**Score**
Potential mortality due to proximity to high risk roads, turbines, substations, etc.	-1 to -10	
Proximity to extreme urban disturbances	-1 to -10	
Recreational disturbances including off-road vehicle use	-1 to -10	
Other (describe below)	-1 to -10	
	SCORE:	

FIELD NOTES: *Describe the current disturbances and land use practices that increase mortality risk or degrade habitat value.*

Scoring Summary

The scoring summary consists of total points for each of the scoring factors, aggregated by evaluation type.

Scoring Summary – White-tailed Kite					
Evaluation Type	**Factor #**	**Factor**	**Max. Points**	**Score**	**Combined Score**
Foraging Habitat	WTKI 1	Foraging Habitat – onsite	20		
Nesting Habitat	WTKI 2	Nesting Habitat – onsite	20		
Landscape Factors	WTKI 3	Foraging habitat – offsite	14		
	WTKI 4	Nesting habitat – offsite	14		
	WTKI 5	Documented nesting	12		
	WTKI 6	Proximity to protected parcels	6		
Management Factors	WTKI 7	Habitat Enhancement/Restoration	14		
	WTKI 8	Factors that Degrade Value	0		

Summary Description, Rationale, and Qualitative Assessment

This section summarizes the scoring evaluation and includes a qualitative assessment that addresses other attributes of the property beyond that which are addressed in the scoring. The STAC will then make a recommendation using both the scoring evaluation and other factors that may contribute to the conservation of the species.

5.3 Burrowing Owl

Burrowing owl conservation will be met through the protection of non-rice cultivated lands and grassland habitats. However, occupied habitat includes other key attributes, including the presence of ground squirrels or other conditions that facilitate the creation of nesting and wintering burrows. Other than occasional isolated pairs that may occur throughout the agricultural landscape, burrowing owls occupy a relatively small proportion of the plan area where habitat conditions are suitable. These conditions include a relatively flat grassland or pastureland landscape with short vegetation height and presence of ground squirrels. To address these primary habitat conditions as well as other landscape and management factors, seven attributes are included for burrowing owl: onsite land cover/habitat type, offsite land cover/habitat type, presence of burrow habitat, proximity to known occupied sites, proximity to other protected lands, habitat enhancement practices, and factors that degrade habitat value. Attributes are aggregated into four evaluation types, onsite foraging, onsite nesting, landscape factors, and management factors. Other, more specific habitat attributes, such as perch availability and grazing, will be addressed qualitatively during the site assessment.

BUOW 1. Onsite Land Cover/Foraging Habitat. Burrowing owls are typically found in uncultivated grassland habitats. Grass height is generally low (from barren ground to <1 foot). They are also found along the perimeter of some cultivated fields where there is an uncultivated edge, on uncultivated levee slopes, and in some ruderal patches. This attribute addresses the overall land cover type on the property.

BUOW 1. Onsite Land Cover/Foraging Habitat (max 20 points)				
Vegetation Type	**Acres**	**Percent of Total**	**Multiplier**	**Score**
Uncultivated grassland <1 ft			0.2	
Irrigated pasture			0.16	
Alfalfa and grass hay			0.10	
Idle or ruderal			0.06	
Rotational cropland			0.04	
Uncultivated grassland >1 ft.			0.02	
Managed seasonal wetland			0.01	
Rice			0.0	
Orchard/Vineyard			0.0	
Developed			0.0	
Other non-habitat			0.0	
Total Acres			**Total Score**	

FIELD NOTES: *Describe the current onsite habitat conditions.*

BUOW 2. Presence of Burrow Habitat. Burrowing owl burrows are often initially constructed by California ground squirrels. Therefore, the presence of ground squirrels can be important in the maintenance and development of burrowing owl habitat. Burrowing owls will also use other structures, such as small culverts, pipes, rock piles, and artificial burrows as nesting and winter burrow habitat. Artificial structures often encourage ground squirrels to occupy an area. Because burrowing owls have relatively small home ranges, grassland habitats that are otherwise suitable are used less with increased distance from suitable burrow habitat. Therefore, the presence of onsite burrow habitat is considered an essential element in the evaluation of burrowing owl habitat. Scoring is based on a range within each category below. Select the condition and then a score with the range that best characterizes the extent of the condition.

BUOW 2. Presence of Burrow Habitat (select one; maximum 18 points)		
Condition	**Point Range**	**Score**
>2 ground squirrel burrows per acre onsite	14 to 18	
Ground squirrel burrows present but less than 2 per acre onsite	8 to 14	
Ground squirrel burrows not present but on adjacent property	4 to 8	
Other possible habitat present (berms, soil/rock piles, etc.)	1 to 4	

No ground squirrel or other burrow habitat present	0	

FIELD NOTES: *Describe the type and extent of burrow habitat present.*

BUOW 3. Offsite Land Cover Type. Offsite land cover type describes the overall landscape within which the property occurs. As with other species, surrounding lands affect the quality of the onsite habitat and long-term sustainability of suitable habitat conditions for burrowing owls.

BUOW 3. Offsite Land Cover/Habitat within 1 mile (max 16 points)				
Vegetation Type	**Acres**	**Percent of Total**	**Multiplier**	**Score**
Uncultivated grassland <1 ft.			0.16	
Irrigated pasture			0.13	
Alfalfa and grass hay			0.08	
Idle or ruderal			0.05	
Rotational cropland			0.03	
Uncultivated grassland >1 ft			0.02	
Managed seasonal wetland			0.01	
Rice			0.0	
Orchard/Vineyard			0.0	
Developed			0.0	
Other non-habitat			0.0	
Total Acres			**Total Score**	

FIELD NOTES: *Describe the current habitat conditions within 1 mile of the property.*

BUOW 4. Proximity to Occupied Burrowing Owl Burrows. The distribution of burrowing owls within the Plan Area is limited primarily to the Woodland-Davis area and the lower Yolo Basin. While burrowing owls have been documented elsewhere, these sites that occur as solitary occurrences or in small patches of remaining habitat, are considered less sustainable. Using an attribute that addresses proximity to known occupied burrows will further emphasize protection of those areas where burrowing owls are known to occur and where long-term sustainability is more likely.

BUOW 4. Proximity to Occupied Burrowing Owl Burrows (select one, max 18 points)		
Distance	**Points**	**Score**
Onsite	18	
Within 0.5 miles	12	
Within 1 mile	6	

Within 2 miles	2	
>2 miles	0	

FIELD NOTES: *Describe occurrences within 2 miles of the property.*

BUOW 5. Proximity to other protected properties. Existing protected properties that are fully protected as per the Yolo HCP/NCCP definition are scattered throughout the Plan Area. Many of these provide valuable habitat for the burrowing owl. It is assumed that closer proximity to other protected lands enhances the value of the evaluated property by providing nearby stable long-term habitat value.

BUOW 5. Proximity to other Protected Properties (Select one; max 6 points)		
Proximity	**Points**	**Score**
Adjacent	6	
Within 1 mile	3	
Within 2 miles	1	
>2 miles	0	

FIELD NOTES: *Describe other protected parcels within 2 miles.*

BUOW 6. Habitat Enhancement/Restoration Practices. Where habitat conditions are otherwise suitable, burrowing owls may respond to certain habitat enhancement practices such as creating berms and mounds to attract ground squirrels and facilitate burrowing owl use.

BUOW 6. Habitat Enhancement/Restoration Practices (max 24 points)			
Management Activity	**Definition**	**Points**	**Score**
Hedgerow Creation	Hedgerows are at least 15-feet wide and at least 400 linear feet. They typically are established along agricultural field borders or along the edges of water conveyance canals. They may be dominated by open native perennial grasses to enhance microtine prey populations but can also include scattered trees and shrubs. They provide refuge to rodent prey species and nesting/cover habitat for many species.	5	
Berm/mound Creation	Berms, mounds, and rock piles attract ground squirrel activity, which in turn facilitates use by burrowing owls.	5	
Grassland Restoration	Grassland restoration includes planting and maintaining grassland landscapes that had been damaged through overgrazing or infestation of invasive species; maintaining appropriate livestock grazing levels to promote healthy grassland pastures; converting annual	5	

	grasslands to native grasslands; and managing grasslands to promote specific habitat requirements of covered species, such as burrowing owls.		
Livestock grazing	Grazing can be an effective tool for maintaining low grass heights, which is required for burrowing owl occupancy.	5	
Nest boxes	Underground nest boxes can provide nesting opportunities for burrowing owls in areas where they are lacking. They can also supplement natural burrows.	5	
Other (describe below)			
	SCORE:		

FIELD NOTES: *Describe the management activities that the landowner is currently performing or intends to perform under the easement conditions to enhance habitat for burrowing owls.*

BUOW 7. Factors that increase mortality risk or degrade habitat value.

Some activities or proximity issues can increase the risk of mortality and degrade habitat value for nesting and foraging burrowing owls. Examples include properties with nesting habitat along busy highways; properties with large wind turbines near foraging or nesting habitat; properties with electrical substations; proximity to extreme disturbances (e.g., pumping stations, industrial/manufacturing complexes), properties adjacent to planned urban development. Rodent control and use of insecticides can also degrade habitat value. Scoring is based on the onsite assessment and ranges from negative 1 to negative 10 points using the collective opinion of the STAC evaluation staff.

BUOW 7. Factors that Increase Mortality Risk or Degrade Habitat Value (max 0 points)		
Disturbance Activity	**Point Range**	**Score**
Potential mortality due to proximity to high risk roads, turbines, substations, etc.	-1 to -10	
Proximity to extreme urban disturbances	-1 to -10	
Recreational disturbances including off-road vehicle use	-1 to -10	
Rodent control and insecticide use	-1 to -10	
Other (describe below)	-1 to -10	
	SCORE:	

FIELD NOTES: *Describe the current disturbances and land use practices that increase Mortality risk or degrade habitat value.*

Scoring Summary

The scoring summary consists of total points for each of the scoring factors, aggregated by evaluation type.

Scoring Summary – Burrowing Owl					
Evaluation Type	**Factor #**	**Factor**	**Max. Points**	**Score**	**Combined Score**
Foraging Habitat	BUOW 1	Land cover/habitat – onsite	20		
Nesting Habitat	BUOW 2	Presence of burrow habitat	18		
Landscape Factors	BUOW 3	Land cover/habitat – offsite	16		
	BUOW 4	Proximity to Occupied burrows	18		
	BUOW 5	Proximity to protected parcels	6		
Management Factors	BUOW 6	Habitat Enhancement/Restoration	20		
	BUOW 7	Factors that Degrade Value	0		

Summary Description, Rationale, and Qualitative Assessment

This section summarizes the scoring evaluation and includes a qualitative assessment that addresses other attributes of the property beyond that which are addressed in the scoring. The STAC will then make a recommendation using both the scoring evaluation and other factors that may contribute to the conservation of the species.

5.4 Tricolored Blackbird

Tricolored blackbird conservation will be met through the protection of cultivated land, pastureland, and grassland foraging habitat, and the protection and restoration of freshwater emergent wetlands. To be considered for tricolored blackbird conservation, a property must have a minimum of 0.5 contiguous acres of suitable emergent wetland or other suitable nesting habitat. Other potential nesting habitats considered in the evaluation include blackberry bramble and willow scrub. To address these primary habitat conditions as well as other landscape and management factors, seven attributes are included for tricolored blackbird: onsite land cover/habitat type, onsite nesting habitat, offsite land cover/habitat, documented nesting, proximity to other protected properties, habitat enhancement practices, and factors that degrade habitat value. Attributes are aggregated into four evaluation types, onsite foraging, onsite nesting, landscape factors, and management factors. Other, more specific habitat attributes will be addressed qualitatively during the site assessment.

TCBB 1. Onsite Land Cover/Habitat Type. Tricolored blackbirds typically occur in grassland, pastureland, and some agricultural landscapes. This attribute addresses the overall onsite land cover type.

TCBB 1. Onsite Land Cover/Habitat (maximum 20 points)				
Vegetation Type	**Acres**	**Percent of Total**	**Multiplier**	**Score**
Uncultivated grassland			0.20	
Irrigated pasture			0.16	
Alfalfa and grass hay			0.14	
Managed seasonal wetland			0.12	
Rice			0.10	
Idle or ruderal			0.08	
Rotational cropland			0.06	
Orchard/Vineyard			0.0	
Developed			0.0	
Other non-habitat			0.0	
Total Acres			**Total Score**	

FIELD NOTES: *Describe the onsite land cover characteristics.*

TCBB 2. Onsite Nesting Habitat.

The presence of nesting habitat is essential. Nesting habitat consists of both native (emergent marsh, willow scrub) and non-native (blackberry bramble, milk thistle) types. Most occupied nesting habitats are greater than 0.5 acres, so this is used as the minimum acreage size. The quality or suitability of the habitat to meet the nesting requirements of tricolored blackbirds will be assessed during the field visit.

TCBB 2. Onsite Nesting Habitat >0.5 acre (maximum 20 points)		
Habitat Type	**Points**	**Score**
Cattail/Tule Marsh	20	
Blackberry bramble	16	
Willow scrub	12	
Milk thistle	8	
Other (describe below)	0 to 20	
None	0	

FIELD NOTES: *Describe the type, size, and characteristics of potential nesting habitat.*

TCBB 3. Offsite Land Cover/Habitat.

As with other highly mobile species, the overall landscape in which the property occurs is an important attribute in determining the suitability of the property for tricolored blackbird. For this attribute, total the acres of each land cover/habitat type within a 1-mile radius, calculate the percentage of total for each, then multiply the percent of total by the multiplier. The multiplier distinguishes the difference in habitat value of each type. The scores are the summed for a total score.

TCBB 3. Offsite Land Cover/Habitat within 1 mile (maximum 14 points)				
Vegetation Type	**Acres**	**Percent of Total**	**Multiplier**	**Score**
Uncultivated grassland			0.14	
Irrigated pasture			0.11	
Alfalfa and grass hay			0.10	
Idle or ruderal			0.08	
Managed seasonal wetland			0.07	
Rice			0.06	
Rotational cropland			0.04	
Orchard/Vineyard			0.0	
Developed			0.0	
Other non-habitat			0/0	
Total Acres			**Total Score**	

FIELD NOTES: *Describe the land cover characteristics within 1 mile.*

TCBB 4. Offsite Nesting Habitat. The proximity of offsite suitable nesting habitat also determines the potential use of the property by tricolored blackbirds. In this case, we do not distinguish by habitat value of the different potential nesting habitat types, but instead by simply using the distance of any suitable nesting habitat type to the property within a 1-mile radius.

TCBB 4. Offsite Nesting Habitat >0.5 acre (maximum 14 points)		
Distance	**Points**	**Score**
Within 0.25 miles	14	
From 0.25 to 0.5 miles	10	
From 0.5 to 1 mile	5	
>1 mile	0	

FIELD NOTES: *Describe the type, size, and characteristics of potential offsite nesting habitat and its proximity to the property.*

TCBB 5. Documented Nesting. Close proximity to active colony sites can increase the foraging habitat value of the property for tricolored blackbirds.

TCBB 5. Documented Nesting (select one; max 14 points)

Distance	Points	Score
Onsite	14	
Within 0.5 mile	10	
Within 1 mile	4	
Within 2 miles	2	
Within 3 miles	1	
>3 miles	0	

FIELD NOTES: *Describe the nesting distribution within 3 miles of the property.*

TCBB 6. Proximity to other protected properties. Existing protected properties that are fully protected as per the Yolo JPA definition are scattered throughout the Plan Area. Some of these provide valuable habitat for the tricolored blackbird. It is assumed that closer proximity to other protected lands enhances the value of the evaluated property by providing nearby stable long-term habitat value.

TCBB 6. Proximity to other protected properties (select one, max 6 points)		
Proximity	**Points**	**Score**
Adjacent	6	
Within 1 mile	3	
Within 2 miles	1	
>2 miles	0	

FIELD NOTES: *Describe other protected parcels within 2 miles.*

TCBB 7. Habitat Enhancement/Restoration Practices. Where habitat conditions are otherwise suitable, tricolored blackbirds may benefit from certain habitat enhancement practices.

TCBB 7. Habitat Enhancement/Restoration Practices (max 12 points)			
Management Activity	**Definition**	**Points**	**Score**
Hedgerow Creation	Hedgerows are at least 15-feet wide and at least 400 linear feet. They typically are established along agricultural field borders or along the edges of water conveyance canals. They may be dominated by open native perennial grasses to enhance microtine prey populations but can also include scattered trees and shrubs. They provide refuge to rodent prey species and nesting/cover habitat for many species.	3	

Marsh Restoration	Restoring cattail/tule marsh in otherwise suitable grassland or pastureland landscapes can facilitate future occupancy of tricolored blackbirds	3	
Grassland Restoration	Grassland restoration includes planting and maintaining grassland landscapes that had been damaged through overgrazing or infestation of invasive species; maintaining appropriate livestock grazing levels to promote healthy grassland pastures; converting annual grasslands to native grasslands; and managing grasslands to promote specific habitat requirements of covered species, such as burrowing owls.	3	
Marsh Protection	Actions that protect the integrity of marsh habitats, including cattle exclusion and ensuring a sufficient water supply.	3	
Postpone harvest	Postponing harvest operations where tricolored blackbirds have nested can increase reproductive output.	3	
Other (describe below)			
	SCORE:		

FIELD NOTES: *Describe the management activities that the landowner is currently performing or intends to perform under the easement conditions to enhance habitat for tricolored blackbirds.*

TCBB 8. Factors that increase mortality risk or degrade habitat value.

Some activities or proximity issues can increase the risk of mortality and degrade habitat value for nesting and foraging tricolored blackbirds. Examples include properties with nesting habitat along busy highways; properties with large wind turbines near foraging or nesting habitat; properties with electrical substations; proximity to extreme disturbances (e.g., pumping stations, industrial/manufacturing complexes), properties adjacent to recreational areas, planned urban development, or other areas that are subject to substantial human presence and disturbances Scoring is based on the onsite assessment and ranges from negative 1 to negative 10 points using the collective opinion of the STAC evaluation staff.

TCBB 8. Factors that Increase Mortality Risk or Degrade Habitat Value (maximum 0 points)		
Disturbance Activity	**Point Range**	**Score**
Potential mortality due to proximity to high risk roads, turbines, substations, etc.	-1 to -10	
Proximity to extreme urban disturbances	-1 to -10	

Recreational disturbances including off-road vehicle use	-1 to -10	
Other (describe below)	-1 to -10	
	SCORE:	

FIELD NOTES: *Describe the current disturbances and land use practices that increase mortality risk or degrade habitat value.*

Scoring Summary

The scoring summary consists of total points for each of the scoring factors, aggregated by evaluation type.

Scoring Summary – Tricolored Blackbird					
Evaluation Type	**Factor #**	**Factor**	**Max. Points**	**Score**	**Combined Score**
Foraging Habitat	TCBB 1	Foraging Habitat – onsite	20		
Nesting Habitat	TCBB 2	Nesting Habitat – onsite	20		
Landscape Factors	TCBB 3	Foraging habitat – offsite	14		
	TCBB 4	Nesting habitat - offsite	14		
	TCBB 5	Documented nesting	14		
	TCBB 6	Proximity to protected parcels	6		
Management Factors	TCBB 7	Habitat Enhancement/Restoration	12		
	TCBB 8	Factors that Degrade Value	0		

Summary Description, Rationale, and Qualitative Assessment

This section summarizes the scoring evaluation and includes a qualitative assessment that addresses other attributes of the property beyond that which are addressed in the scoring. The STAC will then make a recommendation using both the scoring evaluation and other factors that may contribute to the conservation of the species.

5.5 Yellow-billed Cuckoo

Conservation of yellow-billed cuckoo is met through the protection and restoration of mature cottonwood-willow riparian forest. To be considered for yellow-billed cuckoo conservation, a property must have a minimum of 25 contiguous acres of suitable riparian habitat or be contiguous with existing protected properties that support suitable riparian habitat. As a riparian obligate species, the yellow-billed cuckoo is largely restricted to this habitat type for all life requisites. Therefore, only two species-specific attributes are assigned to this species, the

availability of suitable riparian forest, and restoration of suitable riparian forest. Two general attributes, proximity to protected parcels and factors that degrade value are also included.

YBCU 1. Availability of Suitable Riparian Forest. Riparian forest must be present onsite. The riparian must be dominated by mature cottonwood and willow trees. Sites with more complex structure and species composition, including Oregon ash and box elder, have greater value. If habitat is considered suitable, scoring is based entirely on the patch size of the riparian forest. The minimum patch size for yellow-billed cuckoo is considered to be 25 acres.

YBCU 1. Availability of Suitable Riparian Forest (select one, max 70 points))	
Estimated Acres	**Score**
>50	70
25 to 50	50
<25	0

FIELD NOTES: *Describe the size, structure, and species composition of the riparian habitat.*

YBCU 2. Proximity to Protected Parcels. Existing protected properties that are fully protected as per the Yolo JPA definition are scattered throughout the Plan Area. It is assumed that closer proximity to other protected lands enhances the value of the evaluated property by providing nearby stable long-term habitat value.

YBCU 2. Proximity to other protected properties (select one, max 6 points)		
Proximity	**Points**	**Score**
Adjacent	6	
Within 1 mile	3	
Within 2 miles	1	
>2 miles	0	

FIELD NOTES: *Describe other protected parcels within 2 miles.*

YBCU 3. Habitat enhancement/restoration practices. Restoration of cottonwood-willow riparian forest can increase the potential for future yellow-billed cuckoo occupancy. Additional credit in the evaluation is given to those properties that currently engage in management activities that provide benefit or those that agree to additional conservation easement conditions that require implementation of the management activity.

YBCU 3. Habitat Enhancement/Restoration Practices (max 24 points)			
Management Activity	**Definition**	**Points**	**Score**
Riparian Restoration	Riparian restoration is the re-establishment of native trees and shrubs along natural streams and along some large, permanent water conveyance channels, such as the Deep-Water Ship Channel and the Knights Landing Ridge Cut. To restore habitat for yellow-billed cuckoo, riparian restoration must be dominated by a cottonwood/willow over- and mid-story structure. Riparian restoration projects that provide this habitat in excess of 25 contiguous acres, receives points for this attribute.	24	
Other (describe below)			
	SCORE:		

FIELD NOTES: *Describe the management activities that the landowner is currently performing or intends to perform under the easement conditions to enhance habitat for yellow-billed cuckoo.*

YBCU 4. Factors that increase mortality risk or degrade habitat value.

Some activities or proximity issues can increase the risk of mortality and degrade habitat value for nesting and foraging yellow-billed cuckoos. Examples include properties with nesting habitat along busy highways; proximity to extreme disturbances (e.g., pumping stations, industrial/manufacturing complexes), properties adjacent to recreational areas, planned urban development, or other areas that are subject to substantial human presence and disturbances. Also, the use of pesticides can reduce the availability of insect prey species and degrade overall habitat value. Scoring is based on the onsite assessment and ranges from negative 1 to negative 10 points using the collective opinion of the STAC evaluation staff.

YBCU 4. Factors that Increase Mortality Risk or Degrade Habitat Value (maximum 0 points)		
Disturbance Activity	**Point Range**	**Score**
Potential mortality due to proximity to high risk roads, turbines, substations, etc.	-1 to -10	
Proximity to extreme urban disturbances	-1 to -10	
Recreational disturbances including off-road vehicle use	-1 to -10	

Other (describe below)	-1 to -10	
	SCORE:	

FIELD NOTES: *Describe the current disturbances and land use practices that increase mortality risk or degrade habitat value.*

Scoring Summary

The scoring summary consists of total points for each of the scoring factors, aggregated by evaluation type. In addition to the two species-specific factor (YBCU 1 and YBCU 3), scoring factors for yellow-billed cuckoo include two relevant landscape and management factors (YBCU 2 and YBCU 4).

Scoring Summary – Yellow-billed Cuckoo

Evaluation Type	Factor #	Factor	Max. Points	Score	Combined Score
Primary Habitat	YBCU 1	Availability of Riparian Forest	70		
Landscape Factors	YBCU 2	Proximity to protected parcels	6		
Management Factors	YBCU 3	Habitat Enhancement/Restoration	24		
	YBCU 4	Factors that Degrade Value	0		

Summary Description, Rationale, and Qualitative Assessment

This section summarizes the scoring evaluation and includes a qualitative assessment that addresses other attributes of the property beyond that which are addressed in the scoring. The STAC will then make a recommendation using both the scoring evaluation and other factors that may contribute to the conservation of the species.

5.6 Least Bell's Vireo

Conservation of least Bell's vireo is met through the protection and restoration of riparian habitats. To be considered for least Bell's vireo conservation, a property must have a minimum of 1.5 contiguous acres of suitable riparian habitat or be contiguous with existing protected properties that support suitable riparian habitat. The least Bell's vireo is a riparian obligate species. Surface water is also required during the entire nesting season. Therefore, only two additional species-specific attributed is assigned to this species, the availability of suitable riparian habitat and restoration of suitable riparian habitat. The least Bell's vireo is typically found in structurally diverse riparian habitats or in dense early successional riparian communities that include a diverse understory that may include boxelder, California rose, California blackberry, and mugwort.

LBVI 1. Availability of Suitable Riparian. Riparian forest must be present onsite. The riparian should be relatively dense, early successional, or structurally diverse. If habitat is considered suitable, scoring is based entirely on the patch size of the riparian habitat. Average home range size is approximately 1.5 acres, so 1.5 acres is used here as the minimum patch size.

LBVI 1. Availability of Suitable Riparian (select one, max 70 points)		
Estimated Acres	**Points**	**Score**
>10	70	
5-10	50	
2 to 5	25	
<1.5	0	

FIELD NOTES: *Describe the size, structure, and species composition of the riparian habitat.*

LBVI 2. Proximity to Protected Properties. Existing protected properties that are fully protected as per the Yolo JPA definition are scattered throughout the Plan Area. It is assumed that closer proximity to other protected lands enhances the value of the evaluated property by providing nearby stable long-term habitat value.

LBVI 2. Proximity to other protected properties (select one, max 6 points)		
Proximity	**Points**	**Score**
Adjacent	6	
Within 1 mile	3	
Within 2 miles	1	
>2 miles	0	

FIELD NOTES: *Describe other protected parcels within 2 miles.*

LBVI 3. Habitat enhancement/Restoration practices. Restoration of riparian habitat can increase the potential for future least Bell's vireo occupancy. Additional credit in the evaluation is given to those properties that currently engage in management activities that provide benefit or those that agree to additional conservation easement conditions that require implementation of the management activity.

LBVI 3. Habitat Enhancement/Restoration Practices (max 24 points)			
Management Activity	**Definition**	**Points**	**Score**
Riparian Restoration	Riparian restoration is the re-establishment of native trees and shrubs along natural streams and along some large, permanent water conveyance channels, such as the Deep-Water Ship Channel and the Knights Landing Ridge Cut. To restore habitat for least Bell's vireo, riparian restoration must target a structurally diverse community with relatively dense mid-story and shrub components. Riparian restoration projects that provide in excess of 1.5 contiguous acres, receive points for this attribute.	24	
Other (describe below)			
	SCORE:		

FIELD NOTES: *Describe the management activities that the landowner is currently performing or intends to perform under the easement conditions to enhance habitat for least Bell's vireo.*

LBVI 4. Factors that increase mortality risk or degrade habitat value. Some activities or proximity issues can increase the risk of mortality and degrade habitat value for nesting and foraging least Bell's vireo. Examples include properties with nesting habitat along busy highways; proximity to extreme disturbances (e.g., pumping stations, industrial/manufacturing complexes), properties adjacent to recreational areas, planned urban development, or other areas that are subject to substantial human presence and disturbances. Scoring is based on the onsite assessment and ranges from negative 1 to negative 10 points using the collective opinion of the STAC evaluation staff.

LBVI 4. Factors that Increase Mortality Risk or Degrade Habitat Value (maximum 0 points)		
Disturbance Activity	**Point Range**	**Score**
Potential mortality due to proximity to high risk roads, turbines, substations, etc.	-1 to -10	
Proximity to extreme urban disturbances	-1 to -10	
Recreational disturbances including off-road vehicle use	-1 to -10	
	-1 to -10	

Other (describe below)		
	SCORE:	

FIELD NOTES: *Describe the current disturbances and land use practices that increase mortality risk or degrade habitat value.*

Scoring Summary

The scoring summary consists of total points for each of the scoring factors, aggregated by evaluation type. In addition to the two species-specific factors (LEVI 1 and LEVI 3), scoring factors for least Bell's vireo include two relevant landscape and management factors (LEVI 2 and LEVI 4).

Scoring Summary – Least Bell's Vireo

Evaluation Type	Factor #	Factor	Max. Points	Score	Combined Score
Primary Habitat	LBVI 1	Availability of Riparian	70		
Landscape Factors	LBVI 2	Proximity to protected parcels	6		
Management Factors	LBVI 3	Habitat Enhancement/Restoration	24		
	LBVI 4	Factors that Degrade Value	0		

Summary Description, Rationale, and Qualitative Assessment

This section summarizes the scoring evaluation and includes a qualitative assessment that addresses other attributes of the property beyond that which are addressed in the scoring. The STAC will then make a recommendation using both the scoring evaluation and other factors that may contribute to the conservation of the species.

5.7 Bank Swallow

Bank swallow conservation must occur in Planning Unit 7, which is the Cache Creek corridor. Nesting habitat for bank swallows includes steeply-sloped channel banks along the creek that have soils suitable for creating nesting holes and that are subject to periodic erosion events. To be considered for bank swallow conservation, a property must have a minimum of 17 feet of contiguous vertical, open, channel bank. Since conserved habitats are restricted to the Cache Creek drainage, the only specific attribute used in the evaluation is the availability of suitable cut bank habitat. Suitability is evaluated during the site visit on the basis of slope, soil characteristics, and location above high water. Scoring for the attribute is yes/no. A more qualitative evaluation of potential habitat is addressed in the field evaluation notes, but is not specifically scored.

BASW 1. Availability of Suitable Channel Banks. Bank swallows dig nest holes in erodible soils, usually in steeply-sloped channel banks along rivers and large creeks. Other than some potential habitat along the west side of the Sacramento River, the only location in the Plan Area that supports suitable conditions for bank swallow nests is along Cache Creek.

BASW 1. Availability of Suitable Channel Banks (max 94 points)		
Condition	**Points**	**Score**
Vertical, erodible channel bank exceeding 40 contiguous feet or multiple sites exceeding 17 feet in width and above high-water line.	94	
Vertical, erodible channel bank from 17 to 40 contiguous feet in width and above high-water line.	80	

FIELD NOTES: *Describe the size, slope, and other conditions of the cut bank and surrounding area.*

BASW 2. Proximity to Protected Parcels. Existing protected properties that are fully protected as per the Yolo JPA definition are scattered throughout the Plan Area. It is assumed that closer proximity to other protected lands enhances the value of the evaluated property by providing nearby stable long-term habitat value.

BASW 2. Proximity to other protected properties (select one, max 6 points)		
Proximity	**Points**	**Score**
Adjacent	6	
Within 1 mile	3	
Within 2 miles	1	
>2 miles	0	

FIELD NOTES: *Describe other protected parcels within 2 miles.*

BASW 3. Factors that increase mortality risk or degrade habitat value.
Some activities or proximity issues can increase the risk of mortality and degrade habitat value for nesting and foraging for bank swallow. Examples include properties with nesting habitat along busy highways; proximity to extreme disturbances (e.g., pumping stations, industrial/manufacturing complexes), properties adjacent to recreational areas, planned urban development, or other areas that are subject to substantial human presence and disturbances. Scoring is based on the onsite assessment and ranges from negative 1 to negative 10 points using the collective opinion of the STAC evaluation staff.

BASW 3. Factors that Increase Mortality Risk or Degrade Habitat Value (maximum score of 0 points)		
Disturbance Activity	**Point Range**	**Score**
Potential mortality due to proximity to high risk roads, turbines, substations, etc.	-1 to -10	
Proximity to extreme urban disturbances	-1 to -10	
Recreational disturbances including off-road vehicle use	-1 to -10	
Other (describe below)	-1 to -10	
	SCORE:	

FIELD NOTES: *Describe the current disturbances and land use practices that increase mortality risk or degrade habitat value.*

Scoring Summary

The scoring summary consists of total points for each of the scoring factors, aggregated by evaluation type. In addition to the species-specific factor (BASW 1), scoring factors for bank swallow include two relevant landscape and management factors (SWHA 6 and SWHA 8).

Scoring Summary – Bank Swallow					
Evaluation Type	**Factor #**	**Factor**	**Max. Points**	**Score**	**Combined Score**
Nesting Habitat	BASW 1	Availability of suitable channel banks	94		
Landscape Factors	BASW 2	Proximity to protected parcels	6		
Management Factors	BASW 3	Factors that Degrade Value	0		

Summary Description, Rationale, and Qualitative Assessment

This section summarizes the scoring evaluation and includes a qualitative assessment that addresses other attributes of the property beyond that which are addressed in the scoring. The STAC will then make a recommendation using both the scoring evaluation and other factors that may contribute to the conservation of the species.

5.8 Giant Garter Snake

Giant garter snake occurs in the Colusa and Yolo Basins within the Plan Area. There are no reported occurrences of this species west of the Colusa and Yolo Basins. Therefore, conservation for this species will be met though protection of rice lands and associated upland habitats, and protection and restoration of freshwater emergent marsh and lacustrine or riverine natural communities within the modeled habitat area in the Colusa and Yolo Basins. In additional to the natural community protection and restoration, giant garter snake habitat should be associated with a water conveyance system to facilitate movement and habitat elements such as emergent and submergent vegetation to provide habitat for prey resources and to provide basking sites for snakes. To be considered for giant garter snake conservation, a property must have a minimum of 320 acres that supports both aquatic and upland habitat components, or be contiguous with existing protected properties that support suitable giant garter snake habitat.

GGS 1. Onsite Land Cover. Onsite land cover type is included to characterize the overall land use within the property boundary. A predominance of land cover types that are used by giant garter snake, such as rice farming, and large wetland communities, can therefore be differentiated from properties that support primarily upland crops that provide limited to no value.

GGS 1. Onsite Land Cover/Habitat (max. 12 points)				
Vegetation Type	**Acres**	**Percent of Total**	**Multiplier**	**Score**
Emergent marsh			0.12	
Seasonal wetland			0.08	
Rice			0.10	
Grassland			0.05	
Irrigated pasture			0.02	
Hay crops			0.00	
Rotational cropland			0.00	
Orchard/Vineyard			0.00	
Developed			0.00	
Other non-habitat			0.00	
Total Acres			**Total Score**	

FIELD NOTES: *Describe the current habitat conditions.*

GGS 2. Onsite Aquatic Habitat Type. The giant garter snake is an aquatic snake and so requires open water within an emergent marsh complex or other wetland community, surrogate wetlands such as flooded rice fields, or stream or other water conveyance channels that support aquatic vegetation. This attribute addresses the specific aquatic type present.

GGS 2. Onsite Aquatic Habitat Type (max 5 points)				
Vegetation Type	**Acres**	**Percent of Total**	**Multiplier**	**Score**
Emergent marsh complex			0.05	
Stream or water conveyance channel			0.04	
Rice			0.04	
Seasonal wetland			0.03	
Total Acres			**Total Score**	

FIELD NOTES: *Describe the current habitat conditions.*

GGS 3. Presence of water conveyance channels or other movement habitat.

Sufficient aquatic movement habitat is essential to maintain viable and genetically robust giant garter snake populations. Giant garter snakes rely on water conveyance channels – mostly irrigation channels – for local, dispersal, and migratory movements. Therefore, the presence of water conveyance channels is an important habitat element within the overall landscape. Instead of quantifying or more closely evaluating the suitability of water conveyance channels, this is a present/not present response based on the presence of permanent water conveyance channels that connect with and continue through adjacent lands. A more qualitative assessment is conducted during the site visit.

GGS 3. Presence of Water Conveyance Channels or other Aquatic Movement Habitat (max 8 points)		
Present/Not Present	**Points**	**Score**
Permanent water conveyance channel that connects with and continues through adjacent lands – present.	8	
Permanent water conveyance channel that connects with and continues through adjacent lands – not present.	0	

FIELD NOTES: *Describe the current habitat conditions.*

GGS 4. Presence of Adjacent Upland Habitat.

Upland habitat adjacent to aquatic habitat is used by giant garter snakes for movement, basking, breeding, and overwintering. The upland habitat must be above typical inundation elevation during the inactive season. This attribute is also scored as a present/not present and then addressed in greater detail during the site visit.

GGS 4. Presence of Adjacent Upland Habitat (max 8 points		
Type	**Points**	**Score**
Suitable uplands immediately adjacent to aquatic habitat – present.	8	
Suitable uplands immediately adjacent to aquatic habitat – not present.	0	

FIELD NOTES: *Describe the current habitat conditions.*

GGS 5. Presence of Basking Habitat. Basking habitat, usually floating reeds, rocks, or other debris along drainages, channels, and other aquatic habitats, is also an important habitat element for giant garter snakes. This attribute is also scored as a present/not present and discussed in greater, but qualitative detail during the site visit.

GGS 5. Presence of Basking Habitat (max 2 points)		
Present/Not Present	**Points**	**Score**
Basking habitat – present.	2	
Basking habitat – not present.	0	

FIELD NOTES: *Describe the current habitat conditions.*

GGS 6. Offsite Land Cover/Habitat within 1 mile. Giant garter snake populations benefit from larger suitable landscapes. Fragmented landscapes and small habitat patches do not represent a sustainable condition. Therefore, surrounding lands are essential to maintain a healthy, productive landscape for giant garter snake.

GGS 6. Offsite Land Cover/Habitat within 1 mile (max 15 points)				
Vegetation Type	**Acres**	**Percent of Total**	**Multiplier**	**Score**
Emergent marsh			0.15	
Rice			0.13	
Seasonal wetland			0.10	
Grassland			0.05	
Irrigated pasture			0.04	
Hay crops			0.0	
Rotational cropland			0.0	
Orchard/Vineyard			0.0	
Developed			0.0	
Other non-habitat			0.0	

Total Acres			**Total Score**	

FIELD NOTES: *Describe the current habitat conditions within 1 mile.*

GGS 7. Documented Occurrences. Close proximity to documented occurrences increases the opportunity for future occupancy.

GGS 7. Documented Occurrences (select one, max 10 points)		
Distance	**Points**	**Score**
Onsite	10	
Within 0.5 mile	5	
Within 1 mile	3	
Within 2 miles	2	
Within 3 miles	1	

FIELD NOTES: *Describe reported occurrences within 3 miles of the property.*

GGS 8. Proximity to Protected Parcels. Existing protected properties that are fully protected as per the Yolo JPA definition are scattered throughout the Plan Area. It is assumed that closer proximity to other protected lands enhances the value of the evaluated property by providing nearby stable long-term habitat value.

GGS 8. Proximity to other Protected Properties (select one, max 6 points)		
Distance	**Points**	**Score**
Adjacent	6	
Within 1 mile	3	
Within 2 miles	1	
>2 miles	0	

FIELD NOTES: *Describe other protected parcels within 2 miles.*

GGS 9. Habitat Enhancement/Restoration Practices. Where habitat conditions are otherwise suitable, giant garter snake may benefit from certain habitat enhancement practices.

GGS 9. Habitat Enhancement/Restoration Practices (max 20 points)			
Management Activity	**Definition**	**Points**	**Score**
Marsh restoration	Restoring freshwater emergent marsh increases high value habitat for giant garter snake.	10	
Hedgerow Creation	Hedgerows are at least 15-feet wide and at least 400 linear feet. They typically are established along agricultural field borders or along the edges of water conveyance canals. They may be dominated by open native perennial grasses to enhance microtine prey populations but can also include scattered trees and shrubs. They provide refuge to rodent prey species and nesting/cover habitat for many species.	4	
Marsh Protection	Actions that protect the integrity of marsh habitats, including cattle exclusion and ensuring a sufficient water supply.	3	
Rice field flood-up/draw-down	Timing the spring flood up and fall draw-down of rice fields to correspond with giant garter snake active and inactive periods to maximize reproduction and reduce mortality.	3	
	SCORE:		

FIELD NOTES: *Describe the enhancement practices.*

GGS 10. Factors that increase mortality risk or degrade habitat value.

Some activities or proximity issues can increase the risk of mortality and degrade habitat value for giant garter snake. Examples include properties with habitat adjacent to busy roadways; proximity to extreme disturbances (e.g., pumping stations, industrial/manufacturing complexes), properties adjacent to recreational areas, planned urban development, or other areas that are subject to substantial human presence and disturbances. Scoring is based on the onsite assessment and ranges from negative 1 to negative 10 points using the collective opinion of the STAC evaluation staff.

GGS 10. Factors that Increase Mortality Risk or Degrade Habitat Value (maximum 0 points)		
Disturbance Activity	**Point Range**	**Score**
Potential mortality due to proximity to high risk roads, etc.	-1 to -10	
	-1 to -10	

Proximity to extreme urban disturbances		
Recreational disturbances including off-road vehicle use	-1 to -10	
Other (describe below)	-1 to -10	
	SCORE:	

FIELD NOTES: *Describe the current disturbances and land use practices that increase mortality risk or degrade habitat value.*

Scoring Summary

The scoring summary consists of total points for each of the scoring factors, aggregated by evaluation type.

Scoring Summary – Giant Garter Snake					
Evaluation Type	**Factor #**	**Factor**	**Max. Points**	**Score**	**Combined Score**
Land Cover/ Habitat	GGS 1	Onsite Land Cover	8		
	GGS 2	Aquatic habitat Type	5		
	GGS 3	Channel habitat (movement/dispersal)	12		
	GGS 4	Adjacent upland	8		
	GGS 5	Basking habitat	2		
Landscape Factors	GGS 6	Offsite land cover/habitat	15		
	GGS 7	Documented occurrences	20		
	GGS 8	Proximity to protected parcels	10		
Management Factors	GGS 9	Habitat Enhancement/Restoration	20		
	GGS 10	Factors that Degrade Value	0		

Summary Description, Rationale, and Qualitative Assessment

This section summarizes the scoring evaluation and includes a qualitative assessment that addresses other attributes of the property beyond that which are addressed in the scoring. The STAC will then make a recommendation using both the scoring evaluation and other factors that may contribute to the conservation of the species.

5.9 Western Pond Turtle

Conservation for the western pond turtle will be met through the protection of suitable aquatic habitats, rice, and associated grassland and other uncultivated uplands. To be considered for conservation of western pond turtle, properties must include a minimum of 2.5 acres of aquatic

habitat (e.g., perennial streams, larger water conveyance channels, or large ponds) adjacent to at least 200 feet suitable upland habitat.

WPT 1. Aquatic Habitat. Other than the use of upland habitats for nesting, western pond turtles are entirely aquatic and require permanent streams, lakes, or ponds. In the Plan Area, suitable aquatic habitat for the western pond turtles is found primarily in larger creeks and sloughs, such as Putah Creek, Cache Creek, and Babel Slough, and in large water conveyance channels, such as the Knights Landing Ridge Cut and Willow Slough Bypass. The relatively few permanent ponds or lakes in the Plan Area tend to support predatory species and are therefore given lower value than other aquatic features.

WPT 1. Aquatic Habitat (select one) (max 20 points)		
Type	**Point Range**	**Score**
Natural perennial stream	15-20	
Permanent water conveyance channel	10-15	
Large pond or lake	5-10	

FIELD NOTES: *Describe the current habitat conditions.*

WPT 2. Availability of Adjacent Upland Habitat. Western pond turtles require upland habitat for nesting, overwintering, and dispersal. Because of the extent of cultivation that occurs in the Plan Area, suitable upland habitat should be immediately adjacent to aquatic habitat, should extend at least 20 feet from the edge of the high-water aquatic habitat, and extend for a minimum of 200 feet along the aquatic habitat. Suitable upland habitats include adjacent riparian vegetation (on slopes not exceeding 50%, hedgerows, uncultivated grasslands and pasturelands, and some uncultivated ruderal or weedy habitats.

WPT 2. Availability of Adjacent Upland Habitat (at least 20 feet-wide, 200-feet-long, and uncultivated) (max 20 points)		
Type	**Points**	**Score**
Uncultivated grassland	20	
Riparian	18	
Pasture	10	
Ruderal	6	
Cultivated cropland	4	
None	0	

FIELD NOTES: *Describe the current habitat conditions.*

WPT 3. Presence of Basking Habitat. Basking habitat, usually logs or rocks is an important western pond turtle habitat element. This attribute is also scored as a present/not present but the range of points is dependent on the extent and quality of the basking habitat, which is qualitatively measured during the site visit.

WPT 3. Presence of Basking Habitat (max. 20 points)		
Present/Not Present	**Point Range**	**Score**
Basking habitat – present.	10 to 20	
Basking habitat – not present.	0	

FIELD NOTES: *Describe the current habitat conditions.*

WPT 4. Documented Occurrences. Close proximity to documented occurrences increases the opportunity for future occupancy.

WPT 4. Documented Occurrences (select one, max 14 points)		
Distance	**Points**	**Score**
Onsite	14	
Within 0.5 mile	8	
Within 1 mile	4	
Within 2 miles	2	
Within 3 miles	1	
>3 miles	0	

FIELD NOTES: *Describe the distribution within 3 miles of the property.*

WPT 5. Proximity to Protected Parcels. Existing protected properties that are fully protected as per the Yolo JPA definition are scattered throughout the Plan Area. It is assumed that closer proximity to other protected lands enhances the value of the evaluated property by providing nearby stable long-term habitat value.

WPT 5. Proximity to other Protected Properties (select one, max 6 points)		
Distance	**Points**	**Score**
Adjacent	6	
Within 1 mile	3	
Within 2 miles	1	
>2 miles	0	

FIELD NOTES: *Describe other protected parcels within 2 miles.*

WPT 6. Habitat Enhancement Practices. Where habitat conditions are otherwise suitable, western pond turtles may benefit from certain habitat enhancement practices. To receive credit for enhancements, they need to be in association with existing pond turtle habitat. For example, hedgerow creation must be adjacent to a suitable aquatic habitat. Hedgerows along non-aquatic field borders do not necessarily benefit pond turtles. Flooded rice has been shown to support juvenile pond turtles, but this occurs only where other suitable aquatic habitat for pond turtles occurs adjacent to rice fields. Therefore, management of rice fields must also be in association with suitable aquatic habitat. Likewise, marsh creation and protection must also be in association with existing aquatic habitat for pond turtles.

WPT 6. Habitat Enhancement Practices (maximum 20 points)			
Management Activity	**Definition**	**Points**	**Score**
Hedgerow Creation	Hedgerows are at least 15-feet wide and at least 400 linear feet. To benefit pond turtles, they must be along the edges of suitable aquatic habitat, including large water conveyance canals. They may be dominated by open native perennial grasses to enhance microtine prey populations but can also include scattered trees and shrubs. They provide refuge to rodent prey species and nesting/cover habitat for many species, including pond turtles.	8	
Marsh Restoration	Restoring freshwater emergent marsh adjacent to existing suitable aquatic habitat can increase cover habitat for western pond turtle.	7	
Grassland Restoration	Grassland restoration includes planting and maintaining grassland landscapes that had been damaged through overgrazing or infestation of invasive species; maintaining appropriate livestock grazing levels to promote healthy grassland pastures; converting annual grasslands to native grasslands; and managing grasslands to promote specific habitat requirements of covered species, such as burrowing owls.	5	
Marsh Protection	Actions that protect the integrity of marsh habitats, including cattle exclusion and ensuring a sufficient water supply can also benefit pond turtles.	3	
Rice field flood-up/draw-down	Timing the spring flood up and fall draw-down of rice fields to correspond with emergence of hatchling pond turtles.	2	
Other (describe below)			

	SCORE:		

FIELD NOTES: *Describe the enhancement practices.*

WPT 7. Factors that increase mortality risk or degrade habitat value. Some activities or proximity issues can increase the risk of mortality and degrade habitat value for western pond turtle. Examples include properties with habitat adjacent to busy roadways; proximity to extreme disturbances (e.g., pumping stations, industrial/manufacturing complexes), properties adjacent to recreational areas, planned urban development, or other areas that are subject to substantial human presence and disturbances Scoring is based on the onsite assessment and ranges from negative 1 to negative 10 points using the collective opinion of the STAC evaluation staff.

WPT 7. Factors that Increase Mortality Risk or Degrade Habitat Value (maximum 0 points)		
Disturbance Activity	**Point Range**	**Score**
Potential mortality due to proximity to high risk roads, etc.	-1 to -10	
Proximity to extreme urban disturbances	-1 to -10	
Recreational disturbances including off-road vehicle use	-1 to -10	
Other (describe below)	-1 to -10	
	SCORE:	

FIELD NOTES: *Describe the current disturbances and land use practices that increase mortality risk or degrade habitat value*:

Scoring Summary

The scoring summary consists of total points for each of the scoring factors, aggregated by evaluation type.

Scoring Summary – Western Pond Turtle					
Evaluation Type	**Factor #**	**Factor**	**Max. Points**	**Score**	**Combined Score**
Land Cover/ Habitat	WPT 1	Aquatic habitat	20		
	WPT 2	Adjacent upland	20		
	WPT 3	Basking habitat	20		
Landscape Factors	WPT 4	Documented occurrences	14		
	WPT 5	Proximity to protected parcels	6		
Management Factors	WPT 6	Habitat Enhancement	20		
	WPT 7	Factors that Degrade Value	0		

Summary Description, Rationale, and Qualitative Assessment

This section summarizes the scoring evaluation and includes a qualitative assessment that addresses other attributes of the property beyond that which are addressed in the scoring. The STAC will then make a recommendation using both the scoring evaluation and other factors that may contribute to the conservation of the species.

5.10 California Tiger Salamander

Conservation of the California tiger salamander will be met through the protection of grassland landscapes where aquatic habitats are available for breeding. To be considered for California tiger salamander conservation, properties must include a minimum of 100 acres of intact grassland and include suitable aquatic features or be contiguous with other protected habitat suitable for California tiger salamander. Vernal pools and other seasonal rain pools are the primary breeding habitat for California tiger salamanders. However, the species is also known to occur in artificial ponds, including stock ponds. All known occurrences in the Plan Area are associated with stock ponds in the northern Dunnigan Hills. In artificial sites, water management is a key issue related to occurrence. Sufficient water must be present in the stock ponds to support the duration of breeding and larval development periods. California tiger salamanders migrate seasonally between subterranean overwintering sites and breeding pools. The species often uses ground squirrel burrows or other rodent burrows as overwintering habitat, and thus the presence of ground squirrels or other rodent activity is an important habitat element. Three species-specific attributes are included for California tiger salamander, Land Cover Type, Availability of Onsite Aquatic Habitat, and Presence of Ground Squirrels.

CTS 1. Land Cover Type. California tiger salamander occurs in grassland and oak savannah communities. Irrigated pastures, if they are associated with grassland landscapes, may also be used occasionally.

CTS 1. Land Cover/Habitat (max 20 points)				
Vegetation Type	**Acres**	**Percent of Total**	**Multiplier**	**Score**
Grassland			0.2	
Oak Savannah			0.2	
Irrigated pasture			0.1	
Hay and grass crops			0.0	
Rotational cropland			0.0	
Orchard/Vineyard			0.0	
Developed			0.0	
Other			0.0	
Total Acres			**Total Score**	

FIELD NOTES: *Describe the land use and habitat conditions.*

CTS 2. Availability of Onsite Aquatic Habitat. California tiger salamanders require aquatic habitats for breeding and larval development. Suitable aquatic habitat is an essential habitat element for this species. This attribute is scored as present or not present. The point range is dependent on the quality of the habitat, which is qualitatively measured during the site visit.

CTS 2. Availability of Onsite Aquatic Habitat (select one) (max 20 points)		
Condition	**Points**	**Score**
Stock pond or other aquatic breeding habitat present	10 to 20	
Stock pond or other aquatic breeding habitat not present	0	

FIELD NOTES: *Describe the aquatic habitat (size, depth, vegetation).*

CTS 3. Presence of Ground Squirrels. California tiger salamanders often use California ground squirrel burrows as overwintering habitat. The presence of ground squirrels in an otherwise suitable habitat area increases the likelihood of future occupancy.

CTS 3. Presence of Ground Squirrels (select one) (max 14 points)		
Condition	**Points**	**Score**
Ground squirrel activity present	1 to 14	
Ground squirrel activity not present	0	

FIELD NOTES: *Describe the extent of ground squirrel activity.*

CTS 4. Documented Occurrences. Close proximity to documented occurrences increases the opportunity for future occupancy.

CTS 4. Documented Occurrences (select one, max 20 points)		
Distance	**Points**	**Score**
Onsite	20	
Within 0.5 mile	15	
Within 1 mile	10	
Within 2 miles	5	
Within 3 miles	1	
>3 miles	0	

FIELD NOTES: *Describe the distribution within 3 miles of property.*

CTS 5. Proximity to Protected Properties. Existing protected properties that are fully protected as per the Yolo JPA definition are scattered throughout the Plan Area. It is assumed that closer proximity to other protected lands enhances the value of the evaluated property by providing nearby stable long-term habitat value.

CTS 5. Proximity to other Protected Properties (select one, max 6 points)		
Distance	**Points**	**Score**
Adjacent	6	
Within 1 mile	3	
Within 2 miles	1	
>2 miles	0	

FIELD NOTES: *Describe other protected parcels within 2 miles.*

CTS 6. Habitat Enhancement/Restoration Practices. Where habitat conditions are otherwise suitable, California tiger salamander may benefit from certain habitat enhancement practices, including grassland restoration and breeding pond creation or restoration. To receive credit for enhancements, they need to be in association with existing salamander habitat. For example, pond creation must be in a location that allows for appropriate water management and be adjacent to a suitable upland grassland habitat. Point, up to the maximum indicated, are assigned based on the site evaluation.

CTS 6. Habitat Enhancement/Restoration Practices (max 20 points)			
Management Activity	**Definition**	**Points**	**Score**
Pond Creation	Creating pond habitat in appropriate locations that support sufficient seasonal water can increase breeding opportunities for CTS.	10	
Pond Enhancement	Enhancing existing pond habitat and associated hydrology can improve breeding habitat conditions for CTS.	6	
Pond Protection	Actions that protect the integrity of pond habitats, including cattle exclusion and ensuring a sufficient water supply can also benefit California tiger salamander.	2	
Grassland restoration	Restoring grasslands can improve movement corridors and other upland habitat for CTS	2	
Other (describe below)			
	SCORE:		

FIELD NOTES: *Describe the enhancement/restoration practices.*

CTS 7. Factors that increase mortality risk or degrade habitat value. Some activities or proximity issues can increase the risk of mortality and degrade habitat value for California tiger salamander. Examples include properties with habitat adjacent to busy roadways; proximity to extreme disturbances (e.g., pumping stations, industrial/manufacturing complexes), properties adjacent to recreational areas, planned urban development, or other areas that are subject to substantial human presence and disturbances, overgrazing, and degrading of stock ponds by cattle. Presence of predatory fish can also degrade habitat value. Scoring is based on the onsite assessment and ranges from negative 1 to negative 10 points using the collective opinion of the STAC evaluation staff.

CTS 7. Factors that Increase Mortality Risk or Degrade Habitat Value (maximum score of 0 points)		
Disturbance Activity	**Point Range**	**Score**
Potential mortality due to proximity to high risk roads, etc.	-1 to -10	
Proximity to extreme urban disturbances	-1 to -10	
Recreational disturbances including off-road vehicle use	-1 to -10	
Overgrazing and degrading of stock ponds by cattle	-1 to -10	
Other (describe below)	-1 to -10	
	SCORE:	

FIELD NOTES: *Describe the current disturbances and land use practices that increase mortality risk or degrade habitat value*:

Scoring Summary

The scoring summary consists of total points for each of the scoring factors, aggregated by evaluation type.

Scoring Summary – California Tiger Salamander					
Evaluation Type	**Factor #**	**Factor**	**Max. Points**	**Score**	**Combined Score**
Land Cover/ Habitat	CTS 1	Land Cover Type	20		
	CTS 2	Aquatic breeding habitat	20		
	CTS 3	Presence of ground squirrel	14		
Landscape Factors	CTS 4	Documented occurrences	20		
	CTS 5	Proximity to protected parcels	6		

Management Factors	CTS 6	Habitat Enhancement/Restoration	20		
	CTS 7	Factors that Degrade Value	0		

Summary Description, Rationale, and Qualitative Assessment

This section summarizes the scoring evaluation and includes a qualitative assessment that addresses other attributes of the property beyond that which are addressed in the scoring. The STAC will then make a recommendation using both the scoring evaluation and other factors that may contribute to the conservation of the species.

5.11 Valley Elderberry Longhorn Beetle

Conservation for valley elderberry longhorn beetle will be met primarily through the protection of riparian habitats along Putah Creek, Cache Creek, or the Sacramento River that support mature elderberry shrubs. Conservation can also be achieved through protection of shrubs along smaller drainages, such as Willow Slough or Dry Slough. The species can also benefit from the protection of some upland sites where isolated elderberry shrubs may occur. However, the scoring is scaled based on the potential long-term sustainability of mature elderberry shrubs. The three largest streams, Putah Creek Cache Creek, and the Sacramento River, with the most extensive riparian systems provide higher value and long-term benefit than do shrubs along smaller streams or isolated upland shrubs that may be more subject to incidental disturbances or have less likelihood of occupancy by valley elderberry longhorn beetle. Only one species-specific attribute is included for valley elderberry longhorn beetle, the Presence of Mature Elderberry Shrubs.

VELB 1. Presence of Mature Elderberry Shrubs. The elderberry shrub is the host plant for valley elderberry longhorn beetle and therefore necessary for the occurrence of this species. Scoring is based on location and number of shrubs present.

VELB 1. Presence of Mature Elderberry Shrubs			
Location/condition	**Number of Shrubs**	**Points**	**Score**
Putah/Cache Cr/Sac Riv.	>10	100	
	5 to 10	75	
	1 to 5	50	
Other Riparian	>10	75	
	5 to 10	50	
	1 to 5	25	
Upland Sites	>10	50	
	5 to 10	25	
	1 to 5	5	

FIELD NOTES: *Describe the number, size, and condition of shrubs.*

Scoring Summary

The scoring summary consists of total points for each of the scoring factors, aggregated by evaluation type. For valley elderberry longhorn beetle, only one attribute is assigned, presence of elderberry shrubs. The scoring is scaled according to the location or habitat association and the number of shrubs present. Elderberry shrubs that occur along Putah or Cache Creek and that would be incorporated into a preserve design are assumed to potentially receive maximum protection. Shrubs along smaller streams or isolated upland shrubs are potentially more subject to disturbances and are assumed less likely to be occupied by valley elderberry longhorn beetle.

Scoring Summary – Valley Elderberry Longhorn Beetle					
Evaluation Type	**Factor #**	**Factor**	**Points**	**Score**	**Combined Score**
Presence/ Absence	VELB 1	Presence of mature elderberry shrubs	100		

Summary Description, Rationale, and Qualitative Assessment

This section summarizes the scoring evaluation and includes a qualitative assessment that addresses other attributes of the property beyond that which are addressed in the scoring. The STAC will then make a recommendation using both the scoring evaluation and other factors that may contribute to the conservation of the species.

5.12 Palmate-Bracted Bird's Beak

In Yolo County, this species is known to occur only in the vicinity of the remaining alkali sink community southeast of Woodland. This location is one of only seven known occurrence sites for the palmate-bracted bird's beak. Opportunity for protection and preservation of this species in Yolo County is focused on the Woodland Regional Park, where the species is known to occur. This species is also known to occur on the adjacent protected properties to the north and to the east. While the City of Woodland intends to protect this population, bringing the property into the Yolo Habitat Conservancy's preserve network will ensure long-term protection, management, and monitoring of the population. It will also meet the conservation objectives for this species under the HCP/NCCP. Its adjacency with other protected properties to the north and east will future enhance the potential for long-term protection and sustainability of this endangered plant population.

PBBB-1. Presence/Absence. Associated with alkali sink seasonal wetland communities, this rare, endangered plant is known from only seven sites within its range and only one site in Yolo County.

PBBB-1. Presence/Absence of Palmate-bracted Bird's Beak	
Presence/Absence	**Score**
Present	100
Absent	0

FIELD NOTES: *Describe habitat conditions, presence and quality of alkali grassland/wetland community, and proximity to known occurrences.*

Scoring Summary

The scoring summary consists of total points for each of the scoring factors, aggregated by evaluation type. For palmate-bracted bird's beak, only one attribute is assigned, presence of the species.

Scoring Summary – Palmate-bracted Bird's Beak					
Evaluation Type	**Factor #**	**Factor**	**Max. Points**	**Score**	**Combined Score**
Presence/ Absence	PBBB-1	Presence of plants	100		

Summary Description, Rationale, and Qualitative Assessment

This section summarizes the scoring evaluation and includes a qualitative assessment that addresses other attributes of the property beyond that which are addressed in the scoring. The STAC will then make a recommendation using both the scoring evaluation and other factors that may contribute to the conservation of the species.

Appendix B

Updated Conservation Easement Template (Yolo HCP/NCCP Appendix K)

YOLO HABITAT CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN

Conservation Easement TEMPLATE

(Date Approved: January 9, 2020)

General Notes to Reviewers

The following notes are intended to guide interested parties in their review of the Yolo HCP/NCCP Conservation Easement Template.

1. **Easement language.** This conservation easement template is intended for use on lands the Yolo Habitat Conservancy will enroll in the Yolo HCP/NCCP reserve system. Easement language shown as orange text in this template is specific to conservation easements that include actively cultivated agricultural lands. The establishment of conservation easements on private lands under the Yolo HCP/NCCP will provide the combined benefits of conservation for covered species and continued viable use of rangelands and certain cultivated agricultural lands in the Plan Area that provide habitat value for covered species. For conservation easements that do not contain any actively cultivated agricultural lands, omit text provided in orange.

   The Yolo Habitat Conservancy expects language provided in the easement template may be modified to address site-specific conditions. In cases where variations in the easement language are anticipated to occur in the form of replacement language or additional language due to somewhat common conditions, acceptable variations to the primary text will be provided in grey text surrounded by brackets, like this: [*replace* "Yolo County Natural Community Conservation Plan Joint Powers Agency, a California Joint Powers Agency" *with the full legal name of Easement Holder if the Yolo County Natural Community Conservation Plan Joint Powers Agency is not the Easement Holder*]

   Some sections of the easement will require the insertion of easement-specific text. This includes items such as dates, property information, or specific easement conditions. Text that identifies information that is needed is provided in green text within brackets, like this: *[insert date]*.

   Some portions of the easement refer to items described in greater detail in the Yolo HCP/NCCP. In cases where this occurs, references to where additional information can be found within the Yolo HCP/NCCP are provided for reference in purple text within brackets, like this: *{a complete list of covered species is found in Table 1-1 of the Yolo HCP/NCCP}*. Similarly, blue text within brackets is included in some portions of the easement template to provide additional information for those developing or reviewing a draft conservation easement that uses this template. Bracketed text should be deleted prior to the finalization of any conservation easement.

2. **Privately-Owned Lands.** This template is prepared for use on privately-owned lands. Some provisions may have to be modified for publicly-owned lands, including but not limited to lands that the Yolo Habitat Conservancy (or another public entity) acquires in fee title. For example, in an easement covering publicly-owned lands, the easement may include references to provisions of an accompanying Management Plan that allow compatible recreational uses and public access.

3. **Conservation Values.** The intent of the conservation easement is to protect and preserve Yolo HCP/NCCP covered species and the natural communities and land cover types that provide functional habitat for these species within the Easement Area, including the agricultural uses that support these Conservation Values. The twelve Yolo HCP/NCCP covered species are:

palmate-bracted bird's beak, valley elderberry longhorn beetle, California tiger salamander, Western pond turtle, giant garter snake, Swainson's hawk, white-tailed kite, western yellow-billed cuckoo, western burrowing owl, least bell's vireo, bank swallow, and tricolored blackbird. The general land cover types and natural community types that may qualify as functional habitat (depending on additional factors such as size, location, quality, etc.) are: cultivated lands, grassland, valley foothill riparian, alkali prairie, fresh emergent wetland, lacustrine and riverine. The specific qualifying crop types and natural community vegetation types are listed in Table 2-1 of the Yolo HCP/NCCP. The conservation objectives associated with the covered species and their associated functional habitats are described in section 6.3 of the Yolo HCP/NCCP.

4. **Management Plan; Relationship to Conservation Easement.** This template anticipates the concurrent preparation of a site-specific management plan for this Easement Area. For each easement property, the final Conservation Easement and Management Plan ***will work together*** to specify (among other things) the allowed, restricted, and prohibited uses and activities. The Conservation Easement will generally include terms that will apply ***permanently*** to uses and activities on the easement property, while the Management Plan will contain terms relating to agriculture and other uses that may--with the consent of the landowner, the Yolo Habitat Conservancy, and state and federal wildlife agencies--***vary over time*** due to changing conditions. Additionally, the site's Management Plan may contain terms relating to recreational uses, public access, and other uses and activities that are of interest to an individual landowner at the landowner's request as long as the uses are determined to be compatible with the Conservation Values of the property.

   Many of the prohibitions stated as "generally prohibited" in this template —may be allowed, or allowed under certain conditions in the Management Plan, through mutual consent of the Landowner, Conservancy, and wildlife agencies on a case-by-case basis depending on site-specific conditions, landowner preferences and operations, and species and habitat needs. An example of this is the repair, removal, and placement of fencing, particularly for properties with irrigated pasture or other agricultural uses that require occasional changes in fencing. These activities are generally allowed in the Management Plan for purposes of reasonable and customary agricultural management, and for security in connection with the protection of Conservation Values and reserved uses of the Easement Area.

   The Yolo Habitat Conservancy recognizes that changes (e.g., in agricultural practices and technologies, weather cycles, natural resource management technologies, conservation practices) may dictate changes in the management of the Easement Area, consistent with the purposes of this Conservation Easement and the Yolo HCP/NCCP. The Management Plan may be revised from time to time only with the written approval of both the Landowner and the Yolo Habitat Conservancy (and Easement Holder in situations in which the Yolo Habitat Conservancy is not the Easement Holder), so long as the revisions are consistent with the applicable reserve unit management plan(s). Any requested changes that are not consistent with the applicable reserve unit management plan(s) must also receive approval from California Department of Fish and Wildlife and U.S. Fish and Wildlife Service. A full and complete copy of the current Management Plan, including any such revisions, shall be kept on file at the offices of the Yolo Habitat Conservancy.

5. **Easement Holder.** This template assumes the Yolo Habitat Conservancy or a qualified conservation organization {see Section 7.5.5.2 for description of necessary qualifications} will hold the conservation easement. The primary easement holder language assumes the Yolo Habitat Conservancy is the easement holder and alternative language is included in bracketed grey text for insertion in conservation easements that will be held by another qualified conservation organization. An organization other than the Yolo Habitat Conservancy must be the easement holder in situations in which the Yolo Habitat Conservancy holds the land in fee title.

6. **Monitoring.** The Yolo Habitat Conservancy (or other authorized easement holder) will conduct monitoring activities, at a minimum of once a year, to assure compliance with the terms of the Conservation Easement and will conduct these activities in a manner that interferes as little as possible with the landowner's use and enjoyment of the property. [*If easement is funded in whole or in part with WCB funds then add the following text:* The monitoring report shall address each of the monitoring protocols as required in the WCB Grant Agreement.]

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Easement Holder
Easement Holder's Address
Attention:_____

Exempt from recording fees (Cal. Gov. Code § _____)

Space Above Line for Recorder's Use Only

DEED OF CONSERVATION EASEMENT AND PERMANENT RESTRICTIONS ON USE

THIS DEED OF CONSERVATION EASEMENT AND PERMANENT RESTRICTIONS ON USE (the **"Conservation Easement"**) is made this _____ day of _____, 20__, by *[insert full legal name of landowner(s)]* (**"Landowner"**), in favor of and the Yolo County Natural Community Conservation Plan Joint Powers Agency, a California Joint Powers Agency (**"Easement Holder"** or **"Yolo Habitat Conservancy"**) [*replace* "Yolo County Natural Community Conservation Plan Joint Powers Agency, a California Joint Powers Agency" *with* ***full legal*** *name of Easement Holder AND delete* "Yolo Habitat Conservancy" IF *the Yolo Habitat Conservancy is not the Easement Holder*]. Landowner and Easement Holder are also referred to herein individually as a **"Party"** and collectively as the **"Parties."**

RECITALS

A. Landowner is the owner in fee simple of certain real property containing approximately [*insert acres*] acres, located in the County of Yolo, State of California, designated Assessor's Parcel Number(s) [*insert* APNs]. Said real property is more particularly described and depicted in **Exhibit A** attached hereto and incorporated herein by this reference (the **"Easement Area"**). [*If easement is a portion of the property then replace* **"Easement Area"** *above with* **"Property"** *and add the following sentence:* Landowner intends to grant a Conservation Easement over __ acres of the Property, as described and depicted in **Exhibit A.1** (the "**Easement Area**").]

B. The Easement Area possesses wildlife and habitat values of great importance to Easement Holder, the people of the State of California and the people of the United States. The Easement Area will provide high quality habitat for [*list appropriate covered species {a complete list of covered species is found in Table 1-1 of the Yolo HCP/NCCP}*] and contains [*list functional habitat land cover types present in the Easement Area {this includes the land cover type(s) present on the site that provide habitat for the identified covered species and are included in Table 2-1 of the Yolo HCP/NCCP within the cultivated land category and/or natural communities land categories (e.g., cultivated rice lands, pasture, riparian) along with the habitat function that the identified land cover type provides (e.g., foraging, nesting, aquatic, upland habitat)}*]. Individually and collectively, these wildlife and habitat values comprise the "**Conservation Values**" of the

Easement Area. The status of the Conservation Values, including the agricultural uses that support these Conservation Values, as well as other uses and improvements within the Easement Area at the time of the execution of the Conservation Easement are described in the **"Baseline Documentation Report"**. Both Parties acknowledge, as described in **Exhibit B** attached hereto and incorporated herein by reference, that each has received a copy of the Baseline Documentation Report, and that it accurately represents the Easement Area as of the date of the Conservation Easement.

C. This Conservation Easement is being executed and delivered to satisfy certain habitat conservation requirements set forth in the following documents (collectively, the **"Yolo HCP/NCCP Instruments"**):

a. The Yolo Habitat Conservation Plan/Natural Community Conservation Plan (**"Yolo HCP/NCCP"**), dated April 2018, prepared by the County of Yolo (**"County"**), City of Davis (**"Davis"**), City of West Sacramento (**"West Sacramento"**), City of Winters (**"Winters"**), and City of Woodland (**"Woodland"**), and approved by the United States Fish and Wildlife Service (**"USFWS"**) under Section 10 of the federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 *et seq.*, as it may be amended from time to time) (**"ESA"**), and by the California Department of Fish and Wildlife (**"CDFW"**) under the California Natural Community Conservation Planning Act (California Fish and Game Code Section 2800 *et seq.*, as it may be amended from time to time) (**"NCCPA"**); and

b. Implementing Agreement for the Yolo HCP/NCCP (the **"Implementing Agreement"**), dated January 10, 2019, by and among USFWS and CDFW (collectively, the **"Wildlife Agencies"**), the Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency (**"Yolo Habitat Conservancy"**), County, Davis, West Sacramento, Winters, and Woodland (collectively, the Yolo Habitat Conservancy, County, Davis, West Sacramento, Winters, and Woodland, are referred to herein as **"Permittees"**); and

c. The federal incidental take permit issued by USFWS to Permittees for the Yolo HCP/NCCP pursuant to Section 10 of ESA; and

d. The state NCCP permit issued by CDFW to Permittees for the Yolo HCP/NCCP pursuant to the NCCPA.

D. The State of California recognizes the public importance and validity of conservation easements by enactment of California Civil Code Section 815 *et seq.*

E. *[If the easement is funded in whole or in part with grant funds and the funder requests identification of said funding source in the easement then include the following text:* The Conservation Easement is purchased *[in whole or in part]* with funds provided by the *[insert funding entity]* with funds provided by *[grant or agreement number if applicable and funding source]* which purposes are to *[insert*

*funding source purposes] {Note: An example of such language provided by the WCB for Proposition 84 funded projects is as follows: The Conservation Easement is purchased in part with funds provided by the Wildlife Conservation Board (**"WCB"**) pursuant to WCB Grant Agreement Number _____. As that agreement recites, the WCBfunds are from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055 (c) (SSJD-NCCP), which includes as its purposes the protection and preservation of existing regional wildlife linkages, including grassland, oak woodland, and pond and creek habitat areas which are critical to the sustainability of threatened or endangered species."}*.]

F. CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and the habitat necessary for biologically sustainable populations of those species pursuant to Fish and Game Code Section 1802. CDFW is authorized to hold easements for these purposes pursuant to Civil Code Section 815.3, Fish and Game Code Section 1348, and other provisions of California law.

G. USFWS is an agency of the United States Department of the Interior and is authorized by Federal law to be a third-party beneficiary of the Conservation Easement and to administer the federal Endangered Species Act, 16 U.S.C. § 1531, et seq. (**"ESA"**), the Fish and Wildlife Coordination Act, 16 U.S.C. §§ 661-666c, and the Fish and Wildlife Act of 1956, 16 U.S.C. § 742(f), et seq.

H. The Easement Holder is a California joint powers agency, and authorized to hold conservation easements pursuant to, among other provisions of law, California Civil Code Section 815.3. [*If Easement Holder is not the Yolo Habitat Conservancy then replace the text in this section with the following text:* The Easement Holder is authorized to hold this conservation easement pursuant to California Civil Code Section 815.3 and Government Code Section 65965. Specifically, the Easement Holder is (i) a tax-exempt nonprofit organization qualified under Section 501(c)(3) of the Internal Revenue Code of 1986 as amended, and qualified to do business in California; (ii) a "qualified organization" as defined in section 170(h)(3) of the Internal Revenue Code; and(iii) an organization which has as its primary and principal purpose and activity the protection and preservation of natural lands or resources in its natural, scenic, agricultural, forested, or open-space condition or use.]

I. The Yolo Habitat Conservancy serves as the **"Implementing Entity"** of the Yolo HCP/NCCP, and as such, is responsible for overseeing implementation of the Yolo HCP/NCCP Instruments, including carrying out planning and design, habitat restoration, monitoring, adaptive management programs, and periodic coordination with the Wildlife Agencies. The Yolo HCP/NCCP Instruments confer separate rights and obligations on the Implementing Entity that will survive any future transfer of the Conservation Easement.

J. Following recordation of this Conservation Easement, the Easement Area will be incorporated into the Reserve System (as such term is defined in the Yolo HCP/NCCP {see Chapter 6 of the Yolo HCP/NCCP}) (**"Reserve System"**) and will count toward the land acquisition requirements set forth in the Yolo HCP/NCCP.

K. The Yolo Habitat Conservancy has developed a management plan, known as "[*insert title for management plan – typically this includes the site name*]," that applies to the Easement Area (the **"Management Plan"**) incorporated herein by reference. The Management Plan has been developed in accordance with the applicable requirements of the Yolo HCP/NCCP Instruments [and *[identify any applicable Reserve Unit Management Plans]*]. The Management Plan also includes provisions that preserve and maintain the productive agricultural use of the Easement Area to the fullest extent such use is compatible with the preservation of its Conservation Values.

Landowner and Easement Holder recognize that changes (e.g., in agricultural practices and technologies, weather cycles, natural resource management technologies, conservation practices) may dictate changes in the management of the Easement Area, consistent with the purposes of this Conservation Easement and the Yolo HCP/NCCP Instruments. The Management Plan may be revised from time to time only with the written approval of both the Landowner and Easement Holder, so long as the revisions are consistent with the requirements of the Yolo HCP/NCCP Instruments *[and [identify applicable Reserve Unit Management Plans]] {See Yolo HCP/NCCP Section 6.4.3.3}*. The final, approved copy of the Management Plan, and any amendments thereto approved by the Parties, shall be kept on file at the Yolo Habitat Conservancy.

AGREEMENT

NOW, THEREFORE, in consideration of the above and mutual covenants, terms, conditions and restrictions contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and pursuant to the laws of the State of California, including California Civil Code Section 815 *et seq*., Landowner hereby voluntarily grants and conveys to Easement Holder, its successors and assigns, a conservation easement forever in, on, over and across the Easement Area, subject to the terms and conditions set forth herein, restricting in perpetuity the uses which may be made of the Easement Area, and the Parties agree as follows:

1. **Purposes**. The purposes of this Conservation Easement are to ensure the Easement Area will be retained forever in its *[insert the following terms as appropriate for the specific site: natural, restored, enhanced, agricultural or otherwise functional habitat, and the purposes of any funding sources (ex. grassland, oak woodland, etc. in the context of Prop. 84]* condition as contemplated by the Yolo HCP/NCCP and the site-specific Management Plan, and to prevent any use of the Easement Area that will impair or interfere with the Conservation Values of the Easement Area. Landowner intends that this Conservation Easement will confine the use of the Easement Area to such activities that are consistent with the purposes set forth herein. The Parties agree that the protection of the Conservation Values may be achieved through the continuation of existing compatible agricultural and other uses [*replace reference to continued existing compatible agricultural uses with the following text for sites that consist entirely of natural lands types:* "by maintaining the Easement Area in its natural or existing condition (not precluding future enhancement or restoration)"] on the Easement Area provided that the uses preserve the Easement Area's covered species and their associated functional habitats as described in the Baseline Documentation Report and consistent with the terms and conditions of this Conservation Easement and the Management Plan.

2. **Reserved Rights.** Landowner reserves to itself, and to its personal representatives, heirs, successors, and assigns, all rights accruing from Landowner's ownership of the Easement Area, including the right to engage in or permit or invite others to engage in agricultural activities, including lawful and routine agricultural and ranching practices, so long as such activities are consistent with the purposes of this Conservation Easement, as set forth above in Section 1, the Management Plan, and do not impair the Conservation Values.

[(a) **Development Envelope.** *In situations where the site has, or there is an interest in retaining the right to have, a residence or other area where buildings and other improvements are allowed, a Development Envelope can be designated within the Easement Area. The area within the Development Envelope is subject to the provisions of the Conservation Easement except where explicitly stated otherwise and allowable uses within the Development Envelope cannot interfere with the protection or enhancement of the Conservation Values on the portions of the Easement Area that are not included in the Development Envelope. Lands within Development Envelope areas do not count towards the goals and objectives of the Yolo HCP/NCCP conservation strategy.*]

3. **Rights of Easement Holder**. To accomplish the purposes of this Conservation Easement, Landowner hereby grants and conveys the following rights to Easement Holder:

(a) To preserve and protect the Conservation Values of the Easement Area**;**

(b) [*In situations where the Parties agree to conduct restoration or enhancement activities on the site as a condition of the easement the following language will be inserted:* To restore or enhance the Conservation Values with the consent of the Landowner in accordance with the Management Plan and the terms and conditions of this Conservation Easement;]

(c) To enter upon the Easement Area, no less than once annually, at reasonable times to monitor compliance with and otherwise enforce the terms of this Conservation Easement or to carry out, at Easement Holder's sole cost and expense, scientific research and management and monitoring requirements applicable to the Easement Area that are set forth in the Management Plan and in Yolo HCP/NCCP Chapters 6 and 7, provided that Easement Holder shall not unreasonably interfere with Landowner's allowed uses and quiet enjoyment of the Easement Area. [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:* The annual monitoring report shall address each of the monitoring protocols as required in the WCB Grant Agreement.] Except where there is an imminent threat to the Easement Area or its Conservation Values, Easement Holder and its employees, contractors or agents will only enter the Easement Area at reasonable times and with at least forty-eight (48) hours advance notice to Landowner in writing or by phone. The Landowner may waive these requirements in whole or in part by written notice to Easement Holder. [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:* Landowner acknowledges that WCB has the right

to enter upon the Easement Area, not less than once in any period of three calendar years, to assess Grantee's compliance with the terms, covenants, and conditions of the WCB Grant Agreement. WCB's entry will be subject to the notice requirements described above;]

(d) To prevent any activity on or use of the Easement Area that is inconsistent with the purposes of this Conservation Easement and to require the restoration of such areas or features of the Easement Area that may be damaged by any act, failure to act, or any use or activity that is inconsistent with the purposes of this Conservation Easement;

(e) To require that all mineral, air, and water rights that Easement Holder deems necessary to preserve and protect the Conservation Values of the Easement Area shall remain a part of and be put to beneficial use upon the Easement Area, consistent with the purposes of this Conservation Easement; and

(f) All present and future development rights and wind power rights appurtenant to, allocated, implied, reserved or inherent in the Easement Area; such rights are hereby terminated and extinguished, and may not be used on or transferred to any portion of the Property, nor any other property adjacent or otherwise.

4. **Prohibited Uses**. Any activity on or use of the Easement Area that adversely affects the purpose of this Conservation Easement, as set forth in Section 1, above, is prohibited except as may be otherwise expressly provided in this Conservation Easement or in the Management Plan. Without limiting the generality of the foregoing, the Landowner, Landowner's personal representatives, heirs, successors, assigns, employees, agents, lessees, licensees and invitees are expressly prohibited from doing or allowing any of the following uses and activities on the Easement Area, unless, and then only to the extent that, a generally prohibited activity set forth below is a management practice, lawful and routine agricultural practice, or other activity that does not impair the Conservation Values of the Easement Area and is allowed in the Management Plan.

[*Note to Landowners:* Many of the following uses—while described herein as "generally prohibited"—may often be allowed in the Management Plan through mutual consent of the Landowner, Conservancy, and Wildlife Agencies in the Management Plan on a case-by-case basis depending on site-specific conditions, landowner preferences and operations, and species and habitat needs. Section 4 of the Management Plan Template provides examples of how uses can be authorized on an individual basis, ***particularly for properties that will remain in active agricultural use***. The terms of the Management Plan can also be modified over time (with the mutual consent of the Parties) to reflect changes in the Landowner's needs that do not adversely affect the Conservation Values.

This Conservation Easement Template represents only a starting point for consideration of the following uses. In unusual circumstances, in addition to the following restrictions, it may be appropriate to include restrictions beyond those set forth below. Additionally, this Section may

require modification to address public access and recreation uses to the extent contemplated by the Landowner or required in the Easement Area under the Management Plan.]

(a) Unseasonal watering activities that promote the establishment of invasive species that act as predators of covered species, impair the habitat quality of the site for covered species, or otherwise impair the Conservation Values of the site;

(b) Use of fertilizers, pesticides, biocides, herbicides or other chemicals except as allowable under applicable law and as provided in the Management Plan in connection with the agricultural use of the Easement Area or other activities or uses that are authorized or reserved hereunder. Under no circumstance are rodenticides allowed to be used within the Easement Area unless specifically authorized in writing by the Easement Holder and the Wildlife Agencies due to unforeseen or exceptional circumstance, such as proclamation of a local state of emergency;

(c) Use of heavy equipment, off-road vehicles, or other motorized vehicles, except on existing roadways or use of equipment or vehicles as required to conduct any management practice, lawful and routine agricultural practice, or other activity as provided for in the Management Plan. The long-term storage of wrecked, dismantled, or inoperative nonagricultural vehicles and industrial or commercial equipment [except within the Development Envelope] is prohibited;

(d) Except as set forth in the Management Plan [or within the Development Envelope], any construction, reconstruction, relocation or placement of any road, building, billboard, or sign, or any other structure or improvement of any kind, or altering the surface or general topography of the Easement Area without written approval by the Easement Holder and Wildlife Agencies [*Note to landowners: The repair, removal, and placement of fencing, particularly for properties with irrigated pasture or other agricultural uses that require occasional changes in fencing are generally allowed in the Management Plan for purposes of reasonable, lawful, and routine agricultural practices, and for the security in connection with the protection of Conservation Values and reserved uses of the Easement Area. The relocation of formal and informal access roads may also need to be addressed in the Management Plan on some properties*];

(e) Vineyards, orchards, nurseries, intensive livestock use (e.g., dairy, feedlot), and other agricultural uses except as allowed in the Management Plan [*Note to landowners: The specific agricultural practices identified above are prohibited for all conservation easements. This does not preclude a landowner from having fruit trees or vines within a designated development envelope area, as are common around a home site. For easements that include active agricultural lands at the time the easement is established, the existing agricultural uses that support the Conservation Values of the site*

will be allowed in the Management Plan. For example, if the site includes rice fields that provide habitat for giant garter snake, agricultural use of the site as needed to maintain the rice fields that provide habitat to giant garter snake will be allowed uses in the Management Plan];

(f) Commercial, industrial, residential, or other institutional uses [except within the Development Envelope];

(g) Depositing or accumulation of soil, trash, ashes, refuse, waste, bio-solids or any other materials, except in connection with lawful and routine agricultural practices (e.g., tilling, soil amendments, laser leveling) and other uses that do not impair the Conservation Values of the Easement Area and are allowed in the Management Plan;

(h) Planting, introduction, or dispersal of invasive plant or animal species;

(i) Filling, dumping, excavating, draining, dredging, mining, drilling, removing, or exploring for or extracting minerals, loam, soil, sands, gravel, rocks, or other material on or below the surface of the Easement Area, or granting or authorizing any surface entry for any exploring for or extracting minerals. This provision is not intended to prohibit lawful and routine agricultural practices (e.g., tilling, soil amendments, laser leveling) and other uses that are associated with site management activities, do not impair the Conservation Values of the Easement Area, and are allowed in the Management Plan. [***Note:*** If mineral rights are separately owned (i.e., have previously been severed from the surface estate) ***and*** the Landowner is unable to acquire those rights despite reasonable, documented efforts, the Yolo Habitat Conservancy may consider modifying this provision; any modification must be authorized in writing by the Wildlife Agencies. The Yolo Habitat Conservancy will review factors such as (i) the likelihood such rights will be exercised in the future {The process that the Yolo Habitat Conservancy will follow to determine the potential risk that a severed mineral right will be exercised is described in Section 7.5.12 of the Yolo HCP/NCCP} , (ii) the covered species that utilize the Easement Area (i.e., whether they can easily avoid disturbed areas, as in the case of raptors), (iii) whether a right of surface entry exists, and (iv) whether disturbance of the Easement Area can be confined to a small (e.g., 1 acre) footprint and otherwise limited so that it does not adversely affect the Conservation Values. The Yolo Habitat Conservancy and Wildlife Agencies have sole discretion to reject a proposed Conservation Easement if an acceptable arrangement on severed mineral rights cannot be reached.];

(j) Removing, destroying, or cutting of trees, shrubs, or other vegetation except as allowed in the Management Plan;

(k) Manipulating, impounding, or altering any water course, body of water, or water circulation on the Easement Area, and activities or uses detrimental to

water quality, including but not limited to degradation or pollution of any surface or subsurface waters, except as needed to conduct a management practice, lawful and routine agricultural practice, or other activity that does not impair the Conservation Values of the Easement Area and is allowed in the Management Plan; and *[Note to landowners: The management and maintenance of canals, ponds, and other artificial water features as needed to maintain cultivated lands and other site conditions that support the Conservation Values of the site are allowed as described in the Management Plan.]*

(l) Without the prior written consent of Easement Holder, which Easement Holder may reasonably withhold or condition, transferring, encumbering, selling, leasing or otherwise separating the mineral, air or water rights for the Easement Area; changing the place or purpose of use of the water rights; abandoning or allowing the abandonment of, by action or inaction, any water or water rights, ditch or ditch rights, spring rights, reservoir or storage rights, wells, ground water rights or other rights in and to the use of water historically used on or otherwise appurtenant to the Easement Area, including but not limited to: (i) riparian water rights; (ii) appropriative water rights; (iii) rights to waters which are secured under contract with any irrigation or water district, to the extent such waters are customarily applied to the Easement Area; and (iv) any water from wells that are in existence or may be constructed in the future on the Easement Area. In determining whether to consent to a short-term transfer (i.e. a transfer of water from the Property for a period of not more than one year as defined by California law) or other change relating to water rights under this subsection (k), the Easement Holder shall evaluate whether the transfer will, during the transfer period, preclude the Landowner from maintaining the Conservation Values, for the covered species that the Easement Area is managed to benefit at the time of the proposed transfer. This determination shall be subject to approval by the Wildlife Agencies and the Yolo Habitat Conservancy.

(m) All Subdivisions, including but not limited to the Subdivision of rangeland, open space, and other types of land not used for the active cultivation of crops. The fee transfer of less than the entire Easement Area is also prohibited to the extent such a transfer would constitute a subdivision of land under California law, including but not limited to the Subdivision Map Act.

(n) Any activity or use that may violate or fail to comply with relevant federal, state, or local laws, regulations, or policies applicable to Landowner, the Easement Area, or the activity or use in question.

(o) *[Insert additional prohibitions as appropriate for the particular Property and its Conservation Values.]*

5. **Unlawful Entry.** Landowner shall undertake all reasonable actions to prevent the unlawful entry and trespass on the Easement Area by persons whose uses or activities may degrade

or harm the Conservation Values or are otherwise inconsistent with the purposes of this Conservation Easement. Reasonable actions to prevent trespass and related activities may include, but are not limited to, posting "No Trespassing" signs, constructing barriers and gates, and good faith efforts to exclude any person who is not a designated representative of Landowner, Easement Holder, or others with lawful access rights. In addition, Landowner shall undertake all necessary actions to perfect the rights of Easement Holder under Section 3 of this Conservation Easement.

6. **Easement Holder's Remedies.** If Easement Holder or any Third-Party Beneficiary (as defined in **Section 6(d)** below) determines there is a violation of the terms of this Conservation Easement or that such violation is threatened, written notice of such violation and a demand for corrective action sufficient to cure the violation shall be given to Landowner, with a copy provided to Easement Holder and each Third-Party Beneficiary. The notice of violation shall specify the measures the Landowner must take to cure the violation. If Landowner fails to cure the violation within thirty (30) days after receipt of written notice and demand from Easement Holder or any Third-Party Beneficiary, as applicable; or if the cure reasonably requires more than thirty (30) days to complete and Landowner fails to begin the cure within such thirty (30) day period; or Landowner fails to continue diligently to complete the cure, Easement Holder or any Third-Party Beneficiary may bring an action at law or in equity in a court of competent jurisdiction to enforce the terms of this Conservation Easement, to recover any damages to which Easement Holder and the Third-Party Beneficiaries may be entitled for violation of the terms of this Conservation Easement or for any injury to the Conservation Values, to enjoin the violation, *ex parte* as necessary, by temporary or permanent injunction without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies, or for legal or other equitable relief, including, but not limited to, the restoration of the Easement Area to the condition in which it existed prior to any such violation or injury, or to otherwise enforce this Conservation Easement. Without limiting Landowner's liability therefor, any damages recovered may be applied to the cost of undertaking any corrective action on the Easement Area at the election of the party receiving such damages.

If Easement Holder in its sole discretion, determines that circumstances require immediate action to prevent or mitigate damage to the Conservation Values, Easement Holder and/or any Third-Party Beneficiary may pursue its remedies under this section without prior notice to Landowner or without waiting for the period provided for cure to expire. The rights of Easement Holder and the Third-Party Beneficiaries under this section apply equally to actual or threatened violations of the terms of this Conservation Easement. Landowner agrees that Easement Holder's and Third-Party Beneficiaries' remedies at law for any violation of the terms of this Conservation Easement are inadequate and that Easement Holder and/or any Third-Party Beneficiary shall be entitled to the injunctive relief described in this section, both prohibitive and mandatory, in addition to such other relief to which Easement Holder and the Third-Party Beneficiaries may be entitled, including specific performance of the terms of this Conservation Easement, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies. Remedies described in this section shall be cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity, including but not limited to, the remedies set forth in California Civil Code Section 815, *et seq*. The failure of Easement Holder or any Third-Party Beneficiary to discover a violation or to take immediate legal action in response to such action shall not bar such party from taking legal action at a later time.

If at any time in the future Landowner or any subsequent transferee uses or threatens to use the Property for purposes inconsistent with this Conservation Easement then, despite the provisions of Civil Code section 815.7, the California Attorney General, any person and any entity with a justiciable interest in the preservation of this Conservation Easement has standing as an interested party in any proceeding affecting this Conservation Easement.

(a) **Costs of Enforcement.** Any reasonable costs incurred by the Easement Holder or any Third-Party Beneficiary, where it is the prevailing party, in enforcing the terms of this Conservation Easement against the Landowner, including, but not limited to, costs of suit and attorneys' and experts' fees, and any costs of restoration necessitated by Landowner's negligence or breach of this Conservation Easement shall be borne by Landowner. In any action where an agency of the United States is a party, the right to recover fees and costs shall be governed by federal law.

(b) **Enforcement Discretion.** Enforcement of the terms of this Conservation Easement against Landowner shall be at the respective discretion of Easement Holder and each of the Third-Party Beneficiaries, and any forbearance by any such party to exercise its rights under this Conservation Easement in the event of any breach of any term of this Conservation Easement shall not be deemed or construed to be a waiver by such party of such term or of any subsequent breach of the same or any other term of this Conservation Easement or of any of such party's rights under this Conservation Easement. No delay or omission by Easement Holder or any Third-Party Beneficiary in the exercise of any right or remedy upon any breach shall impair such right or remedy or be construed as a waiver.

(c) **Acts Beyond Landowner's Control.** Nothing contained in this Conservation Easement shall be construed to entitle Easement Holder or any Third-Party Beneficiary to bring any action against Landowner for any injury to or change in the Property resulting from (i) any natural cause beyond Landowner 's control, including, without limitation, fire not caused by Landowner, flood, storm, and earth movement, or any prudent action taken by Landowner under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes; or (ii) acts by Easement Holder or any Third-Party Beneficiary or employees of Easement Holder or any Third-Party Beneficiary; or (iii) acts by persons that entered the Easement Area unlawfully or by trespass whose activities degrade or harm the Conservation Values of the Easement Area or whose activities are otherwise inconsistent with this Conservation Easement where Landowner has undertaken all reasonable actions to prevent such activities *[for public agency-owned lands include the following language:* or (iii) acts by persons that entered the Easement Area lawfully or unlawfully whose activities degrade or harm the Conservation Values of the Easement Area or whose activities are otherwise inconsistent with this Conservation Easement where Landowner has undertaken all reasonable actions to discourage or prevent such activities].

(d) **Third-Party Beneficiary Rights**. The parties intend for Yolo Habitat Conservancy (during any such period, if any, that Yolo Habitat Conservancy does not also constitute Easement Holder), USFWS and CDFW (collectively, **"Third-Party Beneficiaries"**) to be third-party beneficiaries of this Conservation Easement. All rights and remedies conveyed to Easement Holder under this Conservation Easement shall extend

to and are enforceable by each of the Third-Party Beneficiaries in accordance with the terms hereof. Landowner and Easement Holder acknowledge that, as Third-Party Beneficiaries of this Conservation Easement, the Third-Party Beneficiaries shall have the same rights of access to the Easement Area granted to Easement Holder in **Section 3** above, and with rights to enforce all of the provisions of this Conservation Easement. If at any time in the future Landowner uses, allows the use, or threatens to use or allow use of, the Easement Area for any purpose that is inconsistent with or in violation of this Conservation Easement then, despite the provisions of California Civil Code Section 815.7, the California Attorney General and each Third-Party Beneficiary has standing as an interested party in any proceeding affecting the Conservation Easement.

These rights are in addition to, and do not limit, the Easement Holder's obligations under federal, state, and local laws and regulations relating to the protection of biological resources and the environment. In addition, if the Wildlife Agencies reasonably determines that the Easement Area is not being held, monitored, or stewarded for conservation purposes in the manner specified in this Conservation Easement, the Yolo HCP/NCCP Instruments, or the Management Plan, the Conservation Easement shall revert to the State of California or another entity as described in California Government Code Section 65967(e), and subject to approval as set forth therein.[*In situations where WCB funds the easement in whole or in part, the following language will be inserted:* (e) **Rights of WCB.** In the event that Easement Holder is in default under the WCB Grant Agreement, WCB and the Third-Party Beneficiaries may require Easement Holder to convey its interest in the Conservation Easement to WCB or, at the election of WCB and the Third-Party Beneficiaries, another entity or organization authorized by California law to acquire and hold conservation easements and that is willing and financially able to assume all of the obligations and responsibilities of Easement Holder.]

7. **Public Access.** Nothing contained in this Conservation Easement gives or grants to the public an independent right to enter upon or use the Easement Area or any portion thereof. Nor shall this Conservation Easement extinguish any existing public right to enter upon or use the Easement Area, provided said right is disclosed to the Easement Holder and documented in the Management Plan and/or an exhibit to this Conservation Easement.

8. **Costs and Liabilities.** Except for those specific obligations to be undertaken by Easement Holder under Section 3 above, or in the Management Plan, Landowner shall retain all responsibilities and shall bear all costs and liabilities of any kind related to Landowner's ownership, operation, upkeep, management, and maintenance activities on and relating to the Easement Area as well as the Easement Area itself. Landowner agrees that neither the Easement Holder nor Third Party Beneficiaries shall have any duty or responsibility for the operation, upkeep, or maintenance of the Easement Area, the monitoring of hazardous conditions thereon, or the protection of Landowner, the public or any third parties from risks relating to conditions on the Easement Area. Landowner shall remain responsible for obtaining any applicable governmental permits and approvals for any activity or use allowed on the Easement Area under this Conservation Easement, and Landowner shall undertake all allowed activities and uses of the Easement Area in accordance with all applicable federal, state, local and administrative agency statutes, ordinances, rules, regulations, orders and requirements. Landowner shall pay before delinquency all taxes, assessments, fees, and charges of whatever description levied on or assessed against the Easement

Area by competent authority (collectively **"taxes"**), including any taxes imposed upon, or incurred as a result of, this Conservation Easement, and shall furnish Easement Holder with satisfactory evidence of payment upon request.

9. **Indemnification.**

(a) **Indemnification by Landowner.** Landowner shall hold harmless, protect and indemnify Easement Holder and the Third-Party Beneficiaries, and their respective members, directors, officers, employees, agents, contractors, and representatives and the heirs, personal representatives, successors and assigns of each of them (each a **"Landowner Indemnified Party"** and, collectively, the **"Landowner Indemnified Parties"**) from and against any and all liabilities, penalties, costs, losses, damages, expenses (including, without limitation, reasonable attorneys' and experts' fees and costs), causes of action, claims, demands, orders, liens or judgments (each a **"Claim"** and, collectively, **"Claims"**), arising from or in any way connected with: (i) injury to or the death of any person, or physical damage to any Easement Area, resulting from any act, omission, condition, or other matter related to or occurring on or about the Easement Area, regardless of cause, except that this indemnification shall be inapplicable to Landowner Indemnified Parties with respect to any Claim due solely to the negligence of Landowner Indemnified parties; (ii) the obligations specified in Sections 5 and 8 [*verify the Section numbers listed here refer to "Unlawful Entry" and "Costs and Liabilities" sections*]; and (iii) the existence or administration of this Conservation Easement. If any action or proceeding is brought against any of the Landowner Indemnified Parties by reason of any such Claim, Landowner shall, at the election of and upon written notice from Landowner Indemnified Parties, defend such action or proceeding by counsel reasonably acceptable to the Landowner Indemnified Parties or reimburse Landowner Indemnified Parties for all charges incurred for services of the California Attorney General in defending the action or proceeding.

(b) **Indemnification by Easement Holder.** Easement Holder shall hold harmless, protect, and indemnify Landowner and the Third-Party Beneficiaries, and their respective members, directors, officers, employees, agents, contractors, and representatives and the heirs, personal representatives, successors and assigns of each of them (each, an **"Easement Holder Indemnified Party,"** and collectively, the **"Easement Holder Indemnified Parties"**) from and against any and all Claims arising from or in any way connected with: (a) the activities of Easement Holder on the Easement Area, including without limitation the Easement Holder's performance of management and monitoring activities set forth in the Management Plan; (b) breach by Easement Holder of any provision of this Conservation Easement; (c) any injury to or the death of any person, or physical damage to any Easement Area occurring on or about the Easement Area resulting from any act, omission, condition, or other matter related to, an activity on, or use of, the Easement Area by Easement Holder, including without limitation, those performed under the Management Plan, unless due solely to the negligence or willful misconduct of the Easement Holder Indemnified Party; and (d) any violation of, or failure to comply with, any state, federal or local law, regulation or requirement, by Easement Holder in any way affecting, involving or relating to the Easement Area. If any action or proceeding is brought against any of the Easement Holder Indemnified Parties by reason of any such Claim,

Easement Holder shall, at the election of and upon written notice from Landowner, defend such action or proceeding by counsel reasonably acceptable to the Easement Holder Indemnified Party. *[**Note:** If CDFW is the easement holder, this provision must be revised to reflect that indemnification is legally possible only pursuant to Government Code § 14662.5.]*

10. **Extinguishment.** The Conservation Easement created by this agreement constitutes a property right. It is the Parties' intention that the terms and conditions of this Conservation Easement shall be carried out in perpetuity. Liberal construction is expressly required for purposes of effectuating the Conservation Easement in perpetuity, notwithstanding economic hardship or changed conditions of any kind. If circumstances arise in the future that render the purposes of this Conservation Easement impossible to accomplish, this Conservation Easement can only be terminated or extinguished, in whole or in part, by judicial proceedings in a court of competent jurisdiction. In addition, no such extinguishment shall affect the value of Yolo Habitat Conservancy's interest in the Easement Area, and if the Easement Area, or any interest therein, is sold, exchanged or taken by power of eminent domain after such extinguishment, the Yolo Habitat Conservancy [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:* and WCB] shall be entitled to receive the fair market value of the Conservation Easement at the time of such extinguishment. If such extinguishment occurs with respect to fewer than all acres of the Easement Area, the amounts described above shall be calculated based on the actual number of acres subject to extinguishment. [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:* WCB shall be entitled to the share of any award which equals the ratio of the WCB grant funds provided by WCB to the purchase price Easement Holder paid to acquire the Conservation Easement. The award shall mean all compensation awarded, paid or received on account of Easement Holder's interest in the Property so taken or purchased, and all direct or incidental damages resulting from any taking, termination, extinguishment, or purchase, less all out-of-pocket expenses reasonably incurred by Easement Holder in connection with the taking, termination, extinguishment, or purchase.]

11. **Condemnation.** Pursuant to Code of Civil Procedure § 1240.055, this Conservation Easement is "property appropriated to public use," as used in Article 6 (commencing with Section 1240.510) and Article 7 (commencing with Section 1240.610 of Chapter 3 of Title 7 of the Code of Civil Procedure). A person authorized to acquire property for public use by eminent domain shall seek to acquire the Property, if at all, only as provided in Code of Civil Procedure § 1240.055. CDFW is a public entity that imposed conditions of approval on a project that were satisfied, in whole or part, by the creation of this Conservation Easement. If any person seeks to acquire the Property for public use, Easement Holder shall provide notice to CDFW [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:* and WCB] and comply with all obligations of the holder of a conservation easement under Code of Civil Procedure § 1240.055. If the Conservation Easement is condemned, the net proceeds from condemnation of the Conservation Easement interest shall be distributed according to Paragraph 10 above and, as applicable, used in compliance with Government Code § 65966(j).

12. **Transfer of Conservation Easement.**

(a) This Conservation Easement may be assigned or transferred by Easement Holder upon written approval of [*In situations where WCB funds the easement in whole or*

in part, the following language will be inserted: WCB and the] Third-Party Beneficiaries which approval shall not be unreasonably withheld or delayed; provided, that Easement Holder shall give [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:* WCB,] the Third-Party Beneficiaries and Landowner at least sixty (60) calendar days prior written notice of the proposed assignment or transfer. Easement Holder may transfer its rights under this Conservation Easement only to an entity or organization: (a) authorized to acquire and hold conservation easements pursuant to California law, including Civil Code Section 815.3 and California Government Code Section 65967(c) (and any successor or other provisions applicable at the time of the proposed transfer), or the laws of the United States; (b) otherwise reasonably acceptable to the Third-Party Beneficiaries [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:* and WCB; and (c) agrees in writing to be bound by the terms , covenants, and conditions of the WCB Grant Agreement]. Easement Holder shall require the transferee to record the conveyance in the Official Records of the County where the Easement Area is located. The failure of Easement Holder to perform any act provided in this section shall not impair the validity of this Conservation Easement or limit its enforcement in any way. Any transfer under this section shall be subject to the requirements of **Section 16** below.

(b) [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:*
If the existence of Easement Holder is terminated for any reason, title to all interest in the Conservation Easement shall immediately vest in the State of California. However, prior to that termination, upon approval of WCB and the Third-Party Beneficiaries, another public agency or nonprofit organization may receive title to all or a portion of the Conservation Easement by recording its acceptance in writing.]

13. **Transfer of Easement Area.** Landowner agrees to incorporate the terms of this Conservation Easement by reference in any deed or other legal instrument by which Landowner divests itself of any interest in all or any portion of the Easement Area, including, without limitation, a leasehold interest. For all transfers except routine and customary agricultural leases, Landowner further agrees to give written notice to Easement Holder [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:* WCB,] and the Third-Party Beneficiaries of the intent to transfer any interest at least thirty (30) calendar days prior to the date of such transfer. Easement Holder [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:*, WCB,] and the Third-Party Beneficiaries shall have the right to prevent subsequent transfers in which prospective subsequent claimants or transferees are not given actual notice of the covenants, terms, conditions and restrictions of this Conservation Easement. The failure of Landowner to perform any act provided in this section shall not impair the validity of this Conservation Easement or limit its enforceability in any way. Any successor in interest or lessor of Landowner, by acceptance of a deed, lease, or other document purporting to convey an interest in the Easement Area, shall be deemed to have consented to, reaffirmed and agreed to be bound by all of the terms, covenants, restrictions, and conditions of this Conservation Easement.

14. **Transfer Fee Easement Holder.** Landowner and Easement Holder recognize and agree that any transfer of the Easement Area and any division of ownership will result in an

additional burden on the monitoring and enforcement responsibilities of Easement Holder. Therefore, each transfer of the Easement Area (except for a Permitted Transfer) shall require Landowner's payment of a transfer fee to Easement Holder's easement stewardship fund. The fee shall be equal to the greater of three-fourths of one percent (0.75%) of the fair market value of the property transferred or twenty-five hundred dollars ($2,500.00), whichever is greater. Easement Holder may reduce or waive this fee at its sole discretion. For purposes of this Easement, **"Permitted Transfer"** shall mean any of the following: (i) a transfer without consideration (e.g. an inter vivos or testamentary gift), (ii) a transfer to an entity in which Landowner continues to retain both at least fifty-one percent (51%) of the voting rights in, and direct control of and participation in, such entity, or (iii) any transfer of any portion of the Property made as a result of condemnation or eminent domain proceedings, including any negotiated transfer made to an entity with condemning authority in response to actual or threatened condemnation proceedings by that entity. Landowner and Easement Holder agree to execute and record a "NOTICE OF PAYMENT OF TRANSFER FEE REQUIRED" in accordance with California Civil Code Section 1098.5 respecting the transfer fee. The transfer fee shall be the obligation of the seller of the Property and shall be paid to Easement Holder at the address for giving notices to Easement Holder as set forth hereinbelow.

15. **Notices.** Any notice, demand, request, consent, approval, or communication that Landowner, Easement Holder, or any Third-Party Beneficiary desires or is required to give to the others shall be in writing and be served personally or sent by recognized overnight courier that guarantees next-day delivery or by first class mail, postage fully prepaid, addressed as follows:

To Landowner: *Name*
Address
City, State
Attn:
Telephone:

To Easement Holder: Yolo Habitat Conservancy *Attn:*
Executive Director
P.O. Box 2202
Woodland, CA 95776
Telephone: (530) 723-5504

To Third-Party Beneficiaries:

United States Fish and Wildlife Service
Attn: Chief, Sacramento Valley Division
2800 Cottage Way, Room W-2605
Sacramento, CA 95825
Telephone: (916) 414-6600

California Department of Fish and Wildlife

Attn: Regional Manager
1701 Nimbus Road
Rancho Cordova, CA 95670
Telephone: (916) 358-2900

With a copy to: *California Department of Fish and Wildlife*
Office of the General Counsel
Attn: General Counsel
1416 Ninth Street, 12th Floor
Sacramento, California 95814-2090
Telephone: 916-445-8448

[*In situations where WCB funds the easement in whole or in part, the following contact information will be inserted:*
Wildlife Conservation Board
Attn: Executive Director
PO Box 944209
Sacramento, CA 94244-2090
Telephone: 916-445-8448]

or to such other address as a party shall designate by written notice to the others. Notice shall be deemed effective upon delivery in the case of personal delivery or delivery by overnight courier or, in the case of delivery by first class mail, five (5) calendar days after deposit into the United States mail.

16. **Amendment.** This Conservation Easement may not be amended, modified or otherwise changed in any manner, except by a written amendment executed by the Landowner and the Easement Holder, or their successors in interest, in their sole discretion. Any such amendment shall be subject to the prior written consent of [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:* WCB and] the Third-Party Beneficiaries. Any amendment that is not made in strict accordance with the consent and other requirements of this Section shall be void and without effect. Any such amendment shall be consistent with the purposes of the Conservation Easement and shall not affect the perpetual duration of the Conservation Easement. Any such amendment must refer to this Conservation Easement by reference to its recordation data and must be recorded in the Official Records of the County where the Easement Area is located.

17. **Merger.** The doctrine of merger shall not operate to extinguish the Conservation Easement if the Conservation Easement and the Easement Area become vested in the same party. If, despite this intent, the doctrine of merger applies to extinguish the Conservation Easement then, a replacement conservation easement, with a new Easement Holder identified by the Yolo Habitat Conservancy and approved by [*In situations where WCB funds the easement in whole or in part, the*

following language will be inserted: WCB and] the Third-Party Beneficiaries, containing the same protections embodied in this Conservation Easement shall be recorded against the Easement Area.

18. **No Hazardous Materials Liability.** Landowner represents and warrants that Landowner has no knowledge or notice of any Hazardous Materials (as defined below) or underground storage tanks existing, generated, treated, stored, used, released, disposed of, deposited or abandoned in, on, under, or from the Easement Area, or transported to or from or affecting the Easement Area [except as disclosed in the Report]. *[Insert site-specific conditions, if applicable.]* Landowner further represents, warrants and covenants that activities upon and use of the Easement Area by Landowner, its agents, employees, invitees and contractors shall comply with all Environmental Laws (as defined below) in using the Easement Area and that Landowner shall keep the Easement Area free of any material environmental defect, including, without limitation, contamination from Hazardous Materials (as defined below). Without limiting the obligations of Landowner under this Conservation Easement, including **Section 9(a)**, Landowner hereby releases and agrees to indemnify, protect and hold harmless the Landowner Indemnified Parties (as defined in **Section 9(a)**) from and against any and all Claims (as defined in **Section 9(a)**) arising from or connected with any Hazardous Materials or underground storage tanks present, alleged to be present, released in, from, or about or otherwise associated with the Easement Area at any time, except any Hazardous Materials placed, disposed or released by Landowner Indemnified Parties, or their employees or agents. This release and indemnification includes, without limitation, Claims for (a) injury to or death of any person or physical damage to any Easement Area; and (b) the violation or alleged violation of, or other failure to comply with, any Environmental Laws (as defined below). If any action or proceeding is brought against any of the Landowner Indemnified Parties by reason of any such Claim, Landowner shall, at the election of and upon written notice, defend such action or proceeding by counsel reasonably acceptable to the Landowner Indemnified Party including reimbursing CDFW for all charges incurred for services of the California Attorney General in defending the action or proceeding.

Despite any contrary provision of this Conservation Easement, the parties do not intend this Conservation Easement to be, and this Conservation Easement shall not be, construed such that it creates in or gives to Easement Holder or the Third-Party Beneficiaries any of the following:

(a) The obligations or liability of a "Landowner" or "operator," as those terms are defined and used in Environmental Laws (as defined below), including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. Section 9601 et seq.; hereinafter, "CERCLA"); or

(b) The obligations or liabilities of a person described in 42 U.S.C. Section 9607(a)(3) or (4); or

(c) The obligations of a responsible person under any applicable Environmental Laws; or

(d) The right to investigate and remediate any Hazardous Materials associated with the Easement Area; or

(e) Any control over Landowner's ability to investigate, remove, remediate or otherwise clean up any Hazardous Materials associated with the Easement Area.

The term **"Hazardous Materials"** includes, without limitation, (a) material that is flammable, explosive or radioactive; (b) petroleum products, including by-products and fractions thereof; and (c) hazardous materials, hazardous wastes, hazardous or toxic substances, or related materials defined in CERCLA, the Resource Conservation and Recovery Act of 1976 (42 U.S.C. Section 6901 et seq.; hereinafter **"RCRA"**); the Hazardous Materials Transportation Act (49 U.S.C. Section 6901 et seq.; hereinafter **"HTA"**); the Hazardous Waste Control Law (California Health & Safety Code Section 25100 et seq.; hereinafter **"HCL"**); the Carpenter-Presley-Tanner Hazardous Substance Account Act (California Health & Safety Code Section 25300 et seq.; hereinafter **"HAS"**), and in the regulations adopted and publications promulgated pursuant to them, or any other applicable Environmental Laws now in effect or enacted after the date of this Conservation Easement.

The term **"Environmental Laws"** includes, without limitation, CERCLA, RCRA, HTA, HCL, HSA, and any other federal, state, local or administrative agency statute, code, ordinance, rule, regulation, order or requirement relating to pollution, protection of human health or safety, the environment or Hazardous Materials.

19. **Representations and Warranties.** Landowner hereby makes the following representations and warranties for the benefit of Easement Holder and the Third-Party Beneficiaries:

(a) **Authority.** Landowner has good and sufficient title to the Easement Area including all appurtenances thereto, including, without limitation, all minerals and mineral rights [*for situations where mineral rights have been severed add the following*: "except as noted on **Exhibit C ("Title Encumbrances")** for severed mineral rights covered by Section 4(i), above"] and all water and water rights, and Landowner has full right and authority to enter into this Conservation Easement and convey the Conservation Easement to Easement Holder. There are no monetary liens and encumbrances recorded against the Easement Area except as expressly identified in **Exhibit C**, that may conflict or are otherwise inconsistent with this Conservation Easement and which have not been expressly subordinated to this Conservation Easement by a written Subordination Agreement approved by Easement Holder [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:*, WCB,] and the Wildlife Agencies. All deeds of trust and mortgages recorded against the Easement Area, or any portion thereof, are and shall continue to be subordinated to this Conservation Easement; documentation of such subordinations are contained in **Exhibit C**. No provisions of this Conservation Easement should be construed as impairing the ability of the Landowner to use the Property as collateral for subsequent borrowing, provided that any mortgage or lien arising from such a borrowing would be subordinated to this Deed of Conservation Easement.

(b) **Compliance with Laws.** Landowner has not received notice of, and has no knowledge of, any material violation of any federal, state, county or other governmental or quasi-governmental statute, ordinance, regulation, law or administrative or judicial order

with respect to the Easement Area *[except as disclosed in the Report]*. *[Insert site specific conditions, if applicable.]*

(c) **No Litigation.** There is no action, suit or proceeding which is pending or threatened against the Easement Area or any portion thereof relating to or arising out of the ownership or use of the Easement Area, or any portion thereof, in any court or in any federal, state, county, or municipal department, commission, board, bureau, agency or other governmental instrumentality.

20. **General Provisions.**

(a) **Controlling Law.** The interpretation and performance of this Conservation Easement shall be governed by the laws of the State of California, disregarding the conflicts of law principles of such state, and by applicable federal law.

(b) **Liberal Construction.** Despite any general rule of construction to the contrary, this Conservation Easement shall be liberally construed to accomplish the purposes of this Conservation Easement and the policy and purpose of Civil Code section 815, *et seq.* If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purposes of this Conservation Easement that would render the provision valid shall be favored over any interpretation that would render it invalid. It is the intent of this Conservation Easement to preserve the condition of the Easement Area and each of the Conservation Values protected herein, notwithstanding economic or other hardship or changes in circumstances or conditions. The provisions of this Conservation Easement shall be liberally construed to effectuate the purposes of the Conservation Easement and to allow Landowner's use and enjoyment of the Easement Area to the extent consistent with such purposes. Liberal construction is expressly required for purposes of effectuating this Conservation Easement in perpetuity, notwithstanding changed conditions of any kind. The Conservation Easement created by this agreement is the intended best and most productive use of the Easement Area. No remedy or election given by any provision in this Conservation Easement shall be deemed exclusive unless so indicated, but it shall, wherever possible, be cumulative with all other remedies at law or in equity. The parties acknowledge that each party and its counsel have had the opportunity to review and revise this Conservation Easement and that no rule of construction that ambiguities are to be resolved against the drafting party shall be employed in the interpretation of this Conservation Easement.

(c) **Severability.** If a court of competent jurisdiction voids or invalidates on its face any provision of this Conservation Easement, such action shall not affect the remainder of this Conservation Easement. If a court of competent jurisdiction voids or invalidates the application of any provision of this Conservation Easement to a person or circumstance, such action shall not affect the application of the provision to other persons or circumstances.

(d) **Entire Agreement.** This instrument sets forth the entire agreement of the parties with respect to this Conservation Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to this Conservation Easement. No

alteration or variation of this instrument shall be valid or binding unless contained in an amendment in accordance with **Section 15**.

(e) **No Forfeiture.** Nothing contained herein will result in a forfeiture or reversion of Landowner's title in any respect.

(f) **Successors.** The covenants, terms, conditions, and restrictions of this Conservation Easement shall be binding upon, and inure to the benefit of, the parties hereto and their respective personal representatives, heirs, successors, and assigns and shall constitute a servitude running in perpetuity with the Easement Area.

(g) **Termination of Rights and Obligations.** A party's rights and obligations under this Conservation Easement terminate upon a valid transfer of the party's interest in the Conservation Easement in accordance with the terms and provisions hereof, except that liability for acts or omissions or breaches occurring prior to transfer shall survive transfer.

(h) **Captions.** The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon its construction or interpretation.

(i) **Additional Easements.** Landowner shall not grant any additional easements, rights of way or other interests in the Property (other than a security interest that is expressly subordinated to this Conservation Easement), or grant, transfer, or otherwise abandon or relinquish (each a "Transfer") any mineral, air, or water right or agreement relating to the Property, without first obtaining the written consent of Easement Holder and the Third-Party Beneficiaries. Easement Holder and the Third-Party Beneficiaries may withhold such consent if it determines that the proposed interest or transfer is inconsistent with the purposes of this Conservation Easement or may impair or interfere with the Conservation Values. This section shall not prohibit transfer of a fee or leasehold interest in the Property that is subject to this Conservation Easement and complies with **Section 13**. Landowner shall provide a certified copy of any recorded or unrecorded grant or Transfer document to Easement Holder [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:*, WCB,] and Third-Party Beneficiaries.

(j) [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:* **Security for Debt.** The Conservation Easement shall not be used as security for any debt without the written approval of the State of California, acting through the Executive Director of WCB or its successor and the USFWS.]

(k) **Recording.** Easement Holder shall record this Conservation Easement in the Official Records of the county where the Easement Area is located and may re-record it at any time as Easement Holder deems necessary to preserve its rights hereunder.

(l) **Counterparts.** The parties may execute this Conservation Easement in two or more counterparts, which shall, in the aggregate, be signed by both parties; each counterpart shall

be deemed an original instrument as against any party who has signed it. In the event of any disparity between the counterparts produced, the recorded counterpart shall be controlling.

(m) **Exhibits.** The following Exhibit(s) referenced in this Conservation Easement are attached to and incorporated by reference in this Conservation Easement:

Exhibit A – Legal Description and Map of the Easement Area
Exhibit B – Baseline Documentation Certification
Exhibit C –Title Encumbrances
Exhibit D – Notice of Unrecorded Grant Agreement (for WCB grant-funded acquisitions)
Exhibit E – Notice/Memorandum of Unrecorded Site-Specific Management Plan

Exhibits D and E shall be executed and recorded concurrently with this Conservation Easement as separate documents in the chain of title for the Property.

21. [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:* **Sale of Carbon Credits**. Landowner will ensure that the terms and conditions of the Conservation Easement are taken into account when calculating the baseline/business as usual of the Easement Area for purposes of establishing carbon credits or other emissions offsets that the Landowner proposes to authorize, create, sell, exchange or transfer, and to notify Yolo Habitat Conservancy at least 45 days prior to any such proposed establishment. Upon receipt of any such notice Yolo Habitat Conservancy will promptly furnish a copy of the notice to the WCB and the Third-Party Beneficiaries.]

22. [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:* Landowner or Easement Holder will purchase and install a sign to be placed on the Easement Area that identifies this Conservation Easement, the name of the ranch, the landowner's name (if desired), the Easement Holder, the Wildlife Conservation Board and California Department of Fish and Wildlife. The Easement Holder will maintain and replace the sign, as necessary, at the Easement Holder's sole cost and expense. The size, location, number, text and design of the signage shall be subject to any signage requirements required by the WCB Grant Agreement, and the approval of Landowner and Easement Holder, which approval shall not be unreasonably withheld, conditioned or delayed]

23. [*In situations where WCB funds the easement in whole or in part, the following language will be inserted:* Ecological Use. Notwithstanding the use of this Conservation Easement towards the land acquisition requirements of the Yolo HCP/NCCP, neither the Easement Area, nor the Conservation Easement or any portions thereof may be used for mitigation or satisfaction of any requirement or condition imposed by any permit, agreement, authorization or entitlement for use, including but not limited to any requirement to compensate for or otherwise offset impacts of an activity, without the prior written approval of the State of California, acting by and through the Executive Director of WCB.

IN WITNESS WHEREOF, Landowner and Easement Holder have executed this Conservation Easement the day and year first above written.

LANDOWNER:

By: _____

Name:_____

Title:_____

EASEMENT HOLDER:

By: _____

Name:_____

Title:_____

Yolo Habitat Conservancy
PO Box 2202
Woodland, CA 95776
info@yolohabitatconservancy.org
www.yolohabitatconservancy.org