

# YOLO HABITAT CONSERVANCY

## AGENDA

September 20, 2021



### **BOARD MEMBERS**

GARY SANDY, COUNTY OF YOLO  
DON SAYLOR, COUNTY OF YOLO  
WILL ARNOLD, CITY OF DAVIS  
CHRIS LEDESMA, CITY OF WEST SACRAMENTO  
PIERRE NEU, CITY OF WINTERS  
VICTORIA FERNANDEZ, CITY OF WOODLAND  
MATT DULCICH, UNIVERSITY OF CALIFORNIA, DAVIS

### **THIS MEETING WILL OCCUR BY TELECONFERENCE**

#### **TELECONFERENCE OPTIONS TO JOIN ZOOM MEETING:**

By Computer: <https://yolocounty.zoom.us/j/92675319807>

Meeting ID: 926 7531 9807

OR

By Phone: (408) 638-0968

Meeting ID: 926 7531 9807

Further instructions on how to electronically participate can be found in the  
PUBLIC PARTICIPATION note at the end of this agenda.

Alexander Tengolics  
Executive Director

Philip J. Pogledich  
County Counsel

## 5:30 P.M. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Agenda Order
4. Public Comment: This is time reserved for the public to address the Conservancy Board on matters not on the agenda.
5. Board Correspondence

## CONSENT AGENDA

6. Approve May 17, 2021 meeting minutes
7. Authorize signing authority for the Executive Director
8. Receive FY 20-21 easement endowment report
9. Approve the appointments of the three representatives from agricultural and wildlife organizations to serve on the Yolo Habitat Conservancy Implementation Advisory Committee
10. Authorize Executive Director to finalize and execute a contract with ICF Jones & Stokes, Inc. not to exceed \$81,000 for technical services to assist with preparation of the Lower Cache Creek Reserve Unit Management Plan

## REGULAR AGENDA

11. Receive FY20-21 year-end fiscal report
12. Receive and file transmittal memo recommending the Gilmer site for inclusion in the Yolo HCP/NCCP reserve system; approve Gilmer site as a candidate Yolo HCP/NCCP conservation easement site
13. Authorize the Executive Director to execute a new Certificate of Inclusion and the Special Participating Entity Agreement with Pacific Gas & Electric (PG&E) to allow the use of Yolo HCP/NCCP permit coverage for the PG&E S-648 Buckeye Station Upgrade

14. Receive presentation and approve revised Yolo Habitat Conservancy roles, responsibilities and fees associated with Valley Elderberry Longhorn Beetle mitigation and hold a public hearing and adopt a resolution reducing the per acre valley foothill riparian fee and creating a per acre maintenance fee for elderberry bushes transplanted from non-riparian habitat
15. Authorize the Executive Director and agency counsel to finalize and execute endowment and expendable fund agreements and take all other necessary actions to transfer the pre-permit endowments and the post-permit endowment fund to the Yolo Community Foundation/Sacramento Region Community Foundation
16. Executive Director's Report

## ADJOURNMENT

Next meeting scheduled for: November 15, 2021

I declare under penalty of perjury that the foregoing agenda was posted September 17, 2021 by 5:00 p.m. at the following places:

- On the bulletin board at the east entrance of the Erwin W. Meier Administration Building, 625 Court Street, Woodland, California; and
- On the bulletin board outside the Board of Supervisors Chambers, Room 206 in the Erwin W. Meier Administration Building, 625 Court Street, Woodland, California.
- On the YHC website: [www.yolohabitatconservancy.org](http://www.yolohabitatconservancy.org)

By: \_\_\_\_\_  
Lupita Ramirez, Deputy Clerk

### NOTICE

If requested, this agenda can be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 and the Federal Rules and Regulations adopted in implementation thereof. Persons seeking an alternative format should contact the Clerk of the Board for further information. In addition, a person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting should telephone or otherwise contact the Clerk of the Board as soon as possible and at least 72 hours prior to the meeting at (530) 666-8195.

### PUBLIC PARTICIPATION INSTRUCTIONS:

Based on guidance from the California Department of Public Health and the California Governor's Office, in order to minimize the spread of the COVID-19 virus, please do the following:

1. You are strongly encouraged to observe the Yolo Habitat Conservancy meeting via computer: <https://yolocounty.zoom.us/j/92675319807>, Meeting ID: 926 7531 9807 or phone in via 1-408-638-0968 Meeting ID: 926 7531 9807.
2. If you are joining the meeting via zoom and wish to make a comment on an item, press the "raise a hand" button. If you are joining the meeting by phone, press \*9 to indicate a desire to make comment. The chair will call you by name or phone number when it is your turn to comment. Speakers will be limited to 3 minutes (subject to change).

**Yolo Habitat Conservancy**

**Meeting Date:** 09/20/2021

---

**Information**

**SUBJECT**

Approve May 17, 2021 meeting minutes

---

**Attachments**

Attachment A. May 17, 2021 Minutes

---

**Form Review**

Form Started By: Alexander Tengolics  
Final Approval Date: 09/13/2021

Started On: 09/09/2021 02:42 PM

# YOLO HABITAT CONSERVANCY

May 17, 2021

## MINUTES

The Yolo Habitat Conservancy Board met on the 17th day of May, 2021, via [teleconference](#) at 5:30 p.m. pursuant to the Governor's Executive Order N-29-20 (March 17, 2020), available at the following [link](#).

Present: Will Arnold  
Victoria Fernandez  
Chris Ledesma  
Pierre Neu  
Gary Sandy  
Don Saylor  
Matt Dulcich (non-voting)

Staff Present: Alexander Tengolics, Executive Director  
Charlie Tschudin, Assistant Planner  
Phil Pogledich, County Counsel  
Julie Dachtler, Clerk

Attendees: Chris Alford, Alford Environment

### 5:30 P.M. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Agenda Order

Minute Order No. 21-07: Approved agenda order.

MOTION: Neu. SECOND: Sandy. AYES: Arnold, Fernandez, Ledesma, Neu, Sandy, Saylor.

4. Public Comment: This is time reserved for the public to address the Conservancy Board on matters not on the agenda.

There was no public comment.

5. Board Correspondence

There was no correspondence.

### CONSENT AGENDA

Minute Order No. 21-08: Approved Consent Agenda Item No. 6.

MOTION: Sandy. SECOND: Neu. AYES: Arnold, Fernandez, Ledesma, Neu, Sandy, Saylor.

6. Approve March 15, 2021 meeting minutes

Approved March 15, 2021 meeting minutes on Consent.

### REGULAR AGENDA

7. Approve 2021-22 budget and budget resolution for the Mitigation Fee Fund, Grant Fund, Other Revenue Fund, Mitigation Trust Account, Pre-Permit Endowment Fund, and Post-Permit Endowment fund, and authorize the repayment of loans from member agencies in the amount of \$213,523

Minute Order No. 21-09: Approved recommended action by **Resolution No. 21-03**.

MOTION: Saylor. SECOND: Neu. AYES: Arnold, Fernandez, Ledesma, Neu, Sandy, Saylor.

8. Approve contract amendment with ICF Jones & Stokes Inc. and contracts with Alford Environmental Consulting and the Yolo County Resource Conservation District for services to be provided in FY 21-22 and amend and extend the term of Memorandum of Understanding with Yolo County for Administrative Services through June 30, 2022

Minute Order No. 21-10: Approved recommended action by **Agreement Nos. 21-02 thru 21-05.**

MOTION: Neu. SECOND: Ledesma. AYES: Arnold, Fernandez, Ledesma, Neu, Sandy, Saylor.

9. Approve the Woodland Reiff SwHa Conservation Easement; approve the Woodland Reiff VELB Conservation Easement; approve the Correll Conservation Easement; approve the Access Easement for the Correll site; and authorize the Executive Director to proceed with steps necessary to enroll the properties in the Yolo HCP/NCCP reserve system

Minute Order No. 21-11: Approved recommended action.

MOTION: Saylor. SECOND: Sandy. AYES: Arnold, Fernandez, Ledesma, Neu, Sandy, Saylor.

10. Approve updates to the stewardship donation policy

Minute Order No. 21-12: Approved recommended action.

MOTION: Ledesma. SECOND: Saylor. AYES: Arnold, Fernandez, Ledesma, Neu, Sandy, Saylor.

11. Executive Director's Report

Received Executive Director's Report.

## CLOSED SESSION

12. Conference with Legal Counsel – Anticipated Litigation  
Pursuant to Government Code Section 54956.9(d)(2)  
Significant exposure to litigation: 1 case(s)

## ADJOURNMENT

Next meeting scheduled for:

- July 19, 2021 (if needed)
- September 20, 2021

**Yolo Habitat Conservancy**

**Meeting Date:** 09/20/2021

---

**Information**

**SUBJECT**

Authorize signing authority for the Executive Director

---

**Attachments**

Staff Report

Attachment A. Authorization Form

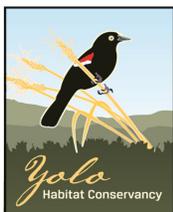
---

**Form Review**

Form Started By: Alexander Tengolics

Started On: 09/15/2021 08:12 AM

Final Approval Date: 09/15/2021



# Yolo Habitat Conservancy

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

To: Will Arnold, Chair  
Members of the Board

From: Alexander Tengolics  
Executive Director

Re: Authorize signing authority for the Executive Director

Date: September 20, 2021

---

## REQUESTED ACTION:

1. Authorize signing authority for the Executive Director

## BACKGROUND:

Pursuant to Yolo County Department of Financial Services (DFS) policy, the governing bodies of special districts and affiliate agencies utilizing DFS services must authorize a staff member's signing authority prior to DFS processing transactions requested by that staff member. Staff recommends the Board authorize the Executive Director to have all category signing authority per the attached authorization form (Attachment A).

## ATTACHMENTS:

Attachment A. Authorization Form

**Special Districts and Other Agencies Authorization Form - FY 21-22**

COUNTY OF YOLO  
 DEPARTMENT OF FINANCIAL SERVICES  
 P.O. BOX 1268  
 WOODLAND, CA 95776  
 (530) 666-8190

**Fund:**  
**District Name:** Yolo Habitat Conservancy  
**Address:** 625 Court Street, Room 202  
**Phone number:** 530-666-8068  
**Contact:** Alexander Tengolics

1	3	5	7	8	9					AUTHORIZED SIGNATURE OF EMPLOYEE	
PICK UP GENERAL CHECKS	GENERAL CLAIMS APPRVL	DEPOSIT APPRVL.	JE/TSF DOC. APPRVL	BUDGET MOD. APPRVL							Signature:
x	x	x	x	x							Print: Alexander Tengolics
											Signature:
											Print:
											Signature:
											Print:
											Signature:
											Print:
											Signature:
											Print:

**The persons listed above are authorized to perform the above duties on behalf of our governing board as approved in our Minutes recorded at a regular district meeting.**

Board Chairman Signature _____	Date _____	Board Member Signature _____	Date _____
Print Name: _____		Print Name: _____	
Board Member Signature: _____	Date _____	Board Member Signature: _____	Date _____
Print Name: _____		Print Name: _____	
Board Member Signature: _____	Date _____	Board Member Signature: _____	Date _____
Print Name: _____		Print Name: _____	
Board Member Signature: _____	Date _____	Board Member Signature: _____	Date _____
Print Name: _____		Print Name: _____	

**Yolo Habitat Conservancy**

**Meeting Date:** 09/20/2021

---

**Information**

**SUBJECT**

Receive FY 20-21 easement endowment report

---

**Attachments**

Staff Report

Attachment A. Easement Endowment Report

---

**Form Review**

Form Started By: Alexander Tengolics  
Final Approval Date: 09/16/2021

Started On: 09/10/2021 05:00 PM



# Yolo Habitat Conservancy

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

To: Will Arnold, Chair  
Members of the Board

From: Alexander Tengolics  
Executive Director

Re: Receive FY 20-21 easement endowment report

Date: September 20, 2021

---

## REQUESTED ACTIONS:

Receive FY 20-21 easement endowment report (Attachment A)

## BACKGROUND:

Per Conservancy policy, an annual endowment report is presented to the Yolo Habitat Conservancy Board. This easement endowment report will cover activity for FY 20-21.

The Yolo Land Trust and California Waterfowl Association (CWA) are two private, non-profit organizations that monitor the easements acquired by the Yolo Habitat Conservancy. Yolo Land Trust monitors most of the easements. The easements are monitored to ensure that the protective habitat restrictions placed on these properties are being upheld and submit a yearly compliance report to the Conservancy. Currently these easements are primarily monitored for Swainson's hawk foraging habitat with supporting fields of alfalfa and hay. As of 2021, all the easements are in compliance and maintaining the wildlife and habitat values for which they were selected.

The endowment funds for all of the conservation easements are held by Yolo Habitat Conservancy and invested in the County Treasury Pool, with the exception of CCR1, CCR4, and CCR5, which are held by CWA and managed by Charles Schwab. Endowment earnings did not fully cover the cost of monitoring activities for select easements in FY 20-21 (Attachment A). Separately, staff will be recommending transferring the endowments held by Conservancy to the Yolo Community Foundation, which should lead to greater returns than the County Treasury Pool going forward.

ATTACHMENTS:  
Attachment A. Easement Endowment Report



FY20-21 Yolo Habitat Conservancy Pre-Permit Endowment Report

Account	Beginning Balance	Expenditures/Debits	Revenue/Credits	Closing Balance
<i>YOLO LAND TRUST EASEMENTS (Funds held by Yolo County)</i>				
LARA EAST-WEST	\$ 71,564.76	\$ (816.73)	\$ 852.17	\$ 71,600.20
LOS RIOS FARMS	\$ 48,018.74	\$ (433.13)	\$ 571.80	\$ 48,157.41
SCHMID RANCH	\$ 46,496.91	\$ (444.70)	\$ 553.67	\$ 46,605.88
VIRGIN FARM-ENDOW FD	\$ 47,241.28	\$ (834.74)	\$ 562.55	\$ 46,969.09
VIRGIN FARM - LEG DEFENSE FD	\$ 14,502.38	\$ (20.76)	\$ 172.69	\$ 14,654.31
BOGLE - ENDOW FD	\$ 46,044.59	\$ (793.79)	\$ 548.32	\$ 45,799.12
TULE RANCH - ENDOW FD	\$ 41,034.35	\$ (1,656.11)	\$ 488.63	\$ 39,866.87
TULE RANCH - LEGAL DEF FD	\$ 11,273.39	\$ (16.14)	\$ 134.24	\$ 11,391.49
KOONTZ ENDOWMENT	\$ 53,205.15	\$ (657.09)	\$ -	\$ 52,548.06
<i>CALIFORNIA WATER FOWL ASSOCIATION EASEMENTS (Funds held by California Water Fowl Association)</i>				
CHICKAHOMINY CR1	\$ 33,706.73	\$ (11.97)	\$ 2,066.01	\$ 35,760.77
CHICKAHOMINY CR4	\$ 59,895.42	\$ (136.87)	\$ 4,006.94	\$ 63,765.49
CHICKAHOMINY CR5	\$ 55,060.45	\$ (125.81)	\$ 3,684.43	\$ 58,619.07

**Yolo Habitat Conservancy**

**Meeting Date:** 09/20/2021

---

**Information**

**SUBJECT**

Approve the appointments of the three representatives from agricultural and wildlife organizations to serve on the Yolo Habitat Conservancy Implementation Advisory Committee

---

**Attachments**

Staff Report

---

**Form Review**

Form Started By: Alexander Tengolics  
Final Approval Date: 09/17/2021

Started On: 09/10/2021 05:05 PM



# Yolo Habitat Conservancy

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

To: Will Arnold, Chair  
Members of the Board

From: Alexander Tengolics  
Executive Director

Re: Approve the appointments of the three representatives from agricultural and wildlife organizations to serve on the Yolo Habitat Conservancy Implementation Advisory Committee

Date: September 20, 2021

---

## **REQUESTED ACTION:**

Approve the following appointments to fill the agricultural and wildlife organization membership category on the Yolo Habitat Conservancy Implementation Advisory Committee:

- James Meyer;
- Brent Campos; and
- Michael Perrone

## **BACKGROUND:**

The Yolo Habitat Conservancy Board of Directors approved the revised Yolo HCP/NCCP Implementation Advisory Committee composition and appointment process at the November 16, 2020, Board meeting. To date, the only remaining seats to be filled are those seats allocated to the Cities of West Sacramento and Woodland, as well as the Yocha Dehe Wintun Nation. These seats will be filled without subsequent ratification or other action by the Board of Directors and all are in the process of being filled.

The Conservancy Board of Directors is responsible for appointing the three members of the Implementation Advisory Committee representing agricultural and wildlife conservation organizations. Five individuals submitted applications to serve as representatives of agricultural and wildlife organizations. Conservancy staff reviewed the applications received and discussed each applicant's relevant experience, their familiarity with programs that support the Yolo HCP/NCCP conservation goals consistent with the biological goals and objectives in Yolo HCP/NCCP Chapter 6, Conservation Strategy, and the ability for the applicant to contribute to the Yolo HCP/NCCP Implementation Advisory

Committee's charge of advising the Conservancy on the development and management of the reserve system of public and private lands.

After review of applications and the each of the candidates' qualifications and relevant work experience, as well as the Yolo HCP/NCCP sections and documents related to the Implementation Advisory Committee, staff recommend the Board of Directors appoint James Mayer as the agricultural representative and that the Board of Directors appoint Brent Campos and Michael Perrone as the wildlife conservation organization representatives. The term of these appointments would be one year ending on September 20, 2022.

Staff expect to convene the first meeting of the Implementation Advisory Committee as soon as all the seats are filled and the committee is fully empaneled.



**Yolo Habitat Conservancy**

**Meeting Date:** 09/20/2021

---

**Information**

**SUBJECT**

Authorize Executive Director to finalize and execute a contract with ICF Jones & Stokes, Inc. not to exceed \$81,000 for technical services to assist with preparation of the Lower Cache Creek Reserve Unit Management Plan

---

**Attachments**

Staff Report

Attachment A. Scope of Work

---

**Form Review**

Form Started By: Alexander Tengolics

Started On: 09/16/2021 05:00 PM

Final Approval Date: 09/17/2021



# Yolo Habitat Conservancy

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

To: Will Arnold, Chair  
Members of the Board

From: Alexander Tengolics  
Executive Director

Re: Authorize Executive Director to finalize and execute a contract with ICF Jones & Stokes, Inc. not to exceed \$81,000 for technical services to assist with preparation of the Lower Cache Creek Reserve Unit Management Plan

Date: September 20, 2021

---

## REQUESTED ACTION:

Authorize Executive Director to finalize and execute a contract with ICF Jones & Stokes, Inc. not to exceed \$81,000 for technical services to assist with preparation of the Lower Cache Creek Reserve Unit Management Plan

## BACKGROUND:

In fall of 2020, Conservancy staff, in conjunction with Yolo County Natural Resources staff, identified the need to align the conservation and restoration activities in Lower Cache Creek. To accomplish this goal, Conservancy staff identified a potential source of funding in the Natural Community Conservation Planning Local Assistance Grant (LAG) Program to develop a Reserve Unit Management Plan in coordination with Yolo County Natural Resources Cache Creek Area Plan (CCAP) in the Lower Cache Creek Planning Unit. The Reserve Unit Management Plan will serve to incorporate the Yolo HCP/NCCP's habitat protection obligations into the CCAP so that the two programs can support one another in achieving their shared goals related to improving the overall health and function of Lower Cache Creek as the County assembles components of the future Cache Creek Parkway and the Conservancy assembles its reserve system of conserved properties.

The Conservancy requested assistance from the Yolo County Procurement Manager to solicit bids for technical services to assist with preparation of the Lower Cache Creek Reserve Unit Management Plan. A staff panel reviewed the two responding submittals (a summary of the scoring is presented in the table

below) and recommends the Board authorize the Executive Director to finalize and execute a contract with ICF Jones & Stokes, Inc. not to exceed \$81,000. The scope of work is included in Attachment A. The cost for these services will be covered with LAG revenues.

<b>Respondent</b>	<b>Panel Score (Out of 200)</b>
ICF Jones & Stokes, Inc.	186.83
ECorp Consulting, Inc.	142.16

**ATTACHMENTS:**

Attachment A. Scope of Work





County of Yolo

# ICF Qualifications

Request for Qualifications for  
Management & Planning Consultant Services for  
the Yolo Habitat Conservancy  
Reserve Unit No. 7, Lower Cache Creek Area



**Submitted to:**

Yolo County Procurement Division  
625 Court Street, Room 103  
Woodland, CA 95695

**Submitted by:**

ICF Jones & Stokes, Inc.  
980 9th Street, Suite 1200  
Sacramento, CA 95814

Ellen Berryman  
Project Manager  
530.798.1945  
ellen.berryman@icf.com

09/15/2021



September 15, 2021

Karen Kawelmacher  
Yolo County Procurement Division  
625 Court Street  
Room 103  
Woodland, CA 95695

**Subject: Request for Qualifications for Management & Planning Consultant Services for the Yolo Habitat Conservancy Reserve Unit No. 7, Lower Cache Creek Area; Bid #FINARFQKK2108**

Dear Ms. Kawelmacher:

ICF Jones & Stokes, Inc. ("ICF") is pleased to submit our response to the Request for Qualifications for Management & Planning Consultant Services for the Yolo Habitat Conservancy Reserve Unit No. 7, Lower Cache Creek Area. ICF is excited about this opportunity to continue to work for the County of Yolo (County) and the Yolo Habitat Conservancy (Conservancy) in implementation of the Yolo Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP). ICF was instrumental in completing the Yolo HCP/NCCP for the Conservancy and we are now helping to implement it. We are committed to providing high quality and efficient implementation support as the Conservancy expands the Reserve System.

The proposed ICF staff for this work includes the same key staff with whom the Conservancy has worked and grown to trust over the past 7+ years, including Ellen Berryman as the Project Manager. Ellen was a critical member of the consulting team that developed the Yolo HCP/NCCP, receiving a resolution from the Conservancy Board of Directors for her service. Because this effort on the Lower Cache Creek Area Reserve Unit Management Plan requires extensive knowledge of the Lower Cache Creek ecosystem and the interplay between various plans and organizations, we have teamed with FlowWest as a proposed subconsultant. FlowWest has been closely involved in conducting studies and coordinating with key stakeholders within the Cache Creek watershed for multipurpose planning.

ICF and FlowWest (the "ICF Team") offer the following key benefits to the County and Conservancy.

- **Our experience working with the Conservancy and familiarity with the Yolo HCP/NCCP.** We have been working with the Conservancy since 2014 when we took over as the lead consultant to finalize the Yolo HCP/NCCP. We now support the Conservancy in implementation. We were also the lead author on the first reserve unit management plan for the Yolo HCP/NCCP. We understand the land management obligations and goals of the HCP/NCCP because we wrote them and are now implementing them. This experience will allow us to hit the ground running on this project and be efficient with budget.
- **Our proposed Project Manager has strong working relationships** with County and Conservancy staff, Conservancy Board members, wildlife agencies, and local stakeholders, which provides a strong basis of understanding the needs and perspectives of each party.

- **Our demonstrated our ability to deliver on time and on budget.** Ellen received accolades from the Conservancy Board for completing the Yolo HCP/NCCP on schedule and within budget. She and the ICF staff have also met many subsequent deadlines for tasks supporting HCP/NCCP implementation.
- **We are a local firm with extensive field experience.** ICF's staff, based in our Sacramento office, are a 30-minute drive from the Conservancy's office in Woodland. The ICF Team works locally and brings expertise in the conservation of all the covered species and natural communities of the Yolo HCP/NCCP.
- **We provide value and efficiency.** Because of our understanding of the Conservancy's needs, the ICF Team will be efficient with our time to maximize the value provided by the budget.

If selected as the successful bidder, ICF looks forward to negotiating mutually acceptable contract terms and conditions. ICF's proposal is valid for 90 days from its submittal, at which time ICF reserves the right to revise the contents or extend the validity date, if needed.

For questions regarding a possible contract, please contact Jodi Young, Manager, Contracts, at 707.992.0768 or [jodi.young@icf.com](mailto:jodi.young@icf.com). For written inquiries, please mail to 980 9th Street, Suite 1200, Sacramento, CA 95814. For questions related to the content of this response to the Request for Qualifications, please contact Ellen Berryman, Project Manager, at 530.798.1945 or [ellen.berryman@icf.com](mailto:ellen.berryman@icf.com). Thank you for the opportunity to bid on this project.

Sincerely,



Jodi Young  
Manager, Contracts



Ellen Berryman  
Project Manager

## Table of Contents

Exhibit B. Qualifications and Experience.....	4
1    Project Understanding and Approach.....	4
Project Understanding.....	4
Project Approach.....	5
Proposed Tasks.....	5
2    ICF Team.....	8
Org Chart.....	9
Key Staff.....	9
Project Manager.....	9
Project Director.....	9
Conservation Planner and Senior Ecologist.....	10
GIS Specialist.....	10
Cache Creek Watershed Specialist.....	10
3    ICF Team Qualifications and Experience.....	10
4    ICF Team’s Ability to Produce Deliverables on Time and within Budget.....	14
Exhibit C. Responsibility/Demonstrated Competence.....	16
Exhibit D. Other Factors.....	17
Exhibit E. References.....	19
Exhibit F. Fee Proposal.....	20
Exhibit G. Signature Page.....	22
Exhibit H. Non Collusion Non-Conflict of Interest Statement.....	24
Exhibit I. Resumes for Key Staff.....	26

# Exhibit B

## 1 Project Understanding and Approach

### Project Understanding

The Yolo Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP), implemented by the Yolo Habitat Conservancy (Conservancy), requires development of reserve unit management plans (RUMPs). A RUMP is a management plan that guides the management of multiple properties sharing similar resources and management needs within a single reserve unit. RUMPs provide guidance for site-specific management plans that are developed as lands are acquired within each reserve unit. To date, the Conservancy has completed one RUMP for cultivated lands in the Yolo HCP/NCCP plan area.

In coordination with the Yolo County Natural Resources Division, the Conservancy has identified the HCP/NCCP planning unit #7 as a reserve unit. This reserve unit would cover Lower Cache Creek, which provides a vital ecological corridor under the HCP/NCCP, as well as ecological values for seven HCP/NCCP covered species: valley elderberry longhorn beetle, western pond turtle, Swainson's hawk, white-tailed kite, western yellow-billed cuckoo, least Bell's vireo, and bank swallow.

The Lower Cache Creek RUMP will be unique in that it will require collaboration between the Conservancy and Yolo County Natural Resources Division to ensure the Yolo HCP/NCCP goals and objectives are met within the context of the Yolo County Cache Creek Resources Management Plan (CCRMP) and other components of the County Mining Program. Yolo County will receive a series of dedicated lands totaling nearly 1,900 acres (referred to as "net gain lands") as a result of a negotiated development agreement with the mining operators. The County and the Conservancy entered an MOU in 2014 that describes the County's intent to dedicate between 250 and 600 acres of these "net gain lands" to the Conservancy, consistent with the Yolo HCP/NCCP conservation strategy. ICF will develop criteria for determining which properties would be most suited for the HCP/NCCP reserve system, incorporate these criteria into the RUMP, and prioritize lands consistent with these criteria.

Yolo County Natural Resources Division is developing the Cache Creek Parkway Plan (Parkway Plan) to guide transfer of the "net gain lands" into public ownership. The Parkway Plan includes the Master Plan and Parkway Vision (Master Plan) which provides the overall vision for the Parkway including planned trails, identification of conservation needs, and recommendations for both future acquisitions and for site-specific habitat and recreational opportunities. The Lower Cache Creek RUMP will need to meet HCP/NCCP requirements while ensuring consistency with the Parkway Plan. Furthermore, Yolo Natural Resources Division implements the Cache Creek Area Plan (CCAP) of which the Cache Creek Resources Management Plan (CCRMP), Cache Creek Improvement Plan (CCIP) and Off-Channel Mining Plan (OCMP) are part. The RUMP will need to coordinate and maintain consistency with these plans.

The HCP/NCCP includes commitments for habitat protection or restoration in the forms of both mitigation and conservation. The mitigation component of the conservation strategy is intended to offset the impacts associated with HCP/NCCP covered activities and meets the requirements of Section 10(a)(1)(B) of the federal Endangered Species Act. Acquisition of mitigation lands is generally provided via fees provided by the project proponents. The conservation component of the strategy, on the other hand, is for protection or restoration beyond the mitigation requirements, to satisfy conservation requirements under the State of California's Natural Community Conservation Planning Act. The "net gain" lands need to be evaluated to determine the extent to which they are eligible for contributing toward this conservation requirement through protection, enhancement, and/or restoration. The RUMP will also provide guidance and prioritization for identification of other properties in the reserve unit that are suitable for acquisition (fee title or easement) as either mitigation or conservation under the HCP/NCCP and consistent with the Parkway Plan.

The Lower Cache Creek RUMP will be a living document that can periodically be revised based on the best available information. The Yolo HCP/NCCP requires the Conservancy to update RUMPS at least once every five years. The initial Lower Cache Creek RUMP and future revisions will be subject to approval by U.S. Fish and Wildlife Service and California Department of Fish and Wildlife (together, "wildlife agencies").

## Project Approach

As noted in the Request for Qualifications, this project is being conducted as a key work product under a Fiscal Year 2020–2021 Local Assistance Grant from the California Department of Fish and Wildlife to the Conservancy in support of implementing the Yolo HCP/NCCP. The ICF Team's project approach is to combine our in-depth knowledge of the Yolo HCP/NCCP and the requirements of the grant package to conduct the following Proposed Tasks. The ICF Team includes FlowWest, bringing its depth of experience with projects along Lower Cache Creek and familiarity with the various stakeholders with interest in this area for multiple uses, including flood management, ecosystem management and restoration, mining activities, and recreation.

## Proposed Tasks

The following proposed tasks are based on the tasks listed in the Local Assistance Grant application. We have maintained a parallel structure in our scope to the grant requirements to facilitate grant invoicing (i.e., Task 1 proposed in our scope of work aligns with Task 1 in the grant, and so on). In a few instances, we have moved components of certain tasks as listed in the grant proposal to different tasks in our scope to reflect our proposed process for this project. We are open to discussion with the County and Conservancy about moving these components back so that they match the grant or to address other concerns the County or Conservancy may have.

### **Task 1. Conduct Inventory and Develop Tentative Acquisition Timeline**

The ICF Team will prepare an inventory (including timing and location) of planned CCRMP activities, planned future aggregate mining permit and reclamation projects, future planned trail connections, and recreational opportunities across the proposed Parkway. We will develop this inventory in consultation with the Conservancy's Science and Technical Advisory Committee (STAC) and Cache Creek Technical Advisory Committee (TAC), two members of which are part of our team. We will complete this task as follows.

- Review and analyze existing documents, including County development agreements with mining operators, approved reclamation plans, biological assessments, aerial photos, and GIS data. FlowWest staff over the last ten years have collected, created, or assisted with the development of most available relevant documents and datasets related to management of Lower Cache Creek, and they will play a key role in identifying these documents and providing the relevant information.
- Develop a map using GIS, spatially representing the results of the inventory. The map will include parcels, planned mining activities, recreational opportunities, bank stabilization activities, and areas that are already protected under conservation easements within the reserve unit.

Deliverables:

- Written inventory, in table format, of project type, estimated timeline, location (APN), supporting documentation by August 31, 2022. (First draft to be completed by March 1, 2022 to facilitate completion of the RUMP.)
- Acquisition timeline by August 31, 2022.
- A map representing the results of the inventory, including a PDF and associated GIS shapefiles.

**Task 2. Analyze and Prioritize Properties for Acquisition.**

The ICF Team will conduct a habitat value analysis as follows.

1. Use the map developed in Task 1 to identify areas available for the Yolo HCP/NCP reserve system.
2. Evaluate and prioritize available properties in terms of their potential to contribute to HCP/NCCP biological goals and objectives and newly protected land commitments identified in Table 6-2(a) of the HCP/NCCP. This evaluation will be based on any available relevant technical studies, documents on existing or approved habitat improvements, and known opportunities and constraints related to existing conditions or approved future conditions. This will involve coordination with STAC and Cache Creek TAC. FlowWest will leverage their suite of tools and datasets developed through their work for Yolo County Natural Resources to help assess potential properties for conditions conducive to conservation and restoration for target species. Additionally, two members of the Cache Creek TAC are on our team from FlowWest, which will ensure that the prioritization is consistent with the TAC's objectives.
3. Prepare GIS map layers identifying parcels with high-value habitat for the HCP/NCCP covered species or natural communities, or the potential to contribute to the conservation strategy through restoration. Target areas must not have planned incompatible recreational opportunities, bank stabilization activities, or mining permit applications.
4. Develop a tentative timeline for future conservation easement acquisitions. This will be used by the Conservancy to plan acquisitions of properties listed in *Cache Creek Parkway Land Dedication Table* that will be dedicated back to the County.

Deliverables:

- Property analysis report, including methods, prioritization criteria, and results (priority acquisitions) in both table and map format.
- Map identifying parcels by priority, including PDF and associated GIS shapefiles.

### Task 3. Prepare Reserve Unit Management Plan

The ICF Team will prepare the Lower Cache Creek Reserve Unit Management Plan in accordance with the Yolo HCP/NCCP, Section 7.3.6, *Reserve Management and Monitoring*. The RUMP will incorporate the inventories, timelines, opportunities and constraints, and maps prepared as deliverables in Task 2. The RUMP will establish clear provisions and conditions that subsequent site-specific management plans within the reserve unit will rely on for their site-specific approach. The RUMP will also include a monitoring and adaptive management and a data management strategy to monitor progress towards HCP/NCCP and CCAP goals, as described for Chapter 5, below. Inclusion of the monitoring and adaptive management and data management strategies in the RUMP itself, rather than as separate documents, will provide for a cohesive strategy that ensures all critical information is in one place.

The ICF Team will use the document template developed for the Cultivated Lands Reserve Unit Management Plan, the first RUMP developed under the Yolo HCP/NCCP. This Lower Cache Creek RUMP will include the following chapters (subject to revisions based on client preference).

- **Chapter 1. Introduction:** This chapter will describe the purpose and contents of the plan. It will introduce the Yolo HCP/NCCP and its requirements for RUMPs and the purpose for such plans in general. It will also describe the unique aspects of the Lower Cache Creek Planning Unit and reasons for designating it as a single reserve unit. Background will be provided on the CCRMP, the Parkway Plan, and the need to integrate all these plans and ensure consistency.
- **Chapter 2. Reserve Unit Description:** This chapter will describe the location and setting, historic and current land uses, topography, soils, and hydrology in the Lower Cache Creek Reserve Unit, and current and historic management practices, if any. It will also describe the natural communities and HCP/NCCP covered species habitat values within this reserve unit.
- **Chapter 3. Reserve Unit Conservation Strategy:** This chapter will include the following.
  - Table of Yolo HCP/NCCP biological goals and objectives relevant to this reserve unit.
  - Description of Yolo HCP/NCCP conservation measures relevant to achieving the biological goals and objectives in this reserve unit.
  - Description of conservation values provided by lands within this reserve unit, including criteria for prioritizing lands for protection or restoration in this reserve unit, and results of the analysis provided in Task 2.
- **Chapter 4. Management:** This chapter will describe management needs specific to each natural community and covered species habitat type in the reserve unit, based on requirements in the Yolo HCP/NCCP Section 6.4.3, *Conservation Measure 3: Manage and Enhance the Reserve System*. It will also describe the types of activities that should be allowed or prohibited under each site-specific management plan and conservation easement. It will also describe avoidance and minimization measures from Chapter 4 of the HCP/NCCP relevant to management, restoration, enhancement, and monitoring activities. This chapter will establish clear provisions that later site-specific management plans will rely on to provide for their site-specific management approach, prohibitions, and other conditions specific to the reserve unit.
- **Chapter 5. Monitoring and Adaptive Management:** This chapter will describe the following.
  - A monitoring and adaptive management program to monitor progress toward achieving HCP/NCCP and CCAP goals.

- Monitoring and adaptive management provisions to be incorporated into site-specific management plans.
- A data management plan, to monitor progress towards HCP/NCCP and CCAP goals and to establish clear provisions that later site-specific management plans will rely on to provide for their site-specific management approach, prohibitions, and other conditions specific to the reserve unit

Deliverables:

- Draft Reserve Unit 7 Management Plan by April 30, 2022. Will provide as a Word file to facilitate editing in track changes. Figures will be provided in PDF.
- Final Reserve Unit 7 Management Plan by August 31, 2022. Will provide as a Word file and PDF.

#### **Task 4. Project Management and Meetings**

The Local Assistance Grant assumes a 13-month timeline. Based on this schedule, the project manager will attend virtual (conference call or video) biweekly half-hour meetings with the Conservancy for one year, including meeting preparation and notes. Appropriate members of the ICF team (depending on relevant topics) will conduct at least three two-hour meetings, including preparation and follow-up, with the Conservancy, Yolo County Natural Resources, key STAC member(s), and any other stakeholders the Conservancy deems necessary, to address key issues and respond to comments on the draft RUMP. ICF will manage the project to ensure it is consistent with the scope, budget and schedule outlined in the contract. ICF will prepare monthly invoices and progress reports.

#### **Assumptions**

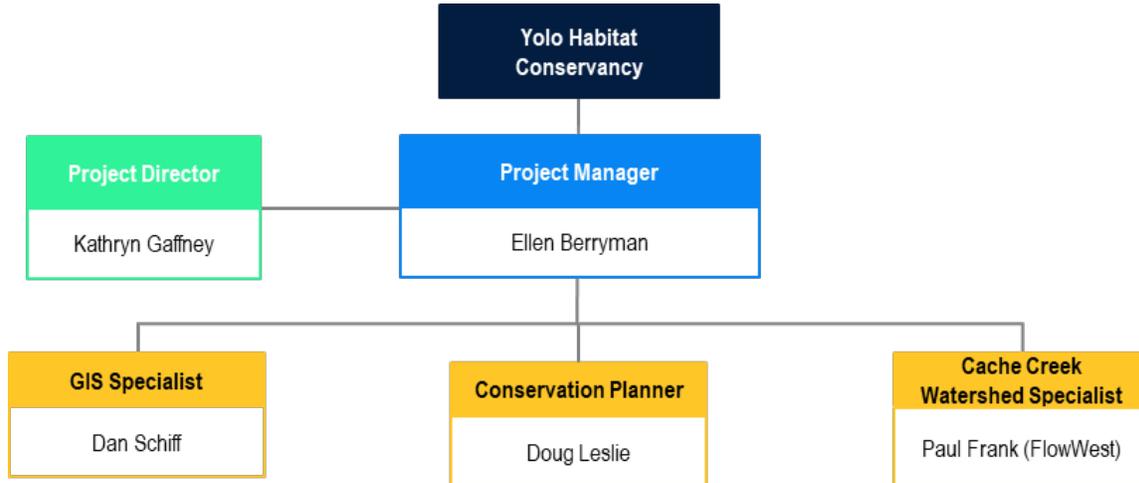
The ICF Team prepared this scope and associated cost estimate (please refer to Exhibit F for the cost estimate [fee proposal]) with the following assumptions.

- The ICF Team will prepare necessary material for wildlife agency coordination, but the Conservancy will serve as liaison with the wildlife agencies for RUMP approval.
- The monitoring and adaptive management plan and the data management plan will be incorporated into the RUMP rather than prepared as separate documents.
- Up to three (3) meetings will require in-person attendance for one individual.
- No new field work will be required to complete this scope.
- The ICF Team's ability to meeting the timeline for the final Reserve Unit Management Plan assumes review by all required parties occurs within a schedule that allows ICF to finalize the plan.

## **2 ICF Team**

The ICF Team is composed of a project manager (also a conservation planner), a project director (also a conservation planner), a conservation planner (also a senior ecologist), a GIS specialist, and a Cache Creek watershed specialist, as shown below. ICF is supported by FlowWest, a subconsultant with unique expertise chosen to be part of our team because of our positive work history together, their unparalleled skill sets experience working on the Cache Creek Technical Advisory Committee. Details of our team's experience follows. Resumes are provided in Exhibit I.

## Org Chart



## Key Staff

The key staff proposed include a focused group with detailed knowledge of the Yolo HCP/NCCP and the Parkway Plan. Our proposed staff also have working relationships with Conservancy and Yolo County staff, which will facilitate open and transparent communication on the project. ICF has also coordinated extensively with stakeholders at Advisory Committee meetings during Yolo HCP/NCCP development and is comfortable presenting our work as needed and requested. This small team will best be able to support the project efficiently. However, if needed, ICF has the capacity to utilize other staff who have experience developing management plans for HCPs and HCP/NCCPs.

### Project Manager

#### Ellen Berryman

Ellen will be responsible for managing the project to ensure work is completed consistent with the project scope, budget, and timeline. She will be responsible for regular communication with the Conservancy to ensure client expectations are met. She will also attend meetings described for Task 4, above. Ellen will be the primary author of the RUMP with assistance from FlowWest and experienced ICF staff. Ellen has specific experience related to the project including preparation and implementation of the Yolo HCP/NCCP. Ellen drafted the first and only RUMP for the Yolo HCP/NCCP to date, recently reviewed by the wildlife agencies with only minor comments. Ellen also prepared the Yolo Regional Conservation Investment Strategy, which was finalized in 2020 and addressed Yolo County resources including Cache Creek.

### Project Director

#### Kathryn Gaffney

Kathryn will be responsible for overall review of deliverables prior to submittal to the client, for quality assurance purposes. Kathryn will also be available for consultation if issues arise that require her expertise. Kathryn has an extensive background in HCP/NCCP implementation.

## Conservation Planner and Senior Ecologist

### Doug Leslie

Doug will support Ellen in development of the RUMP, with a key focus on the monitoring and adaptive management and data management strategy components of the plan.

## GIS Specialist

### Dan Schiff

Dan will enter applicable data into GIS, conduct GIS analyses, and prepare maps and tables to exhibit the results of the analyses. Dan has over 5 years of experience working with the County's GIS database for the preparation and implementation of the Yolo HCP/NCCP and preparation of the Yolo Regional Conservation Investment Strategy.

## Cache Creek Watershed Specialist

### Paul Frank (FlowWest)

Paul is the Cache Creek TAC Hydraulic Engineer and has served in this role for the last 7 years. Paul's colleague, Mark Tomkins from FlowWest, is the Cache Creek TAC Fluvial Geomorphologist and will also be available to support this project as needed. FlowWest will ensure that the RUMP meets CCRMP goals and bring their unique understanding of the Reserve Unit to bear on the development of the management plan. With FlowWest, Paul and Mark prepared sections of the latest version of the CCAP/CCIP and CCRMP/OCMP and have long-term relationships with staff at Yolo County Natural Resources Division. FlowWest can help evaluate properties in the Parkway for inclusion in the Yolo HCP/NCCP reserve system using a wide array of tools they have developed for Cache Creek, including the CCRMP hydraulic model of Cache Creek and CCAP Data Management website (<https://flowwest.shinyapps.io/cache-creek/>) which brings together numerous relevant biological, hydrological, and geomorphological datasets. FlowWest surveys and inspects Lower Cache Creek from Capay Dam to the community of Yolo (at Interstate-5) every year as part of their involvement with the CCRMP, and knows where opportunities for restoration, enhancement, and conservation exist. FlowWest affords the ICF Team a unique ability to ensure strong coordination with key Cache Creek resource management programs and County staff and contributes a long history identifying habitat opportunities and implementing restoration actions in Lower Cache Creek.

## 3 ICF Team Qualifications and Experience



ICF is a national leader in effective and cost-efficient implementation of conservation plans, including HCPs. We have been assisting HCP and other conservation plans operators in implementing their plans for over 20 years in a wide variety of situations and for diverse covered species. This deep experience allows us to bring lessons learned from implementing one plan to others. Development of reserve land management plans is among the areas of ICF's expertise in HCP implementation. We have expertise in important issues such as vegetation management, wildlife and fisheries management, rare plant management, exotic species control, and prescribed burning.



FlowWest brings a unique interdisciplinary blend of engineering, science, planning, and technology to solve the toughest water resources and ecosystem management challenges. The firm has world-class expertise in watershed planning and management; multi-benefit flood management; hydrology,

hydraulics, and sediment transport; fluvial geomorphology; fisheries and fish passage; river and floodplain management and restoration; and water quality and natural water treatment systems. FlowWest provides the full range of project delivery services, from studies and planning through design and construction oversight for river and wetland projects.

ICF and FlowWest have collaborated on several other projects including work in the Sacramento-San Joaquin Delta and Salinas River.

The following projects demonstrate the ICF Team's qualifications and experience over the past five (5) years in performing similar consulting services.

## **Yolo Habitat Conservation Plan/Natural Community Conservation Plan Preparation and Implementation**

### **Yolo Habitat Conservancy, Yolo County, California, 2014-Present**

ICF led development the final Yolo HCP/NCCP, a comprehensive, county-wide plan to provide for the conservation of 12 sensitive species and the natural communities and agricultural land on which they depend, while streamlining the permitting process to address the effects of a range of future anticipated activities on these 12 species. The Yolo HCP/NCCP will improve habitat conservation efforts in Yolo County; encourage sustainable economic activity; and maintain and enhance agricultural production. In place of the current system of separately permitting and mitigating individual projects, the Plan creates a conservation and mitigation program that comprehensively coordinates the implementation of permit requirements through the development of a countywide conservation strategy, including identification of priority acquisition areas in riparian zones or other locations with important species habitat. The final HCP/NCCP is currently out for public review. Final state and federal endangered species permits were issued in 2018. ICF is currently supporting many implementation tasks including program administration, plan interpretation, and project permitting. The final documents can be found [here](#).

Since permits were issued, ICF has supported the Conservancy in various aspects of plan implementation including development of the first RUMP and the Swainson's Hawk Pre-Permit Reserve Lands Management Plan (see below for additional details), the first annual report, a permitting guide, application forms, various policy/clarification memos, and deliverables for multiple Local Assistance Grants.

### **Staff Involvement**

Ellen Berryman, the proposed Project Manager for this RFQ, has been ICF's project manager for HCP/NCCP development and implementation support. In addition to developing implementation materials and policy/clarification memos, Ellen has regularly attended meetings with the Conservancy to help address permitting complexities as they arise.

Kathryn Gaffney, the proposed Project Director for this RFQ, provided technical support for the effects analysis and provided ad hoc expert advice to the HCP/NCCP development team based on her experience developing and implementing other regional HCP/NCCPs. Kathryn has supported implementation tasks including developing the first annual report and the deliverable *Data Management Approach* for a prior Local Assistance Grant.

Doug Leslie has supported Yolo HCP/NCCP implementation tasks including the deliverables of *Baseline Survey Protocols* and *Data Management Approach* for prior Local Assistance Grants.

## Cultivated Lands Reserve Unit Management Plan

### Yolo Habitat Conservancy, Yolo County, California, 2020–2021

ICF prepared the first and only RUMP for the Yolo HCP/NCCP to date. This document covered most of the eastern half of Yolo County, including all the planning units dominated by cultivated lands and the primary urban areas, and met all the requirements in Sections 6.4.3.3 and 7.3.6 of the Yolo HCP/NCCP for RUMPs. This document was intended to serve as a template for preparation of future RUMPs under the Yolo HCP/NCCP.

#### Staff Involvement

Ellen Berryman was the primary author for this document and Dan Schiff ran the GIS analyses and created maps. Ellen coordinated closely with Chris Alford (of Alford Environmental), who was the wildlife agency liaison, to prepare the document for wildlife agency approval.

## Swainson’s Hawk Pre-Permit Reserve Lands Management Plan

### Yolo Habitat Conservancy, Yolo County, California, 2020–2021

ICF prepared a management plan for 14 conservation easements that were acquired for Swainson’s hawk mitigation prior to finalization of the Yolo HCP/NCCP. These lands are referred to as *Swainson’s hawk pre-permit reserve lands*. Although the sites were originally protected specifically for conservation of Swainson’s hawk, under the Yolo HCP/NCCP they will be monitored and managed for all covered species potentially occurring on each property. The pre-permit reserve lands management plan met requirements under Sections 6.4.3.3 of the Yolo HCP/NCCP, committing the Conservancy to preparing a single management plan that would apply to all the Swainson’s hawk pre-permit reserve land sites and address the needs of all covered species with habitat on these sites. It was prepared under the umbrella of the overarching Cultivated Lands Reserve Unit Management Plan, described above. This project involved analyzing existing data related to the properties, conducting surveys to update site-specific information, identifying management and enhancement needs for each property, and preparing a document to guide future management and enhancement of these lands.

#### Staff Involvement

Ellen Berryman was the primary author for this document and Dan Schiff ran the GIS analyses and created maps. Ellen coordinated closely with Chris Alford, who was the wildlife agency liaison, to prepare the document for wildlife agency approval.

## Vasco Hills/Byron Vernal Pool Preserve Management Plan

### East Contra Costa County Habitat Conservancy, Contra Costa County, California, 2012–Present

ICF developed the East Contra Costa County HCP/NCCP (2002–2007) and has supported the East Contra Costa County Habitat Conservancy in implementation since that time. Implementation support tasks have included authoring the Conservancy’s first preserve management plans for the Vasco Hills/Byron Vernal Pools preserve unit. This plan describes existing conditions; identifies a collaborative approach to management planning with the preserve landowner (East Bay Regional Parks District); prescribes a management approach for invasive weeds, invasive animals, grazing, wildfire, and general maintenance needs; and provides a recreation plan. The preserve management plan relies heavily on grazing and invasive plant management to meet the HCP/NCCP biological goals and objectives and includes an

assessment of grazing infrastructure, grassland health performance metrics, a grazing monitoring program, as well as targeted invasive plant management, monitoring, and tracking methods. ICF is currently in the process of revising the recreation component of this preserve management plan.

### Staff Involvement

Kathryn Gaffney was the ICF project manager for this effort, overseeing management plan development and contributing to various technical aspects of the management plan.

## Preserve Land Manager Services for the San Joaquin Multi-Species Habitat Conservation Plan

### San Joaquin Council of Governments, California, 2005–Present

The San Joaquin Council of Governments (SJCOG) retained ICF to provide preserve land manager services to assist SJCOG staff in the implementation of the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The SJMSCP calls for establishing conservation easements on private lands and managing those lands to benefit covered species as mitigation for the loss of habitat and open space occurring as a result of development. As part of this work, ICF conducts property evaluations to determine their value as habitat and suitability for inclusion in the preserve system, assesses the potential of the properties for preserve enhancements and/or restoration, prepares preserve management plans, and conducts species and habitat monitoring.

Preserve management plans are primarily for conservation easements on working properties (row and field crop agriculture or cattle grazing properties). They describe the goals and objectives of the SJMSCP and the property, the habitats and habitat values provided by the property, historic and current uses, infrastructure such as water pumps and drainage canals, species with the potential to occur on the property, types of monitoring likely to occur, permitted and prohibited uses of the property, and affirmative obligations of the landowner.

ICF conducts annual compliance monitoring to ensure landowners are in compliance with the terms of the conservation easements. We act as an extension of SJCOG staff and participate in meetings with permitting agencies, and present materials to the Habitat Technical Advisory Committee. We are currently preparing a comprehensive biological effectiveness monitoring program with applicability to the entire preserve system.

We regularly partner with Triangle Properties, Inc. to implement habitat enhancement and riparian restoration projects on private lands on which SJCOG, Inc. has purchased a conservation easement. These projects include planting hedgerows along farm fields, planting potential nesting trees along farm field edges, installing riparian habitats on the land and water side of levees along Old River, the San Joaquin River, and the Mokelumne River, and planting native grass and forb borders and hedgerows along irrigation and drainage ditches servicing farm fields.

### Staff Involvement

Doug Leslie was the ICF project manager for this effort, overseeing all aspects of the project and implementing much of the technical work.

## Cache Creek Technical Advisory Committee and 2017 Cache Creek Area Plan Update

### County of Yolo Natural Resources Department, Yolo County, California, 2015–Present

The CCRMP creates a three-member TAC that includes a Hydraulic Engineer, a Fluvial Geomorphologist, and a Riparian Biologist. The TAC is charged with identifying and establishing priorities for channel improvement projects, monitoring various issues related to the hydraulic characteristics of flow in the creek, and reviewing and commenting on proposed projects within the channel area. The TAC advises Yolo County Natural Resources staff in any way necessary to ensure the continued ecological improvement of Cache Creek since the cessation of in-channel mining in the 1990s.

In 2017, the County performed a 10-year update to the CCAP, including updates to the CCIP, CCRMP, and OCMP. As part of that update, TAC members completed a suite of new Technical Studies to characterize the current state of Lower Cache Creek, identify how the previous ten years of implementation of the CCRMP had contributed to the health of the Creek, and recommend changes to the CCAP programs. As part of those studies the TAC created many new analysis tools including a 2D hydraulic model of Lower Cache Creek, new comprehensive mapping of vegetation, and a web-based data portal and analysis application to support the program. TAC members also reviewed and drafted significant portions of the documents.

### Staff Involvement

Mark Tompkins has served on the TAC since 2012 as Hydraulic Engineer and since 2015 as Fluvial Geomorphologist and TAC Chair. Paul Frank has served on the TAC since 2015 as Hydraulic Engineer. In this capacity they have participated in the 2017 CCAP update, advised Yolo County Natural Resources staff on development of the Parkway Plan, reviewed all in-channel project proposals, and developed numerous restoration or habitat enhancement project concepts for the Creek. They have developed analysis tools that can greatly aid the development of the RUMP as part of this project and their institutional knowledge of Lower Cache Creek hydrology, geomorphology, and ecology is unmatched.

## 4 ICF Team's Ability to Produce Deliverables on Time and within Budget

The ICF Team is able to produce the required product (as described above under *Project Approach*) within the grant period (13 months). The ICF Team also has the ability to present any necessary reports or studies to elected officials and/or the general public. Our past successes working with the County and Conservancy include developing the Yolo HCP/NCCP conservation strategy, preparing the Yolo HCP/NCCP, and preparing implementation materials including application forms, a permitting guide, various clarification memoranda, and the first RUMP. ICF presented material to the Conservancy Board many times during HCP/NCCP preparation.

ICF has a strong track record in meeting tight project deadlines within budget. Ellen received accolades from the Conservancy Board for completing the Yolo HCP/NCCP on schedule and within budget. In 2018, ICF and FlowWest collaborated on the Salinas River Long-Term Management Plan, a project with a grant-driven budget and an aggressive schedule. In under 11 months, ICF (Kathryn) and FlowWest (Paul) participated in over 19 key meetings with the client,

regulatory agencies, and stakeholders and produced a 250+ page, high-quality document on schedule and within budget.

For this project, the ICF Team will ensure that deliverables are produced on time and within budget using several critical management approaches. First, we have ensured that our key staff have availability to engage fully and thoughtfully on this project. Second, we will use clear, detailed, and transparent communication with the County and Conservancy to ensure that our collective expectations for deliverables are aligned. As work progresses, ICF's Project Manager will carefully track schedule and budget to ensure that work is progressing as agreed to with the County and Conservancy. If problems arise related to budget and/or schedule, the ICF Team will develop a proposed solution, review the proposal with the County and Conservancy promptly and execute the solution immediately.

# Exhibit C

Below are the Exhibit C questions and ICF's responses.

**1. Have you ever defaulted on a contract? If yes, where and why?**

Answer: No.

**2. Has your firm ever been suspended or debarred by any government agency? If yes, please explain.**

Answer: No.

**3. In the past five (5) years has any claim against your company concerning your company's work on a project been filed in court or arbitration?**

Answer: No.

**4. Describe the process by which your firm resolves problems with clients.**

Answer: We approach all project issues with a client as a partnership and collaboration. If the nature of the problem is with the project deliverables (quantity and/or quality) or budget, then typically the ICF Project Manager—and if needed, the Project Director—works directly with the client contact to identify the problem, select the best solution, and rectify the issue. If the issue is with invoicing or payment, typically ICF financial personnel reach out to the appropriate client contact, whether that be the main client contact or contacts within the client's accounts payable department. ICF will always: 1) communicate issues as early as possible to the client so that there are no surprises; 2) identify a range of potential solutions to the issue, with a recommendation; and 3) track progress after the solution is implemented, to ensure that the issue does not arise again.

**5. Provide a statement of conflict you, your firm, and/or other key staff may have regarding these services. The statement should not only include actual conflicts, but also any working relationships that may be perceived by disinterested parties as a conflict. If no potential conflicts of interest are identified, so state in your proposal.**

Answer: No actual or potential conflicts of interest have been identified.

# Exhibit D

Below is a list of current commitments for related services being implemented by ICF.

## ICF's Current Projects

Ellen, Kathryn, and Doug are part of ICF's Habitat Conservation Planning and Implementation Practice. This practice is composed of approximately 20 staff dedicated to the development and implementation of HCPs, HCP/NCCPs, and Regional Conservation Investment Strategies. A list of the practices' active projects is provided below, along with notation for the projects on which the ICF staff proposed for this project currently work in some capacity.

Active Conservation Planning Practice Projects	Ellen	Kathryn	Doug	Dan
Yolo HCP/NCCP Implementation	x	x	x	x
Aera Energy Southwest San Joaquin Valley HCP/NCCP				
Alpine County Park (San Diego Co) Low-Effect HCP and EA				
American Electric Power Co ABB HCP and EIS				
American Electric Power Systemwide HCP EIS				
Azalea Solar Project HCP, Kern Co (for Itemitsu Renewables)				
Bakersfield HCP and EIR/EIS				
Buena Vista (Leeward Energy) Battery Storage Project HCP				
Bush Prairie HCP and EIS				
Butte Regional Conservation Plan and EIR/EIS	x	x		x
Cache Slough Complex HCP and CEQA/NEPA		x		
California Condor Conservation Plan (HCP) for WECAT				
City of Santee MSCP and EIR/EIS				
Coachella Valley MSCP				
DIF 7 and 9 Low-Effect HCP for EDF Renewable Energy				
Driftwood Solar HCP and EA				
Duke Energy ESA Compliance Strategy				
East Contra Costa County HCP/NCCP Implementation		x		
Edwards Aquifer HCP Permit Options Report				
Electron Hydro HCP and EA				
Elliott State Forest HCP and EIS				
Kansas Statewide Aquatic Species SHA-CCAA and CatEx				
Kauai Island Utility Cooperative HCP and EIS	x			
Kern County Waste Management Authority HCP and EIR/EA				
Lake States Cave-Dwelling Bat HCP and EA				
Las Camas Solar Project HCP, State ITP, EA for EDP				
Missouri Forest Bat HCP and EA				

<b>Active Conservation Planning Practice Projects</b>	<b>Ellen</b>	<b>Kathryn</b>	<b>Doug</b>	<b>Dan</b>
Mulqueeny Ranch Wind Repowering ECP and EA				
Natomas Basin HCP			x	
North SD County MSCP and EIR/EIS				
Oil & Gas ESA Coalition HCP EIS				
OK City Water Utilities Trust Atoka Pipeline HCP EA				
Orange County Transportation Agency HCP/NCCP, EIR/EIS				
Patterson Pass Wind Project ECP and EA				
Pennsylvania State Lands Indiana Bat HCP and EA				
PG&E Bay Area O&M HCP				
PG&E Eagle Conservation Plan and EIS				
PG&E Multi-Region HCP				
PG&E San Joaquin Valley O&M HCP and EIR/EIS				
Placer County Conservation Plan Implementation	x	x		
Range-wide Oil and Gas CCAA Realignment for Lesser Prairie-Chicken				
Rincon Tribe HCP and NEPA Analysis				
Rooney Ranch Repowering HCP, ECP and EA (sPower)				
Sacramento Municipal Utility District (SMUD) HCP, EIR and EA	x			
Salinas River HCP and EIR/EIS		x		
San Joaquin County HCP			x	
Sand Hill Wind Repowering HCP, ECP and EA (sPower)				
Sandrini Solar Project HCP and EA				
Santa Clara Valley Habitat Plan (HCP/NCCP) Implementation		x		x
South San Diego County MSCP				
Southern CA Edison HCP Strategy and Business Case				
Stagecoach Solar HCP and State ITP for Avangrid				
United Water Conservation District HCP and EIS				
Upper Santa Ana River HCP, EIR and EIS		x		
Upper Santa Ana River Wash Plan HCP and EIR/EIS				
Western Oregon State Forestry HCP and EIS	x			
Wright Solar HCP, EIR, and EA				

## Ellen Berryman's Current Commitments

In addition to the projects listed above for Ellen, she also currently works on Sites Reservoir endangered species permitting.

# Exhibit E

This Exhibit provides references from three different municipal agencies, including rural and agriculturally dominant areas, for which ICF and FlowWest have conducted similar work in the past three (3) years.

Reference #1 (ICF)		
<b>Project Name</b>	Yolo HCP/NCCP Implementation	
<b>Name of Client</b>	Yolo Habitat Conservancy	
<b>Client Reference</b>	Name: Alexander Tengolics Title: Executive Director	Phone: 530.666.8150 Email: alexander@yolohabitatconservancy.org

Reference #2 (ICF)		
<b>Project Name</b>	Preserve Land Manager Services for the San Joaquin Multi-Species Habitat Conservation Plan	
<b>Name of Client</b>	San Joaquin Council of Governments	
<b>Client Reference</b>	Name: Steve Mayo Title: Project Manager	Phone: 209.235.0585 Email: mayo@sjcog.org

Reference #3 (FlowWest)		
<b>Project Name</b>	Cache Creek Technical Advisory Committee and 2017 Cache Creek Area Plan Update	
<b>Name of Client</b>	Yolo County Natural Resources Department	
<b>Client Reference</b>	Name: Elisa Sabatini Title: Manager	Phone: 916.402.3985 Email: Elisa.Sabatini@yolocounty.org

# Exhibit F

The following page contains the ICF Team cost estimate (fee proposal).

ICF will invoice monthly, on a time and materials basis. Invoices are due net thirty (30) days from receipt.

### Lower Cache Creek Reserve Unit Management Plan

Task	Consulting Staff					ICF Production Staff			Subcontractors			Labor Total	Total Price	
	Employee Name	Berryman Ellen Project Manager	Gaffney Kathryn Project Director	Schiff Daniel GIS Specialist Assoc Consult III	Jones Todd Conservation Planner Assoc Consult I	Leslie Douglas Sr Consult III	Editor TRD	Pub Spec TRD		FlowWest				
	Project Role	Tech Dir	Mng Consult				Editor	Pub Spec						Sub Mark- up: 5%
Labor Classification														
						Subtotal			Subtotal		Subtotal			
Task 1. Inventory and Tentative Acquisition Timeline	12.0	2.0	40.0			\$8,872			\$0	\$8,000	\$8,000	\$400	\$17,272	\$17,272
Task 2. Property Analysis	20.0	2.0	40.0	8.0		\$11,560			\$0	\$4,500	\$4,500	\$225	\$16,285	\$16,285
Task 3. Prepare RUMP	30.0	8.0	24.0	65.0	14.0	\$22,490	22.0	8.0	\$3,440	\$6,000	\$6,000	\$300	\$32,230	\$32,230
Task 4. Management and Meetings	45.0	8.0	5.0			\$11,620			\$0	\$3,000	\$3,000	\$150	\$14,770	\$14,770
<b>Total hours</b>	<b>353.0</b>	107.0	20.0	109.0	73.0	14.0			22.0	8.0				
<b>Billing Rates</b>		\$206.00	\$200.00	\$150.00	\$130.00	\$190.00			\$120.00	\$100.00				
<b>Subtotal</b>		\$22,042	\$4,000	\$16,350	\$9,490	\$2,660	\$54,542	\$2,640	\$800	\$3,440	\$21,500	\$21,500	\$1,075	\$80,557
<b>Total price</b>														\$80,557.00

# Exhibit G

The following page contains the County signature page form.

*County of Yolo*  
**Management & Planning Consultant Services  
For YHC**

**SIGNATURE PAGE  
Exhibit "F"**

Solicitation Name: Management & Planning Consultant Services for the Yolo Habitat Conservancy Reserve Unit No. 7,  
Lower Cache Creek Area

---

---

The undersigned supplier hereby certifies that he/she has read the document in its entirety, understands the specifications, agrees to all instructions, terms, conditions, and addenda set forth in this request. Supplier further certifies that the prices and terms submitted for said product(s) and/or service(s) have been carefully reviewed and are submitted as correct and final, and shall be honored for the length of time indicated in the request.

All paper submittals must be manually signed in ink in the appropriate space below. If submitting electronically via BidSync, print name of "Authorized Person" in the space provided for signature.

**I certify, under penalty of perjury, that I have the legal authorization to bind the firm hereunder:**

**For clarification of this offer, contact:**

ICF Jones & Stokes, Inc.  
Company Name

980 9th Street, Suite 1200  
Address

Sacramento                      CA                      95814  
City                                      State                                      Zip

  
Signature of Person Authorized to Sign

Jodi Young  
Printed Name

Manager, Contracts  
Title

09/15/2021  
Date

Name: Ellen Berryman

Title: Senior Manger, Conservation Planning

Phone: 916-231-9750

Fax: \_\_\_\_\_

Email: Ellen.Berryman@icf.com

# Exhibit H

The following page contains the Non Collusion Non-Conflict of Interest Statement.

**NON COLLUSION AND NON-CONFLICT OF INTEREST STATEMENT**  
Management & Planning Consultant Services For YHC  
Exhibit G

I, Jodi Young, am the  
(name)  
Manager, Contracts of ICF Jones & Stokes, Inc.,  
(Position Title) (Company)

The term “**Offeror**”, as used herein, includes the individual or business entity submitting the Offer and for the purpose of this Affidavit includes the directors, officers, partners, managers, members, principals, owners, agents, representatives, employees, other parties in interest of the Offeror, and anyone or any entity acting for or on behalf of the Offeror, including a subcontractor in connection with this Offer.

1. **Anti-Collusion Statement.** The Offeror has not in any way directly or indirectly:
- a. Colluded, conspired, or agreed with any other person, firm, corporation, offeror or potential offeror to the amount of this Offer or the terms or conditions of this Offer.
  - b. Paid or agreed to pay any other person, firm, corporation, offeror or potential offeror any money or anything of value in return for assistance in procuring or attempting to procure a contract or in return for establishing the prices in the attached Offer or the offer of any other offeror.

2. **Preparation of Solicitation and Contract Documents.** The Offeror has not received any compensation or a promise of compensation for participating in the preparation or development of the underlying Solicitation or Contract documents. In addition, the Offeror has not otherwise participated in the preparation or development of the underlying Solicitation or Contract documents, except to the extent of any comments or questions and responses in the solicitation process, which are available to all offerors, so as to have an unfair advantage over other offerors, provided that the Offeror may have provided relevant product or process information to a consultant in the normal course of its business.

3. **Participation in Decision Making Process.** The Offeror has not participated in the evaluation of offers or other decision making process for this Solicitation, and, if Offeror is awarded a contract hereunder, no individual, agent, representative, consultant, subcontractor, or subconsultant associated with Offeror, who may have been involved in the evaluation or other decision making process for this Solicitation, will have any direct or indirect financial interest in the contract, provided that the Offeror may have provided relevant product or process information to a consultant in the normal course of its business.

4. **Present Knowledge.** Offeror is not presently aware of any potential or actual conflicts of interest regarding this Solicitation, which either enabled Offeror to obtain an advantage over other offerors or would prevent Offeror from advancing the best interests of the County in the course of the performance of the Contract.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

09/15/2021  
(Date)

  
(Signature)

# Exhibit I

This Exhibit includes resumes for Key Staff.



## Ellen Berryman

### Principal and Project Manager

#### EXPERIENCE OVERVIEW

Ellen Berryman brings more than 30 years of experience in environmental biology, conservation planning, and regulatory compliance. She has a well-rounded background in both the public and private sectors, with projects involving habitat conservation planning and compliance, NEPA and CEQA compliance, impact analysis, mitigation strategy design, and technical writing. Ellen has a strong background in regional habitat conservation planning from experience in the HCP division of the USFWS, working on the first NCCPs in California. Ellen coordinated with City and County planners on multiple specific projects within these planning areas as required for interim project coordination under the Natural Community Conservation Planning Act guidelines and the California gnatcatcher 4(d) rule. She received a certificate of appreciation from Secretary of Interior Bruce Babbitt for her role in development of the MSCP. Ellen was the lead USFWS biologist on other large-scale HCPs for local governments, including Yolo, Placer, and Solano Counties in northern California and the Cities of Carlsbad and Encinitas in southern California. These regional plans were very complex and covered dozens of species over large geographic areas. Development of these plans involved coordination with county and city planners, elected officials, state and federal regulatory agencies, environmental consultants, legal counsel, and the public. Ellen has also worked on many HCPs and NCCPs in the private sector, as described in the section on project experience below.

#### PROJECT EXPERIENCE

[Yolo Habitat Conservation Plan/Natural Community Conservation Plan—Yolo Habitat Conservancy, California, 2014–Present](#)

**Project Manager, Lead Author and Conservation Planner.** In close coordination with the USFWS, CDFW, Yolo County, planners from four cities, developers, scientists, and environmental groups, developed effects analyses and conservation strategies for 12 species that would be affected by 50 years of development in Yolo County. This plan was completed in 2018. Ellen has since been assisting Yolo Habitat Conservancy with plan implementation.

#### Education

- MS, Biology, San Diego State University, 1993
- BS, Zoology, University of California, Santa Barbara, 1982

#### Teaching

- Regional Conservation Investment Strategies, UC Davis Extension, 2021

*With more than 30 years of experience in environmental biology, conservation planning, and regulatory compliance, Ellen specializes in Endangered Species Act compliance.*

### Management Plan for East Contra Costa County HCP/NCCP—East Contra Costa County Conservancy, California

**Senior biologist/lead author.** Prepared a habitat management plan for several thousand acres in East Contra Costa County. The management plan tiers off of the East Contra Costa County HCP/NCCP. This was the first management plan to be prepared under the HCP/NCCP.

### Tracy Hills Management Plan—San Joaquin County, California

**Project manager/lead author.** Prepared a habitat management plan for several state and federally listed species on approximately 2,000 acres in San Joaquin County. The management plan accompanies the completed Tracy Hills HCP. It was approved by USFWS and CDFW.

### Cultivated Lands Reserve Unit Management Plan—Yolo Habitat Conservancy, California

**Project manager/lead author.** Prepared the first RUMP for the Yolo HCP/NCCP. This document covered most of the eastern half of Yolo County, including all the planning units dominated by cultivated lands and the primary urban areas, and met all the requirements in Sections 6.4.3.3 and 7.3.6 of the Yolo HCP/NCCP for a RUMP. This document was intended to serve as a template for preparation of future RUMPs under the Yolo HCP/NCCP.

### Swainson's Hawk Pre-Permit Reserve Lands Management Plan—Yolo Habitat Conservancy, California

**Project manager/lead author.** Prepared a management plan for 14 conservation easements that were acquired for Swainson's hawk mitigation prior to finalization of the Yolo HCP/NCCP. These lands are referred to as *Swainson's hawk pre-permit reserve lands*. Although the sites were originally protected specifically for conservation of Swainson's hawk, under the Yolo HCP/NCCP they will be monitored and managed for all covered species potentially occurring on each property. The pre-permit reserve lands management plan met requirements under Sections 6.4.3.3 of the Yolo HCP/NCCP, committing the Conservancy to preparing a single management plan that would apply to all the Swainson's hawk pre-permit reserve land sites and address the needs of all covered species with habitat on these sites. It was prepared under the umbrella of the overarching Cultivated Lands Reserve Unit Management Plan, described above. This project involved analyzing existing data related to the properties, conducting surveys to update site-specific information, identifying management and enhancement needs for each property, and preparing a document to guide future management and enhancement of these lands.

### Butte Regional Conservation Plan - Butte County Association of Governments, California

**Lead author and conservation planner.** In close coordination with the USFWS, CDFW, and Butte County Association of Governments, developed effects analyses and conservation strategies for 32 species that would be affected by 50 years of development in Butte County. This HCP/NCCP went through public review and a final plan was completed, although the plan has since been put on hold for political reasons.



## Kathryn Gaffney

### Principal and Project Director

#### EXPERIENCE OVERVIEW

Kathryn Gaffney has over 18 years of experience in conservation planning, watershed planning, regulatory compliance, and environmental assessment. She has worked on several projects that address programmatic permitting—both species and aquatic resource—requirements for local governments including the East Contra Costa County Habitat Conservancy, the Santa Clara Valley Habitat Agency, and the City of Livermore. Kathryn is proficient in the provisions and requirements of the federal Endangered Species Act (ESA), Clean Water Act, the California ESA, the California Fish and Game Code Section 1600 et. seq. (streambed alteration program), and the Porter-Cologne Water Quality Control Act, as they relate to permitting and preparation of habitat conservation plans (HCPs).

Since 2007, Kathryn has supported implementation of multiple HCP/NCCPs, including the East Contra Costa County HCP/NCCP, Santa Clara Valley HCP/NCCP, Western Placer County Conservation Plan, the Yolo HCP/NCCP, and the Humboldt Redwood HCP, and early implementation of the Butte Regional Conservation Plan and Upper Santa Ana River HCP. Kathryn's work on these projects has ranged widely, including identification of potential stream and wetland restoration sites, programmatic permitting for impacts to waters of the U.S. and waters of the State, contributing to and overseeing the development of management and monitoring plans, negotiating conservation easements and templates for land acquisition, and compliance monitoring (annual reporting, mechanisms to collect and track data on covered activities).

#### PROJECT EXPERIENCE

[Yolo HCP/NCCP Development and Implementation—County Habitat Conservancy, California, 2014–Present](#)

#### Education

- MLA, Environmental Planning, University of California, Berkeley, 2005
- BA, Environment, Economics, and Politics (*cum laude*), Claremont McKenna College, 1998

#### Trainings

- Water Leader, 2008, Water Leaders Program Water Education Foundation
- Facilitation Skills for Scientists, Planners and Resource Managers, 2016
- Environmental Negotiation, 2017

#### Teaching

- HCP Implementation, UC Davis Extension, 2013, 2014, 2015, 2018, 2020 (virtual)
- Habitat Conservation Planning, UC Davis Extension, 2018
- Endangered Species Regulation and Protection, UC Davis Extension, 2014, 2015, 2016, 2017, 2018, 2019, 2020

**Technical Support.** Kathryn provided technical support for the Yolo HCP/NCCP in a variety of ways during plan development. She supported the County in identifying covered activities and associated impacts. She also provides general guidance to Plan developers, sharing over a decade of lessons learned in developing and implementing HCP/NCCPs. The Yolo Conservation Plan was just completed.

**Project Director.** Kathryn current serves as the Project Director for ICF's team supporting the Yolo Habitat Conservancy in implementation of that plan. She also led a task to develop a memo outlining the types of information that must be tracked and reported under the HCP/NCCP,

describing an interim data tracking approach, identifying the desirable characteristics important to the Conservancy in a database management system, and evaluating a number of potential solutions.

[East Contra Costa County HCP/NCCP—East Contra Costa County Habitat Conservancy, California, 2007–present](#)

**Project Director.** Kathryn serves as Project Director of ICF’s team, assisting the Conservancy in HCP/NCCP implementation. Project work includes project administration, oversight of development of preserve management and monitoring plans, and developing the annual reports. Kathryn also supports the Conservancy in establishing additional permitting-related programs, including the Section 404 regional general permit, and more recently supporting the Conservancy in establishing an In-Lieu Fee Program.

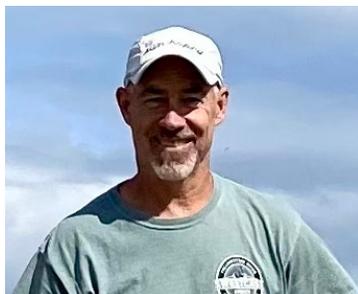
[Santa Clara Valley Habitat Plan—Santa Clara Valley Habitat Agency, California, 2005–present](#)

**Project Director.** Kathryn currently serves as Project Director of ICF’s implementation team. Under this contract, ICF assists the Habitat Agency in annual compliance reporting, development of management and monitoring plans, and establishing complementary permitting and mitigation programs for impacts to aquatic resources. Kathryn has worked on establishing a regional general permit (RGP) for Habitat Plan covered activities and developing restoration project permit applications and an interim mitigation credit request. Kathryn is currently working with the Habitat Agency and National Marine Fisheries Service to establish a Programmatic Biological Assessment for RGP activities that may affect listed fish and is also supporting development of an In-Lieu Fee program to address mitigation needs for impacted waters and listed fish.

During seven years of plan development, Kathryn served first as a technical writer, then as deputy project manager, and finally as project manager. She assisted in managing all components of the project including administrative actions as well as document development, particularly as it pertained to developing the chapters that would serve as the project description and take limits for incidental take permits ultimately issued for the Habitat Plan.

**AWARDS**

Kathryn was awarded the 2020 California Association of Environmental Professionals Award for Outstanding Environmental Resource Document for the Salinas River Long-Term Management Plan available [here](#).



## Doug Leslie

### Conservation Planner and Senior Ecologist

#### EXPERIENCE OVERVIEW

Doug is a leader of ICF's Habitat Conservation Planning and Implementation Practice as well as ICF's wildlife biology group with more than 25 years of experience. Doug specializes in the conservation and monitoring aspects of habitat conservation plan implementation, and the development and implementation of short and long-term monitoring protocols and plans. Doug has been the project manager and lead biologist on several large and small-scale monitoring and inventory projects, including biological effectiveness monitoring for the Natomas Basin HCP, Preserve Land Manager for the San Joaquin County HCP, and Avian fatality monitoring for the Altamont Pass Wind Resource Area.

#### PROJECT EXPERIENCE

[Yolo County HCP/NCCP Draft Monitoring Protocol Development—Yolo Habitat Conservancy, Woodland, California, 2019](#)

**Lead Ecologist and Technical Writer.** Doug was the lead biologist developing an initial draft of the Baseline Monitoring Protocols for the Yolo Habitat Conservancy. The draft plan was developed over a period of less than 1.5 months. Doug provided guidance on the practical sides of monitoring and adaptive management plan development derived from his 15 years of

[Biological Effectiveness Monitoring—The Natomas Basin Conservancy, California, 2004–Present](#)

**Project Manager and Lead Ecologist.** Manages a team of biologists monitoring the distribution and abundance of habitats and populations of species covered by the Natomas Basin HCP. Doug oversaw the development and implementation of the Biological Effectiveness Monitoring Program dealing with Swainson's hawk, giant gartersnake, burrowing owl, white-faced ibis, tri-colored blackbird, western pond turtle, and noxious and invasive species. We prepare an annual report that analyzes population trends of covered species on reserve and non-reserve lands to ensure that the biological goals and objectives of the HCP are being met.

[Biological Effectiveness Monitoring Program Revisions—The Natomas Basin Conservancy, California, 2009, and 2018](#)

**Project Manager and Lead Ecologist.** Managed a team of biologists in revising the Natomas Basin HCP Biological Effectiveness Monitoring Program 5 and 14 years after it was initially

developed to take advantage of advances in sampling and analytical techniques through the adaptive management provisions of the NBHCP.

[Preserve Land Manager Services—San Joaquin Council of Governments, California, 2005–Present](#)

**Project Manager and Lead Ecologist.** Providing preserve selection, management, monitoring, and restoration services to San Joaquin Council of Governments (SJCOG) staff charged with implementation of the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). We conduct property evaluations to determine their value as habitat preserves, assess the potential for preserve enhancements and/or restoration, prepare preserve management plans, and conduct species and habitat monitoring. We also implement habitat enhancements and restoration on preserve lands and conduct biological monitoring to ensure that the goals and objectives of the SJMSCP and the preserve management plans are being met. We act as an extension of SJCOG staff and participate in meetings with permitting agencies, and present materials to the Habitat Technical Advisory Committee.

[On-Call Biological Services—San Joaquin Council of Governments, California, 2005–2016](#)

**Project Manager and Lead Ecologist.** Assisting SJCOG with conducting pre-construction surveys to verify the vegetation types to be affected by individual projects and to establish which, if any, minimization measures are required by the SJMSCP to minimize take of covered species during project implementation.

[Butte Regional Conservation Plan Early Implementation—Butte County Association of Governments, California, 2018–Present](#)

**Biologist and Technical Writer.** Doug supported development of this plan as an ecologist and technical writer revising Chapter 7, Monitoring and Adaptive Management, in response to questions and comments received from the regulatory agencies (USFWS, CDFW). Doug also provided guidance on changes to the conservation plan for giant gartersnake in response to concerns about the amount of rice agriculture that would be placed under conservation easement.

[Butte Regional Conservation Plan Monitoring Plan Development—Butte County Association of Governments, California, 2018](#)

**Lead Ecologist and Technical Writer.** Doug was the lead biologist developing an initial draft of the Monitoring and Adaptive Management Plan for the Butte County Regional Conservation Plan. The draft plan was developed over a period of less than 4 months using Section 6 grant funds. Doug provided guidance on the practical sides of monitoring and adaptive management plan development derived from his 15 years of experience assisting with the implementation of two of the oldest functioning HCPs in northern California.



## Paul Frank

### Principal Engineer and Cache Creek Watershed Specialist

#### EXPERIENCE OVERVIEW

Mr. Frank is an ecological engineer with almost 20 years of engineering consulting experience leading teams that implement complex stream restoration and habitat enhancement projects. While Mr. Frank has global experience with designing and constructing multi-objective river and wetland projects in North America, Europe, Asia, and the Middle East, he is an experienced manager of stream restoration projects in agricultural, urban, and suburban areas in Northern California including Yolo County. He is adept at developing project mitigation components that satisfy regulatory requirements and that are practical, ecologically uplifting, and blend the needs of infrastructure and the natural environment. For seven years he has served Yolo County Natural Resources as the Hydraulic Engineer on the Cache Creek TAC. In that capacity he has advised the County on all aspects of the management of Cache Creek including the Parkway Plan, proposing habitat projects, and monitoring programs. In 2017, he participated in the ten-year updates to the Cache Creek Area Plan (CCAP), Cache Creek Resources Management Plan (CCRMP), and Off-Channel Mining Plan (OCMP).

#### Education

- MS, Civil and Environmental Engineering, University of California at Berkeley, 2002
- BA, Environmental Sciences (Biological Emphasis); University of California at Berkeley, 2000

#### Professional Registrations

- Registered Civil Engineer: California (#73768)
- Certified Ecological Designer, American Ecological Engineering Society (#0001)

#### PROJECT EXPERIENCE

##### [Cache Creek Technical Advisory Committee \(TAC\) Hydraulic Engineer—County of Yolo Natural Resources Department, 2015–Present](#)

Currently serving as the Hydraulic Engineer on a three-member panel responsible for providing the technical guidance for the County of Yolo to implement the Cache Creek Resources Management Plan. The role requires production of an annual monitoring report, review of flood hazard development permits in Cache Creek, engaging with creek stakeholders, and performing analyses related to hydraulics, flood management, channel stability, and water quality.

##### [Cache Creek Area Plan Update—County of Yolo Natural Resources Department., 2016–2017](#)

Performed a technical analysis on twenty years of hydrology, water quality, and other data collected under the Cache Creek Area Plan (CCAP), an adaptive management program for Cache Creek. Using the results of this twenty-year retrospective of the adaptive management program, helped revise future policy for the County's management of Cache Creek and the CCAP program including drafting sections of the CCAP, CCRMP, and OCMP documents. As part of this work, developed a new, 2-dimensional hydraulics model of over 20 river miles of Cache Creek and performed a full hydraulic / flood analysis.

##### [Feather River Region Regional Flood Management Plan \(RFMP\)—Three Rivers Levee Improvement Authority, 2019–Present](#)

Developing a suite of multi-objective projects to benefit the Feather River Region (Feather, Yuba, and Bear Rivers and Sutter Bypass) to provide flood management, habitat improvement and species recovery.

[Great Valley Grasslands Floodplain Restoration Project—American Rivers, 2011–present](#)

Developed 1D and 2D hydraulic models, conceptual designs, and performed restoration planning for a project that will breach levees along the San Joaquin River a restore floodplain function to approximately 250 acres of native grasslands along the San Joaquin River. Determined appropriate excavation needs to meet salmonid habitat thresholds for frequency, timing, and duration of inundation. Assisted with securing grant funding for design and construction of the project.

[Alameda County Coastal and Riverine Modeling Project—Alameda County Flood Control and Water Conservation District, 2018–Present](#)

Performing a comprehensive hydraulic modeling analysis of ACFCWCD’s creek outfalls to the East San Francisco Bay to identify vulnerabilities in the face of future climate change and develop a suite of CIP projects to address them.

[Arroyo De La Laguna Stabilization Project—Zone 7 Water Agency, 2017–2018](#)

Served as Lead Engineer and Project manager for an emergency bank stabilization and floodplain terrace restoration on Arroyo De La Laguna, Alameda Creek’s major tributary. Heavy winter storms in 2016–2017 caused major bank failures on Arroyo De La Laguna adjacent to homes in the City of Pleasanton. Zone 7 hired FlowWest to design a stabilization measure that considered the geomorphology and habitat value of the arroyo along with the needs to protect adjacent homes. Mr. Frank managed a team of geotechnical / civil engineers, ecologists, and modelers to design, permit, and build the ~\$3 million project within eight months.

[Yuba River North Training Wall Project; Ecological Enhancements Design—Three Rivers Levee Improvement Authority, 2019–present](#)

Mr. Frank is leading a team of ecological designers developing salmon habitat features in the Hallwood Reach of the Yuba River as part of a multi-benefit project that will also strengthen the North Training Wall of the Yuba River to provide increased flood protection for Marysville and Hallwood.

[Salinas River Multi-Benefit River Management Project—The Nature Conservancy, 2012–2016](#)

Assisted the Nature Conservancy in working with the Monterey County Water Resources Agency and major growers and landowners in the Salinas Valley to develop a multi-benefit river management program that includes both flood protection and ecosystem benefit. Developed 1D steady and unsteady flow models and 2D hydrodynamic model of the Salinas River. Developed designs for flood bypasses, flood detention, vegetation management, and other tools to achieve project benefits. Served as a member of Monterey County’s Groundwater–Surface Water Modeling Technical Advisory Committee.



## Dan Schiff

### Senior GIS Specialist

#### EXPERIENCE OVERVIEW

Dan Schiff has over 15 years of experience applying geographic information systems (GIS) to natural resources, conservation, land use planning, wildfire management, wetlands delineation, and environmental impact assessment projects. His experience includes geospatial data analysis, building geospatial databases, data conversion, field global positioning systems (GPS) data collection, data transformation and rectification, and metadata management. Dan has designed and implemented more than 50 GIS habitat suitability models to support habitat conservation planning. He is further experienced in cartographic design and production methods to effectively communicate complex information. Dan's software experience includes ArcGIS 10.X, Spatial Analyst, 3D Analyst, ArcGIS Model Builder, Survey 123, ArcGIS Pro, Collector, Trimble Pathfinder Office, ArcPad 10.X, Marxan, Zonae Cogito, Marxan with Zones, Trimble Terrasync, Microsoft Office, and Adobe Photoshop.

#### Education

- BA, Geography, California State University, Sacramento, 2002
- AS, Geographic Information Systems, American River College, Sacramento, California, 2006

#### Trainings

- Completed GIST Course for Incident (Disaster) Mapping

#### KEY SKILLS

**Habitat Suitability Models.** Dan creates GIS-based models based on species habitat criteria using various data layers and ArcGIS Modelbuilder. He performs analysis on the species habitat models to access impacts and restoration opportunities.

**Data Collection and Processing.** Dan imports and processes data from various sources, including CAD data, into usable data for various GIS analysis and mapping functions. He digitizes and prepares large land cover datasets for analysis. Knowledgeable about various GPS data collection methods and importing the data into GIS software.

#### PROJECT EXPERIENCE

##### [Upper Santa Ana River HCP—San Bernardino Valley Water Conservation District, California](#)

**GIS Analyst.** Dan compiled and organized multiple datasets for a plan-wide land cover dataset. He reviewed and combined species occurrence data from multiple sources into a single layer for analysis.

##### [Desert Renewable Energy Conservation Plan—California Energy Commission/Aspen Environmental Group, Mojave Desert, California](#)

**Lead GIS Analyst.** Dan used both ArcGIS and Marxan software in the preparation of the initial Reserve Design for the DRECP plan area. This included data preparation for multiple scenarios concurrently in ArcGIS with over 75 input datasets using model builder. He configured Marxan to provide results showing high value areas for preservation and for solar/wind resource. Dan compiled data from multiple sources to create base layers for both land cover and protected lands within the over 20-million-acre project area. He assisted in preparing GIS datasets for use within the MaxEnt modeling program.

[Desert Conservation Program Rare Plant Inventories—Clark County, Nevada](#)

**GIS Analyst.** Dan helped plan and coordinate GPS data collection methods for multiple field crews over two years of field surveys on the project. He set up a GPS data dictionary for field crews and also reviewed and corrected the GPS data as needed for the final deliverable.

[HCP Biological Effectiveness Monitoring of Population and Habitat—Natomas Basin Conservancy, Sacramento and Sutter Counties, California](#)

**Lead GIS Analyst.** Dan incorporated Swainson's hawk nest locations, and other biological data into GIS. He performed analysis on GIS data and created and updated map figures for the yearly report. He helped setup field staff with the GIS/GPS equipment necessary for the annual land cover updates to the GIS layer and incorporates the updates back into GIS.

[Santa Clara County HCP—Santa Clara County, San Jose, California](#)

**Lead GIS Analyst.** Dan interpreted and digitized land cover/vegetation types using aerial imagery and gathered data to update land cover dataset using GIS and GPS to assess data in the field. He provided GIS support for the GAP and impact analysis and design of the conservation strategy. Dan created map figures for the document. He built over 25 habitat models in model builder using multiple inputs for various covered species in the plan. He used model builder extensively on the project to save time and provide documentation of GIS tasks.

[Bay Area O&M HCP—PG&E, California](#)

**GIS Analyst.** Dan worked with botanists to perform an analysis of CNDDDB occurrence records within the HCP.

[San Joaquin Valley O&M HCP—PG&E, California](#)

**GIS Analyst.** Dan assisted with creating a map book of species of concern to assist with determining possible plant and wildlife species occurrences near PG&E facilities in the field, based on critical habitat and CNDDDB occurrences

[Vernal Pool Habitat Assessment—San Joaquin Council of Governments, San Joaquin County, California](#)

**GIS Analyst.** Dan created maps of selected parcels for reserves. He accessed and used CNDDDB data to assist in BAs.



---

**icf.com**



[twitter.com/ICF](https://twitter.com/ICF)

[linkedin.com/company/icf-international](https://www.linkedin.com/company/icf-international)

[facebook.com/ThisIsICF](https://www.facebook.com/ThisIsICF)

[#thisisicf](https://www.instagram.com/thisisicf)

---

#### About ICF

ICF (NASDAQ:ICFI) is a global multidisciplinary firm comprising several wholly owned subsidiaries, including ICF Jones & Stokes, Inc., which provides a full range of services related to environmental planning and resource management. Our staff of more than 600 employees includes land-use planners, biologists, hydrologists, soil scientists, engineers, environmental specialists, attorneys, and public involvement and technical communication specialists. ICF supports its clients with a wide range of services including management consulting, data analytics, data management, strategy, marketing, public relations, and disaster management. Since 1969, public and private sector clients have worked with ICF to navigate change and shape the future. Learn more at [icf.com](http://icf.com).

**Yolo Habitat Conservancy**

**Meeting Date:** 09/20/2021

---

**Information**

**SUBJECT**

Receive FY20-21 year-end fiscal report

---

**Attachments**

Staff Report

Attachment A. Fiscal Report

Attachment B. Grant Balances

---

**Form Review**

Form Started By: Alexander Tengolics

Started On: 09/10/2021 04:32 PM

Final Approval Date: 09/16/2021



# Yolo Habitat Conservancy

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

To: Will Arnold, Chair  
Members of the Board

From: Alexander Tengolics  
Executive Director

Re: Receive FY20-21 year-end fiscal report

Date: September 20, 2021

---

## **REQUESTED ACTION:**

1. Receive FY20-21 year-end fiscal report (Attachment A)

## **BACKGROUND:**

The Conservancy's fiscal position continued to improve in FY20-21 and marked the first year of significant fee revenue as well as a significant year-to-year increase in fund balance. Furthermore, expenditures within the Mitigation Fee Fund were significantly less than last year (\$361,783 in FY20-21 compared to \$535,210 in FY19-20). Additionally, actuals were largely in line with FY21-22 budget estimates. Of note:

- The Mitigation Fee Fund revenues were \$652,482 with \$361,783 in expenditures resulting in a \$290,699 net increase to fund balance for a total fund balance of \$623,510
- The Conservancy received \$169,313 in grant revenues
- All fund balance increased by \$311,414 for a total fund balance of \$1,389,061

A report on current grant balances is included in Attachment B; the Conservancy is close to closing out the 2019 California Fish and Wildlife Local Assistance Grant and Wildlife Conservation Board grant.

## **ATTACHMENTS:**

Attachment A. Fiscal Report

Attachment B. Grant Balances

Fund #	Description	Beginning Balance FY20- 21	FY 20-21 Budget	FY20-21 Actual	FY20-21 Ending Balance	FY21-22 Budget	Estimated FY21-22 Ending Balance
<b>6944</b>	<b>Mitigation Fee Fund</b>	<b>\$ 332,811</b>			<b>\$ 623,510</b>	<b>\$ -</b>	<b>\$ 623,510</b>
	<b>Revenues</b>		<b>\$ 397,600</b>	<b>\$ 652,482</b>		<b>\$ 1,500,000</b>	
	Fees		\$ 397,600	\$ 647,087		\$ 1,500,000	
	Interest			\$ 5,395			
	<b>Expenditures</b>		<b>\$ (864,904)</b>	<b>\$ (361,783)</b>		<b>\$ (1,410,000)</b>	
	Insurance-public liability		\$ (6,000)	\$ (500)		\$ (500)	
	Prof & spec svc-auditing and accounting		\$ (31,000)	\$ (8,512)		\$ (40,000)	
	Prof & spec svc- legal		\$ (11,000)	\$ (1,511)		\$ (20,000)	
	Prof & spec svc-other		\$ (810,904)	\$ (350,809)		\$ (710,000)	
	Board meeting stipends		\$ (6,000)	\$ (450)		\$ (8,000)	
	Easements- Non-depreciable		\$ -	\$ -		\$ (350,000)	
	Loan repayment		\$ -	\$ -		\$ (213,523)	
	Contingency					\$ (67,977)	
	<b>Use (Contribution) to Fund Balance</b>					<b>\$ (90,000)</b>	
	Transfer to reserve		\$ -	\$ -		\$ (90,000)	
<b>6945</b>	<b>Mitigation Trust Account Fund</b>	<b>\$ 736,373</b>			<b>\$ 743,386</b>	<b>\$ (753,386)</b>	<b>\$ -</b>
	<b>Revenues</b>		<b>\$ 10,000</b>	<b>\$ 7,611</b>		<b>\$ 10,000</b>	
	Interest		\$ 10,000	\$ 7,611		\$ 10,000	
	<b>Expenditures</b>		<b>\$ (745,000)</b>	<b>\$ (598)</b>		<b>\$ (753,386)</b>	
	Prof & spec svc- legal		\$ (5,000)	\$ -		\$ -	
	Prof & spec svc-other		\$ (50,000)	\$ (598)		\$ -	
	Easements- Non-depreciable		\$ (690,000)	\$ -		\$ (753,386)	
<b>6946</b>	<b>Grant Fund</b>	<b>\$ (33,792)</b>			<b>\$ (3,394)</b>	<b>\$ 33,792</b>	<b>\$ 30,398</b>
	<b>Revenues</b>		<b>\$ 4,969,891</b>	<b>\$ 169,644</b>		<b>\$ 133,792</b>	
	Interest			\$ 331			
	Other revenue- State		\$ 4,969,891	\$ 169,313		\$ 133,792	
	<b>Expenditures</b>		<b>\$ (4,970,891)</b>	<b>\$ (139,246)</b>		<b>\$ (100,000)</b>	
	Prof & spec svc-other		\$ (170,891)	\$ (137,758)		\$ (100,000)	
	Prof & spec svc-auditing and accounting			\$ (1,488)		\$ -	
	Easements- Non-depreciable		\$ (4,800,000)	\$ -		\$ -	
<b>6949</b>	<b>Other Revenue Fund</b>	<b>\$ 42,255</b>			<b>\$ 25,559</b>	<b>\$ -</b>	<b>\$ 25,559</b>
	<b>Revenues</b>		<b>\$ 60,002</b>	<b>\$ 1,100</b>		<b>\$ 25,000</b>	
	Charges for service		\$ 60,002	\$ 770		\$ 25,000	
	Interest			\$ 330			
	<b>Expenditures</b>		<b>\$ (45,268)</b>	<b>\$ (17,796)</b>		<b>\$ (25,000)</b>	
	Prof & spec svc- legal			\$ (926)		\$ -	
	Prof & spec svc-other		\$ (45,268)	\$ (16,870)		\$ (25,000)	
<b>All Funds</b>		<b>\$ 1,077,647</b>			<b>\$ 1,389,061</b>	<b>\$ (719,594)</b>	<b>\$ 669,467</b>
	<b>Revenues</b>		<b>\$ 5,437,493</b>	<b>\$ 830,836</b>		<b>\$ 1,668,792</b>	
	<b>Expenditures</b>		<b>\$ (6,618,882)</b>	<b>\$ (519,423)</b>		<b>\$ (2,288,386)</b>	
	<b>Use (Contribution) to Fund Balance</b>		<b>\$ -</b>	<b>\$ -</b>		<b>\$ (90,000)</b>	

Fund #	Description	Beginning Balance FY20-21	FY 20-21 Budget	FY20-21 Actual	FY20-21 Ending Balance	FY21-22 Budget	Estimated FY21-22 Ending Balance
<b>6947</b>	<b>Pre Permit Endowment Fund</b>	<b>\$ 413,359</b>			<b>\$ 382,407</b>	<b>\$ -</b>	<b>\$ 390,407</b>
	<b>Revenues</b>		<b>\$ 7,500</b>	<b>\$ -</b>		<b>\$ 10,000</b>	
	Interest		\$ 7,500	\$ -		\$ 10,000	
	<b>Expenditures</b>		<b>\$ (15,000)</b>	<b>\$ (30,953)</b>		<b>\$ (2,000)</b>	
	Prof & spec svc-other		\$ (15,000)	\$ (598)		\$ (2,000)	
	Net Pre-Permit Subaccounts			\$ (30,355)		-	
	<b>Use (Contribution) to Fund Balance</b>		<b>\$ -</b>	<b>\$ -</b>		<b>\$ (8,000)</b>	
	Contribution to fund balance		\$ -	\$ -		\$ (8,000)	
<b>6948</b>	<b>Post Permit Endowment Fund</b>	<b>\$ 19,825</b>			<b>\$ 33,179</b>	<b>\$ -</b>	<b>\$ 73,179</b>
	<b>Revenues</b>		<b>\$ 11,600</b>	<b>\$ 13,354</b>		<b>\$ 40,000</b>	
	Fees		\$ 11,500	\$ 13,138		\$ 39,000	
	Interest		\$ 100	\$ 217		\$ 1,000	
	<b>Expenditures</b>		<b>\$ (4,000)</b>	<b>\$ -</b>		<b>\$ -</b>	
	Prof & spec svc-other		\$ (4,000)	\$ -			
	<b>Use (Contribution) to Fund Balance</b>					<b>\$ (40,000)</b>	
	Transfer to reserve					\$ (40,000)	

HABITAT GRANT INVOICE LOG FY20-21

WCB4 Grant (WC-1831CR) Exp: 12/31/21 Total: \$275,000				Customer#: 1731	Account: 401340 State-Other		
Invoice Number	Sent To	For	Date Sent	Invoice Total	Retention	Date Received	
<b>FY18-19</b>							
1	Celestial Reysner (WCB)	April 2019	8/2/2019	\$ 14,270.65	\$ (1,427.07)	9/22/2019	
2	Celestial Reysner (WCB)	May 2019	8/2/2019	\$ 23,384.32	\$ (2,338.43)	9/22/2019	
3	Celestial Reysner (WCB)	June 2019	8/2/2019	\$ 27,880.49	\$ (2,788.05)	9/22/2019	
4	Celestial Reysner (WCB)	July 2019	12/2/2019	\$ 18,292.18	\$ (1,829.22)	1/13/2020	
5	Celestial Reysner (WCB)	Aug 2019	12/2/2019	\$ 7,504.79	\$ (750.48)	1/13/2020	
6	Celestial Reysner (WCB)	Sep 2019	2/24/2020	\$ 16,204.74	\$ (1,620.47)	4/2/2020	
7	Celestial Reysner (WCB)	Oct 2019	3/5/2020	\$ 9,087.83	\$ (908.78)	5/22/2020	
8	Celestial Reysner (WCB)	Nov 2019	4/13/2020	\$ 12,091.16	\$ (1,209.12)	5/22/2020	
9	Celestial Reysner (WCB)	Dec 2019	5/7/2020	\$ 11,750.50	\$ 1,175.05	6/5/2020	
10	Celestial Reysner (WCB)	Jan 2020	5/28/2020	\$ 14,251.25	\$ (1,425.13)	6/25/2020	
11	Celestial Reysner (WCB)	Feb 2020	6/19/2020	\$ 2,962.61	\$ (296.26)	8/14/2020	
12	Celestial Reysner (WCB)	Mar 2020	6/19/2020	\$ 7,877.45	\$ (787.75)	8/14/2020	
13	Celestial Reysner (WCB)	Apr 2020	6/19/2020	\$ 4,431.25	\$ (443.13)	8/14/2020	
14	Celestial Reysner (WCB)	May 2020	6/25/2020	\$ 5,486.29	\$ (548.63)	8/14/2020	
15	Celestial Reysner (WCB)	Jun 2020	8/10/2020	\$ 13,224.95	\$ (1,322.50)	9/23/2021	
16	Celestial Reysner (WCB)	July 2020	10/9/2020	\$ 7,924.41	\$ (792.44)	11/18/2020	
17	Celestial Reysner (WCB)	August 2020	10/9/2020	\$ 7,799.30	\$ (779.93)	11/18/2020	
18	Celestial Reysner (WCB)	Sep 2020	11/30/2020	\$ 9,415.70	\$ (941.57)	1/29/2021	
19	Celestial Reysner (WCB)	Oct 2020	11/30/2020	\$ 4,573.22	\$ (457.32)	2/10/2021	
20	Celestial Reysner (WCB)	Nov 2020	1/19/2021	\$ 6,305.39	\$ (630.54)	6/30/2021	
21	Celestial Reysner (WCB)	Dec 2020	1/19/2021	\$ 5,375.98	\$ (537.60)	6/30/2021	
22	Celestial Reysner (WCB)	Jan 2021	5/11/2021	\$ 2,159.37	\$ (215.94)	6/30/2021	
23	Celestial Reysner (WCB)	Feb 2021	5/11/2021	\$ 1,367.89	\$ (136.79)	6/30/2021	
24	Celestial Reysner (WCB)	March 2021	5/11/2021	\$ 1,089.15	\$ (108.92)	6/30/2021	
25	Celestial Reysner (WCB)	April 2021	8/9/2021	\$ 1,178.90	\$ (117.89)		
26	Celestial Reysner (WCB)	May 2021	8/9/2021	\$ 1,953.35	\$ (195.34)		
27	Celestial Reysner (WCB)	June 2021	8/9/2021	\$ 309.97	\$ (31.00)		
<b>Totals</b>				<b>\$238,153.09</b>	<b>-\$21,465.23</b>		

2019 Local Assistance Grant (LAG2) (P1820101) Exp: 9/31/21 Total: \$93,000				Customer#: 1732	Account: 401340		
Invoice Number	Sent To	For	Date Sent	Invoice Total	Retention	Date Received	
<b>FY 18-19</b>							
1	Ian Boyd (CDFW)	Qtr 4 (May 15 - Jun 2019)	12/19/2019	\$ 1,100.00	n/a	4/2/2020	
2	Ian Boyd (CDFW)	Qtr 1 (Jul, Aug, Sep 2019)	2/25/2020	\$ 2,072.50	n/a	4/3/2020	
3	Ian Boyd (CDFW)	Qtr 2 (Oct, Nov, Dec 2019)	6/18/2020	\$ 5,093.75	n/a	8/26/2020	
4	Ian Boyd (CDFW)	Qtr 3 (Jan, Feb, Mar 2020)	6/18/2020	\$ 6,116.25	n/a	8/28/2020	
5	Ian Boyd (CDFW)	Qtr 4 (Apr, May, Jun 2020)	8/6/2020	\$ 901.25	n/a	11/19/2020	
6	Gabe Quillman (CDFW)	Qtr 1 (Jul, Aug, Sep 2020)	11/20/2020	\$ 27,986.28	n/a	1/29/2021	
7	Gabe Quillman (CDFW)	Qtr 2 (Oct, Nov, Dec 2020)	2/17/2021	\$ 11,603.56	n/a	5/27/2021	
8	Gabe Quillman (CDFW)	Qtr 3 (Jan, Feb, Mar 2021)	6/17/2021	\$ 21,457.88	n/a		
	Gabe Quillman (CDFW)	Qtr 4 (Apr, May, Jun 2021)	8/4/2021	\$12,683.50	n/a		
<b>Totals</b>				<b>\$ 89,014.97</b>			

2020 Local Assistance Grant (LAG2) (Q2020102) Exp: 3/31/23 Total: \$125,000				LCC Reserve Unit 7 Customer#: 1732	Account: 401340		
Invoice Number	Sent To	For	Date Sent	Invoice Total	Retention	Date Received	
<b>FY 20-21</b>							
1	Gabe Quillman (CDFW)	Qtr 4 (April - June 2021)	8/10/2021	\$ 5,212.72	n/a		
2	Gabe Quillman (CDFW)						
3	Gabe Quillman (CDFW)						
4	Gabe Quillman (CDFW)						
5	Gabe Quillman (CDFW)						
6	Gabe Quillman (CDFW)						
7	Gabe Quillman (CDFW)						
8	Gabe Quillman (CDFW)						
<b>Totals</b>				<b>\$ 5,212.72</b>			

2020 Local Assistance Grant (LAG2) (Q2020102) Exp: 3/31/23 Total: \$50,000				Swh Priority Mappi Customer#: 1732	Account: 401340		
Invoice Number	Sent To	For	Date Sent	Invoice Total	Retention	Date Received	
<b>FY 20-21</b>							
1	Gabe Quillman (CDFW)	Qtr 4 (April - June 2021)	8/16/2021	\$ 5,150.00	n/a		
2	Gabe Quillman (CDFW)						
3	Gabe Quillman (CDFW)						
4	Gabe Quillman (CDFW)						
5	Gabe Quillman (CDFW)						
6	Gabe Quillman (CDFW)						
7	Gabe Quillman (CDFW)						
8	Gabe Quillman (CDFW)						
<b>Totals</b>				<b>\$ 5,150.00</b>			

**Yolo Habitat Conservancy**

**Meeting Date:** 09/20/2021

---

**Information**

**SUBJECT**

Receive and file transmittal memo recommending the Gilmer site for inclusion in the Yolo HCP/NCCP reserve system; approve Gilmer site as a candidate Yolo HCP/NCCP conservation easement site

---

**Attachments**

Staff Report

Attachment A. Transmittal memo conditionally recommending the Gilmer site for inclusion in the Yolo HCP/NCCP reserve system

Attachment B. Location map of Gilmer site

---

**Form Review**

Form Started By: Alexander Tengolics  
Final Approval Date: 09/13/2021

Started On: 09/09/2021 02:55 PM



# Yolo Habitat Conservancy

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

To: Will Arnold, Chair  
Members of the Board

From: Alexander Tengolics, Executive Director

Re: Receive and file transmittal memo recommending the Gilmer site for inclusion in the Yolo HCP/NCCP reserve system; approve Gilmer site as a candidate Yolo HCP/NCCP conservation easement site

Date: September 20, 2021

---

## REQUESTED ACTIONS:

1. Receive and file transmittal memo recommending the Gilmer site for inclusion in the Yolo HCP/NCCP reserve system (Attachment A)
2. Approve Gilmer site as a candidate Yolo HCP/NCCP conservation easement site

## BACKGROUND:

The Gilmer family submitted an application to the Conservancy for consideration of an HCP/NCCP conservation easement on their approximately 40-acre property. The site is in the Corcoran Hill area, located west of the Yolo County airport, within a Priority 2 HCP/NCCP acquisition area within Planning Unit 11. The site is primarily dry farmed in oats and hay and is bordered by hedgerows on three sides. Conservancy and Yolo HCP/NCCP Science and Technical Advisory Committee (STAC) representatives conducted a site visit on the Gilmer site, on June 9, 2021. The STAC concluded that the Gilmer Site supports habitat for several covered species including burrowing owl, Swainson's hawk, white-tailed kite, and valley elderberry longhorn beetle. The site supports moderately-high-value habitat for Swainson's hawk and moderate-value habitat for white-tailed kite due to the field crops as well as the enhancements the landowner has undertaken (hedgerows and tree plantings) although the size of the Gilmer property does not meet the minimum acreage requirement (80 acres) for a Swainson's hawk and white-tailed kite foraging habitat block within the reserve system. However, the contiguity with the Lomita Farm site (~35 acres) which has already been approved as a candidate Yolo HCP/NCCP site, and the close proximity to other protected properties, cumulatively provide suitable foraging habitat acreage for these species. The STAC recommends that the property be enrolled in the HCP/NCCP reserve system as summarized in the transmittal memo (Attachment A) as long as the Conservancy intends to continue efforts to enroll the Lomita Farms site and additional suitable Swainson's hawk and white-tailed kite foraging habitat within the general location of the property in order to establish a block of protected foraging habitat that is of a suitable size.

The STAC site evaluation report for the Gilmer Site was provided to California Department of Fish (CDFW) and Wildlife and US Fish and Wildlife Service (USFWS) staff for review and consideration as a candidate Yolo HCP/NCCP conservation easement site. Both California Department of Fish and Wildlife and US Fish and Wildlife Service provided their approval of the property as a candidate Yolo HCP/NCCP reserve system site on September 2, 2021. The Executive Director recommends that the Board approve the Conaway Gilmer Site as a candidate Yolo HCP/NCCP conservation easement site. Following Board approval staff will work with the landowner, CDFW, and USFWS staff to prepare the appropriate conservation easement documents and return to the Board for final action.

ATTACHMENTS:

Attachment A. Transmittal memo conditionally recommending the Gilmer site for inclusion in the Yolo HCP/NCCP reserve system

Attachment B. Location map of Gilmer site





# Yolo Habitat Conservancy

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

## *Gilmer Site*

### Transmittal of STAC Evaluation to Wildlife Agencies

**To:** Kelley Barker (CDFW), Tanya Sheya (CDFW), Gabe Quillman (CDFW),  
Adam Stewart (USFWS), and Michelle Havens (USFWS)

**From:** The Yolo Habitat Conservancy

Direct questions to Chris Alford at [chris@yolohabitatconservancy.org](mailto:chris@yolohabitatconservancy.org) or 530-848-6211

**Application Name:** Gilmer Site

**STAC site visit date:** June 9, 2021

**Yolo Habitat Conservancy Board Meeting Date:** TBD

**WA Coordinating meeting date:** August 5, 2021 and September 2, 2021

Covered species with habitat identified on the site:

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

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

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

### **The STAC has made the following recommendation:**

The Gilmer site is a 40.7-acre property with approximately 35 acres of land cultivated in dry farmed oats and hay. The STAC provisionally recommends that the Conservancy Board consider acquisition of an easement on the Gilmer property. The Corcoran Hill area, where the site is located, represents a unique landscape near the southern terminus of the Plainfield Ridge that continues to support patches of uncultivated grassland prairie and a matrix of suitable agricultural land cover, including irrigated pastures and field, grain, and hay crops that support habitat for several covered species including burrowing owl, Swainson's hawk, white-tailed kite, and valley elderberry longhorn beetle. Existing protected lands occur within 1 mile north and south of the property and the adjacent Lomita Farms is currently pending HCP/NCCP enrollment. As a result, there are opportunities for the establishment of a larger intact preserve and near-contiguity, or at least close proximity, to other protected lands. The site supports moderate habitat value for burrowing owl. Species occurrences have been reported within one and three miles of the property. The landowner has reported occurrences of active nest burrows in previous years and numerous ground squirrel burrows are present on the site although no burrowing owls have been observed on the site in the last few years. The site supports moderately-high-value habitat for Swainson's hawk and moderate-value habitat for white-tailed kite due to the field crops as well as the enhancements the landowner has undertaken (hedgerows and tree plantings). Alone, the small size of the Gilmer property does not meet minimum acreage requirements for these species. However, the contiguity with the Lomita Farm site, and the close proximity to other protected properties, cumulatively provide suitable foraging habitat acreage for these species. The site supports moderate habitat value for VELB in that numerous mature and young elderberry shrubs have been planted in hedgerows onsite. Chickahominy Slough and other local waterways also support mature elderberry shrubs.

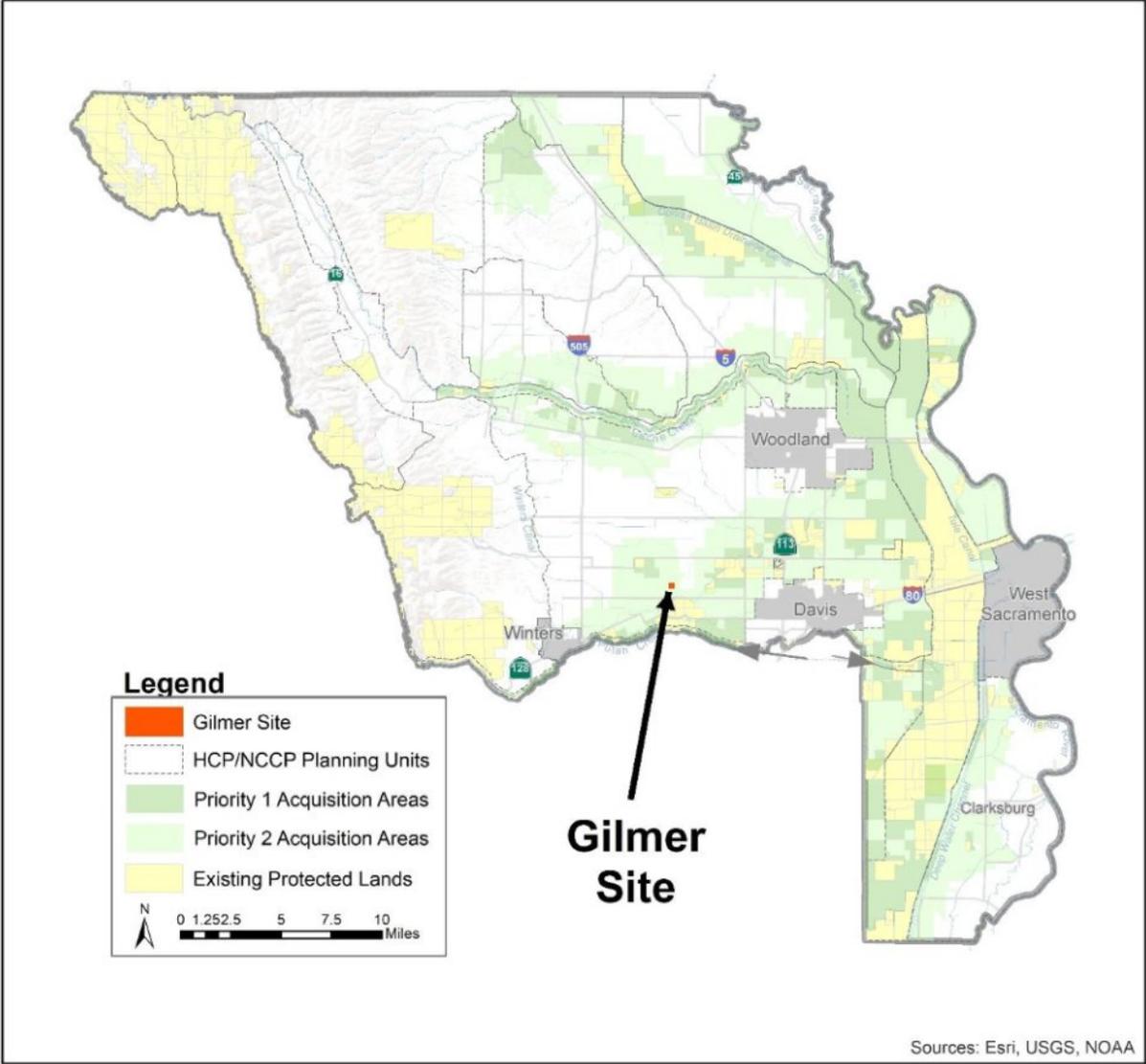


Figure 1: Location map for Gilmer Site

**Yolo Habitat Conservancy**

**Meeting Date:** 09/20/2021

---

**Information**

**SUBJECT**

Authorize the Executive Director to execute a new Certificate of Inclusion and the Special Participating Entity Agreement with Pacific Gas & Electric (PG&E) to allow the use of Yolo HCP/NCCP permit coverage for the PG&E S-648 Buckeye Station Upgrade

---

**Attachments**

Staff Report

Attachment A. March 16, 2020 Staff Report

Attachment B. Revised PG&E Site plan with land cover impacts

---

**Form Review**

Form Started By: Alexander Tengolics

Started On: 09/16/2021 12:04 PM

Final Approval Date: 09/16/2021



# Yolo Habitat Conservancy

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

To: Will Arnold, Chair  
Members of the Board

From: Alexander Tengolics  
Executive Director

Re: Authorize the Executive Director to execute a new Certificate of Inclusion and the Special Participating Entity Agreement with Pacific Gas & Electric (PG&E) to allow the use of Yolo HCP/NCCP permit coverage for the PG&E S-648 Buckeye Station Upgrade

Date: September 20, 2021

---

## **REQUESTED ACTION:**

Authorize the Executive Director to execute a new Certificate of Inclusion and the Special Participating Entity Agreement with Pacific Gas & Electric (PG&E) to allow the use of Yolo HCP/NCCP permit coverage for the PG&E S-648 Buckeye Station Upgrade

## **BACKGROUND:**

On March 16, 2020, the Board of Directors authorized the approval of an SPE Agreement and subsequent Certificate of Inclusion to allow the Conservancy to grant the use of Yolo HCP/NCCP permit coverage to Pacific Gas & Electric (PG&E). PG&E requested coverage to impact 2.8 acres of barren land with covered species habitat, 5.8 acres of grassland, and 0.4 acres of blue oak woodland to allow PG&E to make improvements to mainline valves and much of the control equipment at the Buckeye Creek Station to avoid irreparable failures and improve reliability. Additional background information related to March 16, 2020, Board meeting is included in Attachment A.

To grant permit coverage to an SPE, the Conservancy must determine the requested permit coverage is available and establish a legally enforceable contract (SPE Agreement) with the SPE. The SPE Agreement binds the SPE to the relevant terms of the Yolo HCP/NCCP permits, Implementing Agreement, and Yolo HCP/NCCP. In addition to executing the SPE Agreement, the SPE entity must submit a complete application package, pay both the standard Yolo HCP/NCCP land cover fees and supplemental SPE charges per the SPE fee policy approved by the Board in July 2019, and complete any other steps required

by the contract. After these steps are complete, the Conservancy will issue a Certificate of Inclusion to the SPE.

In August 2021, PG&E contacted Conservancy staff to request additional permit coverage after realizing the acreage included the Certificate of Inclusion was insufficient to cover the impact area of the Buckeye Station Upgrade project. It was determined that the Buckeye Station upgrade will require an additional 2.95-acres of grassland land cover to mitigate for the impacts to the project area. PG&E has completed the full application package for Yolo HCP/NCCP coverage and will need to sign a cost recovery agreement that covers the Buckeye Station Upgrade prior to the Conservancy issuing a Certificate of Inclusion for the project. In addition to the anticipated land cover fee of \$44,748.77, PG&E will also need to deposit \$27,374.28 to cover the costs of reviewing the new Buckeye Station Upgrade application for coverage and preparation of the Certificate of Inclusion for an anticipated fee total of \$72,123.05. The additional deposit fee is based on the September 16, 2019 Special Participating Entity Fee Policy that requires projects with cumulative permanent land cover fees, temporary effect fees and wetland fees greater than \$10,000 to pay a supplemental charge equal to the first \$10,000 (100%) plus one half of the remaining land cover and/or wetland fee total (50%).

Staff recommend approval of expanded permit coverage for the upgrade to the PG&E Buckeye Station as the new impacts of the proposed project only occur on a small amount of the grassland land cover type for which there is ample Yolo HCP/NCCP coverage and the project will not deplete the amount of permit coverage available to projects subject to the jurisdiction of the member agencies.

**ATTACHMENTS:**

- Attachment A. March 16, 2020 Staff Report
- Attachment B. Revised PG&E Site plan with land cover impacts





# Yolo Habitat Conservancy

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

To: Don Saylor, Chair  
Members of the Board

From: Dirk Brazil  
Executive Director

Re: Authorize the Executive Director to execute a new Certificate of Inclusion and amend the Special Participating Entity agreement with Pacific Gas & Electric (PG&E) to allow the use of Yolo HCP/NCCP permit coverage for the PG&E S-648 Buckeye Station Upgrade

Date: March 16, 2020

---

## REQUESTED ACTION:

1. Authorize the Executive Director to issue a new Certificate of Inclusion and amend the Special Participating Entity agreement with Pacific Gas & Electric (PG&E) to allow the use of Yolo HCP/NCCP permit coverage for the PG&E S-648 Buckeye Station Upgrade

## RECOMMENDATION:

Staff recommend approval of expanded permit coverage for the upgrade to the Pacific Gas & Electric Buckeye Station. On January 27, 2020, the Board authorized the approval of an SPE Agreement and subsequent Certificate of Inclusion with Pacific Gas & Electric for impacts to 2.8 acres of barren land with covered species habitat and 1.5 acres of grassland to upgrade the PG&E S-648 Buckeye Station. After the Board meeting, Pacific Gas & Electric contacted the Conservancy and asked for additional permit coverage as follows:

Land Cover Type	Old Application	New Application
Barren land (w/species habitat)	2.8	2.8
Grassland	1.5	5.8
Blue oak woodland	0	.4

Conservancy staff advised PG&E they needed to submit a new application (the old application will be void once the new one is approved) and the Conservancy needed to issue a new Certificate of Inclusion.



Attachment A shows the expanded project.

The project is located in the Dunnigan Hills and there are no covered species occurrences within one mile (Attachment B). Photos of the site location are included as Attachment C. The Conservancy recommends permitting the Buckeye Station Upgrade for the following reasons:

- The impacts of the proposed project fall within those analyzed in the Yolo HCP/NCCP, the Endangered Species Act Section 7 Biological Opinion for the Yolo HCP/NCCP, and the Yolo HCP/NCCP’s EIR/EIS in general type, location, magnitude, and effects;
- The impacts of the proposed project do not deplete the amount of permit coverage to such an extent that not enough is available for future covered activities as shown in Table 1; and
- The proposed project does not conflict with the conservation strategy or the ability of the Conservancy to meet the goals and objectives of the Yolo HCP/NCCP

PG&E has completed the full application package and signed a cost recovery agreement that covers both the Strength Test project the Conservancy permitted on June 13, 2019 and the Buckeye Station Upgrade. PG&E also deposited \$5,000 (in addition to their original \$5,000 deposit, which is exhausted) to cover the costs of reviewing the Buckeye Station Upgrade old and new applications. PG&E will pay a total of \$230,302.79, of which \$104,967.05 is associated with the expanded permit coverage. PG&E already paid the Conservancy \$125,335, which included \$91,214 in land cover fees and \$34,121 in Special Participating Entity fees. PG&E will pay an additional \$95,424.50 in land cover fees and \$9,543 in Special Participating Entity fees for the expanded permit coverage.

**PROJECT INFORMATION:**

PG&E needs to improve mainline valves and much of the control equipment at the Buckeye Creek Station to avoid irreparable failures and improve reliability. The project to upgrade the PG&E S-648 Buckeye Station will result in impacts to 2.8 acres of barren land with covered species habitat, 5.8 acres of grassland impact, and .4 acres of blue oak woodland impact.

**Table 1: Buckeye Station Upgrade proposed impacts vs. available Yolo HCP/NCCP coverage**

Land Cover Type	Estimated Project Impacts (acres)	HCP/NCCP Permanent Take Total (acres)
Grassland	5.8	1,734
Barren (with covered species habitat)	2.8	No limit
Blue Oak Woodland	.4	3

Although the project will use 13% of the Conservancy’s blue oak woodland take coverage for 50 years, the Conservancy recommends permitting this project because .4 acres of the Conservancy’s blue oak woodland coverage was set aside for implementation of the Dunnigan Specific Plan, which was removed from the Yolo County General Plan but not from the Yolo HCP/NCCP. Permitting of this project will therefore not affect the Conservancy’s ability to permit planned member agency projects. PG&E is also already under construction and needs this coverage to complete the project. The project qualifies as an SPE because it is located within the Yolo HCP/NCCP Plan Area, upgrades to utilities is a cover activity, and this project is not subject to the jurisdiction of any of the member agencies.



**ADDITIONAL BACKGROUND:**

The Yolo HCP/NCCP incidental take permit coverage authorized by California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service apply to public and private sector projects under the discretion of the member agencies, known along with the Yolo Habitat Conservancy as Permittees. Section 4.2.1.3 of the Yolo HCP/NCCP allows the Conservancy to grant the use of Yolo HCP/NCCP permit coverage, at the Conservancy’s discretion, for activities proposed by public entities and private individuals that are not subject to member agency discretion. Entities the Board of Directors approves for coverage under the Yolo HCP/NCCP are called Special Participating Entities (SPEs).

A proposed SPE project must meet the following criteria for Yolo HCP/NCCP permit coverage:

- Occur within the Yolo HCP/NCCP Plan Area,
- Consist of activities that are covered activities in the Yolo HCP/NCCP,
- Affect Yolo HCP/NCCP covered species and require take authorization from the U.S. Fish and Wildlife Service or the California Department of Fish and Wildlife, and
- Demonstrate it is not subject to the jurisdiction of any of the member agencies.

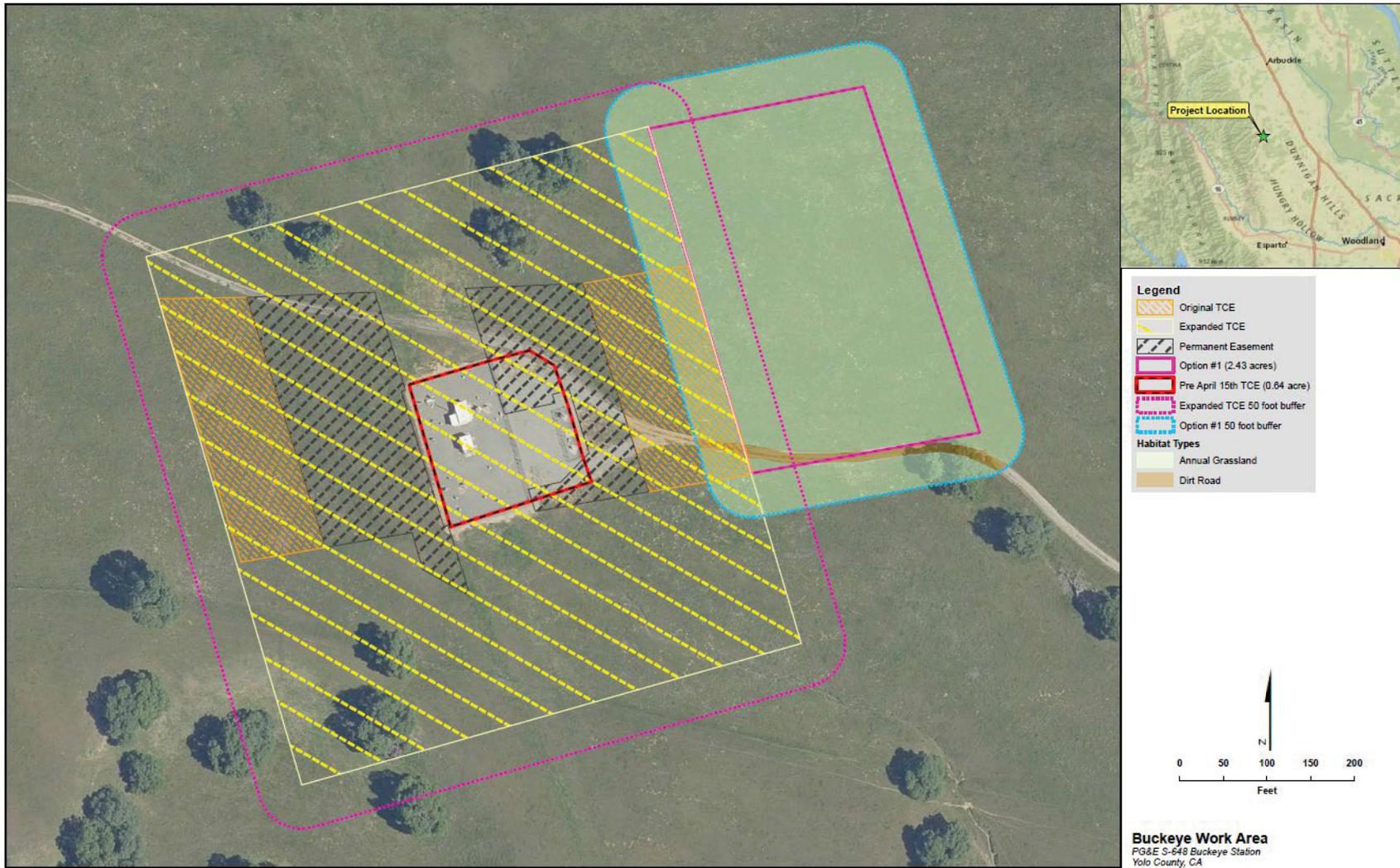
To grant permit coverage to an SPE, the Conservancy must determine the requested permit coverage is available and establish a legally enforceable contract (SPE Agreement) with the SPE. The SPE Agreement binds the SPE to the relevant terms of the Yolo HCP/NCCP permits, Implementing Agreement, and Yolo HCP/NCCP. In addition to executing the SPE Agreement, the SPE entity must submit a complete application package, pay both the standard Yolo HCP/NCCP land cover fees and supplemental SPE charges per the SPE fee policy approved by the Board in July 2019, and complete any other steps required by the contract. After these steps are complete, the Conservancy will issue a Certificate of Inclusion to the SPE.

**ATTACHMENTS:**

- Attachment A.** Buckeye Creek Station Upgrade Site Plan
- Attachment B.** Buckeye Creek Station Location and CNDBB Occurrences
- Attachment C.** Photos of Buckeye Creek Station Project Location



Additional Project Workspace (Green Shading)



\\dc1vs01\GISProj\PG&E\PGE\_S648\_Buckeye\_Station\MapFiles\Working\2021\Sep\S-648\_Buckeye\_Working\_Area\_091421.mxd carcher 9/14/2021 12:08:51 PM

Please see Attachment 4 (Planning Level Survey Report) for figures showing HCP/NCCP Land Cover types and discussion of impact acreage.

**Yolo Habitat Conservancy**

**Meeting Date:** 09/20/2021

---

**Information**

**SUBJECT**

Receive presentation and approve revised Yolo Habitat Conservancy roles, responsibilities and fees associated with Valley Elderberry Longhorn Beetle mitigation and hold a public hearing and adopt a resolution reducing the per acre valley foothill riparian fee and creating a per acre maintenance fee for elderberry bushes transplanted from non-riparian habitat

---

**Attachments**

Staff Report

Attachment A. Yolo Habitat Conservancy Policy: Roles, Responsibilities, and Fees Associated with Valley Elderberry Longhorn Beetle Mitigation

Attachment B. Revised Valley Foothill Riparian Wetland Fee memo

Attachment C. Elderberry Transplant Site Maintenance Fee memo

Att. D. Resolution

---

**Form Review**

Form Started By: Alexander Tengolics

Started On: 09/10/2021 04:42 PM

Final Approval Date: 09/15/2021



# Yolo Habitat Conservancy

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

To: Will Arnold, Chair  
Members of the Board

From: Alexander Tengolics  
Executive Director

Re: Receive presentation and approve revised Yolo Habitat Conservancy roles, responsibilities and fees associated with Valley Elderberry Longhorn Beetle mitigation and hold a public hearing and adopt a resolution reducing the per acre valley foothill riparian fee and creating a per acre maintenance fee for elderberry bushes transplanted from non-riparian habitat

Date: September 20, 2021

---

## REQUESTED ACTIONS:

1. Receive presentation on proposed policy for Yolo HCP/NCCP implementation as it relates to activities associated with mitigation for the Valley Elderberry Longhorn Beetle;
2. Approve revised roles, responsibilities, and fees associated with Valley Elderberry Longhorn Beetle mitigation (Attachment A).
3. Adopt a resolution reducing the 2021 per acre valley foothill riparian fee to \$63,681 on all applications for Yolo HCP/NCCP take coverage and creating a per acre maintenance fee of \$18,281 for 2021 for elderberries transplanted from non-riparian habitat (Attachment D).

## BACKGROUND:

Projects that occur within 100 feet of a Valley Elderberry shrub must comply with AMM12, Minimize Take and Adverse Effects on Habitat of Valley Elderberry Longhorn Beetle. To mitigate impacts on the valley elderberry longhorn beetle, the Yolo HCP/NCCP requires project proponents to transplant to a riparian restoration site elderberry shrub that cannot be avoided directly within a project footprint and within a 100-foot buffer distance.

Elderberry shrub occurs in the valley foothill riparian habitat and not in the other two habitats subject to the wetland fee (fresh emergent wetland and lacustrine & riverine habitats). Under the current policy the project proponent is responsible for elderberry shrub transplantation; the current wetland fee rate funds the following three additional costs:

1. Identifying and developing plans and specifications for restoration sites
2. Planting specific amounts of elderberry shrub native associates
3. Five years of post-construction irrigation, maintenance, and monitoring

Under the new policy, the responsibility for planting elderberry shrub native associates, the second cost component, is shifted to project proponents, thereby removing this cost from the wetland fee. The updated per acre valley foothill riparian wetland fee is \$63,681, a 26% percent reduction from the current fee. The Conservancy will remain responsible for the two other cost components.

By shifting the responsibility of planting elderberry shrub native associates to the project proponent, the Conservancy is able to achieve two objectives: reducing the per acre fee for projects and reducing the administrative burden related to coordinating roles and responsibilities for planting the elderberry bush and its native associates by reducing the number of parties involved two to one.

The following summary statements are explained in greater detail in the Attachment A:

- Whereas the project proponent was previously responsible for transplanting elderberry shrubs and the YHC was responsible for associated native riparian plantings, the responsibility of associated native plantings is now transferred to the project proponent.
- The 2021 valley foothill riparian fee is reduced to \$63,681 to account for this shift in responsibility.
- For project proponents transplanting elderberry shrubs from non-riparian habitat, a per acre maintenance fee of \$18,281 for 2021 is assessed and would be subject to annual increase pursuant to existing methodology. Previously there was no established fee for this activity type.

Additional information related to how the valley foothill riparian fee was calculated is included in Attachment B and information related to the elderberry transplant site maintenance fee is included in Attachment C. The resolution reducing the per acre valley foothill riparian fee and creating a per acre maintenance fee for elderberries transplanted from non-riparian habitat is included in Attachment D.

#### ATTACHMENTS:

- Attachment A. Yolo Habitat Conservancy Policy: Roles, Responsibilities, and Fees Associated with Valley Elderberry Longhorn Beetle Mitigation
- Attachment B. Revised Valley Foothill Riparian Wetland Fee memo
- Attachment C. Elderberry Transplant Site Maintenance Fee memo
- Attachment D. Resolution



# Memorandum

<b>Date:</b>	July 14, 2021
<b>To:</b>	Yolo Habitat Conservancy File
<b>From:</b>	Alexander Tengolics, Executive Director, Yolo Habitat Conservancy
<b>Subject:</b>	<b>Yolo Habitat Conservancy Policy: Roles, Responsibilities, and Fees Associated with Valley Elderberry Longhorn Beetle Mitigation</b>

This memo describes new Yolo Habitat Conservancy (YHC) policy for implementation of the Yolo Habitat Conservation Plan/Natural Community Conservation Plan (Yolo HCP/NCCP) as it relates to activities associated with mitigation for the valley elderberry longhorn beetle (VELB). The following summary statements are explained further in this memo:

- Whereas the project proponent was previously responsible for transplanting elderberry shrubs and the YHC was responsible for associated native riparian plantings, the responsibility of associated native plantings is now transferred to the project proponent.
- The valley foothill riparian fee is reduced to \$63,681 to account for this shift in responsibility.
- For project proponents transplanting elderberry shrubs from nonriparian habitat, a maintenance fee of \$18,281 is assessed.

## Mitigation Responsibilities

To mitigate impacts on the valley elderberry longhorn beetle, the Yolo HCP/NCCP requires project proponents to transplant elderberry shrubs to a riparian restoration site. While the project proponent is responsible for elderberry shrub transplantation, the Yolo Habitat Conservancy has been responsible, to date, for site preparation and planting native riparian associates at the transplantation sites. Under the policy described herein, the responsibility of site preparation and planting native riparian associates will be transferred to the project proponent. **Table 1** summarizes the delegation of responsibilities associated with VELB mitigation and associated riparian restoration. **Attachment A, Guidance for Elderberry Transplants and Associated Riparian Plantings**, provides guidance for each of the tasks described in Table 1.

**Table 1. Valley Elderberry Longhorn Beetle Mitigation Responsibilities**

<b>Task</b>	<b>Responsible Party</b>
Identify riparian restoration site	YHC, with input from STAC
Evaluate elderberry shrubs affected to determine number of associated plantings needed	Project proponent
Prepare restoration plan	YHC

Prepare site	Project proponent
Transplant elderberry shrub(s)	Project proponent
Plant associated riparian species	Project proponent
Verify that planting is consistent with plan	YHC
Monitor and maintain site	YHC

## Fees

### Riparian Fee Reduction

The Yolo HCP/NCCP valley foothill riparian fee will heretofore be reduced to account for the YHC's transfer of the cost of planting elderberry shrub native associates to the project proponent. The revised valley foothill riparian fee is \$63,681. **Attachment 2, Revised Valley Foothill Riparian Wetland Fee**, provides the calculations for this revision.

### Transplant Maintenance Fee for Shrubs in Nonriparian Habitat

The cost of maintaining transplanted elderberry shrubs was previously included in the valley foothill riparian fee, but there have been project proponents who impact isolated elderberry shrubs that do not occur in riparian habitat, therefore the project proponents did not pay the valley foothill riparian fee to cover this cost. As such, the YHC will assess a fee of \$18,281 per nonriparian elderberry shrub transplanted, to provide for five years of monitoring and maintenance of the shrub. **Attachment 3, Elderberry Transplant Site Maintenance Fee**, provides the calculations for this fee.



## **Attachment A: Guidance for Elderberry Transplants and Associated Riparian Plantings**

### **Purpose**

The purpose of this document is to provide guidance to project proponents under the Yolo County Habitat Conservation Plan/Natural Community Conservation Plan (Yolo HCP/NCCP) for elderberry shrub (*Sambucus mexicana*) transplanting and associated plantings, and guidance for Yolo Habitat Conservancy (YHC) staff in overseeing and documenting this process. The goals of this guidance are to help ensure mitigation success and to demonstrate compliance with the Yolo HCP/NCCP, consistent with *AMM12, Minimize Take and Adverse Effects on Habitat of Valley Elderberry Longhorn Beetle*, and valley foothill riparian restoration requirements.

Some measures described in this document may be subject to variation as needed, upon YHC approval. If the variation deviates from *AMM12, Minimize Take and Adverse Effects on Habitat of Valley Elderberry Longhorn Beetle* in the Yolo HCP/NCCP, the YHC will need approval from USFWS and CDFW before they can approve the project proponent's variation.

### **Evaluate Affected Shrubs and Number of Associated Plantings Needed (Project Proponent)**

The Yolo HCP/NCCP requires mature elderberry shrubs that cannot be avoided during implementation of a permitted activity be transplanted to an appropriate offsite location. For each transplanted shrub, 5 elderberry seedlings and 5 associated native riparian seedlings must also be planted. The associated plantings are intended to serve as dispersal habitat for valley elderberry longhorn beetles (*Desmocerus californicus dimorphus*) (VELB) that are brought to the site as larvae in transplanted shrubs. The elderberry shrubs and associated plantings also fulfil Yolo HCP/NCCP requirements for valley foothill riparian natural community restoration.

The project proponent will be responsible for evaluating affected elderberry shrubs and determining the number of elderberry seedlings and associated native plant seedlings necessary to meet the mitigation requirement, as shown on Table 1. The project proponent will be responsible for submitting this table to YHC for the purpose of choosing an appropriate restoration site and developing a restoration plan.

**Table 1. Valley Elderberry Longhorn Beetle Habitat Planting Ratios**

Location of Affected Plants	Stems (maximum diameter at ground level)	Exit Holes on Shrub (Yes/No) <sup>a</sup>	Elderberry Seedling Ratio <sup>b</sup>	Associated Native Plant Ratio <sup>c</sup>
Non-riparian	Greater than or equal to one inch, less than three inches	No	1:1	1:1
		Yes	2:1	2:1
	From three to five inches	No	2:1	1:1
		Yes	4:1	2:1
	Greater than or equal to five inches	No	3:1	1:1
		Yes	6:1	2:1
Riparian	Greater than or equal to one inch, less than three inches	No	2:1	1:1
		Yes	4:1	2:1
	From three to five inches	No	3:1	1:1
		Yes	6:1	2:1
	Greater than or equal to five inches	No	4:1	1:1
		Yes	8:1	2:1

Notes:

- a. Presence or absence of exit holes indicating presence of valley elderberry longhorn beetle. All stems measuring one inch or greater in diameter at ground level on a single shrub are considered occupied when exit holes are present *anywhere* on the shrub.
- b. Ratios in this column correspond to the number of cuttings or seedlings to be planted per elderberry stem (one inch or greater in diameter at ground level) affected by a covered activity.
- c. Ratios in this column correspond to the number of associated native species to be planted per elderberry seedling or cutting planted.

## Identify VELB Mitigation Site (YHC and STAC)

The YHC will be responsible for identifying a site to receive the transplanted shrub(s) and associated plantings. The YHC will coordinate with the Science and Technical Advisory Committee (STAC) to identify an appropriate site that meets the Yolo HCP/NCCP conservation requirements, including the biological goals and objectives for VELB and the valley foothill riparian natural community.

The YHC will choose a site of appropriate size to accommodate the plantings, based on information provided by the project proponent regarding number of plantings needed. Each transplanted shrub needs an 1,800 square foot area (or 'unit') where it will be relocated within the Yolo HCP/NCCP reserve system, with associated plantings. For each acre of reserve land, up to 22 transplants and 220 associated seedlings can be planted. Larger shrubs may require multiple 1,800 square foot units as mitigation because the quantity is based on the number and diameter of stems on the transplant shrub, as well as whether VELB exit holes are present (Table 1).

## Prepare Restoration Plan Preparation (YHC)

For each restoration site, the YHC will prepare a restoration plan consistent with Yolo HCP/NCCP requirements prior to the acceptance of any elderberry transplants. This restoration plan may accommodate multiple elderberry transplant projects. The restoration plan should be provided to project proponents to inform them on the methods and standards they will need to comply with during the elderberry transplant and associated planting process. This restoration plan should be consistent with the Yolo HCP/NCCP Section 6.4.2.3.2, *Restoration Plans*, Section 6.4.2.4, *Valley Foothill Riparian Natural Community*, and Section 6.4.2.4.1, *Valley Elderberry Longhorn Beetle*. It should also include the following information:

- Location and access route to the reserve lands
- Elderberry transplant locations within the reserve lands, including approximate spacing for seedlings
- Water source and irrigation method (ie, truck watering or drip irrigation)
- Visual details showing transplant and seedling installation information for use by the transplant contractor

## Prepare Site, Transplant Elderberries, and Plant Associated Plantings (Project Proponent)

Mature elderberry plants that have been identified for relocation (plants with one or more stem measuring 1 inch or greater in diameter at ground level) should be moved according to the following guidance.

- The project proponent shall use a contractor that has previous experience in relocating mature elderberry plants.
- Transplantation should only take place during the plant's dormant period, which is approximately November through the first two weeks of February.
- Prior to arrival of the transplant shrub, the mitigation site will be prepared by clearing any existing vegetation from the surface and preparing the site for planting, including and necessary recontouring and soil preparation. A hole will be excavated large enough to receive the transplant. If the soil at the transplant site is not moist, it should be pre-irrigated one or two days before the transplant is to arrive. Additionally, any irrigation system (if present) improvements that are needed to service the transplant and associated plantings need to be installed and functioning prior to transplant arrival.
- The transplant shrub should be cut back 3 to 6 feet from the ground or to 50% of its height (whichever is taller) by removing branches and stems above this height. The trunk and all stems measuring 1 inch or greater in diameter at ground level should be replanted. Once the shrub has been cut back, it should be excavated using heavy equipment such as an excavator

or backhoe to keep as much of the root ball intact as possible. The root ball should be wrapped in burlap and secured. If the root ball and surrounding soil are not moist, the burlap should be dampened prior to transport to the reserve lands.

- Elderberry seedlings and associated native riparian plants should be inspected prior to installation at the reserve lands. The plants should be healthy and vigorous and free of defects and disease. The plants should be well rooted in their container, with a minimum container size of at least one gallon. Any plants not meeting these criteria should be rejected.
- Plantings should be installed in a hole that is twice the diameter of the container diameter and the top of the planting should sit approximately 2" above the surrounding ground to accommodate settling after installation. Figure 1 provides guidance on container plant installation.
- Once installed, a three-foot diameter water basing will be installed around the transplant and each associated planting and irrigated. Any branches that were pruned from the transplant prior to relocation should be placed around the transplant in the event they contain VELB larvae.

In order to document that the elderberry mitigation process was done correctly, the applicant should collect and record the following information for each mitigation project:

- Date transplant occurred and that the transplant arrived to the site with the root ball intact and wrapped in burlap and that the root ball was moist.
- Transplant site at the reserve lands was cleared of existing vegetation and that a adequately sized hole was excavated and that soil moisture was present
- Elderberry and associated native seedlings were healthy and free of obvious defects and disease and were planted appropriately
- Irrigation system was in place and operable at the time of transplant and seedling installation and that an irrigation event occurred immediately after planting operations were complete

The YHC will visit the site after the plantings are complete and verify that they have occurred consistent with the restoration plan prior to deeming the transplant and planting process complete. The YHC will include all transplant documentation in annual reports to the wildlife agencies.

## **Maintain, Monitor, and Adaptively Manage Site until Restoration Success Criteria are Met (YHC)**

### **Maintenance**

Maintenance of the VELB mitigation sites will focus on supporting the long-term viability and growth, survival, and natural regeneration of the elderberry shrubs and associated native plantings.

More intensive monitoring and adaptive management will occur during the first 3 years after planting, or longer if remedial measures are necessary to ensure the plantings are established.

Invasive plants must be removed at least once a year. Mechanical means such as mowing, line trimming or hand removal should be used; herbicides are prohibited. Livestock grazing may also be utilized but the elderberry plants and native associates must be adequately protected from browsing by livestock.

Measures must be taken to ensure that no pesticides, herbicides, fertilizers, or other chemical agents enter the reserve lands. No spraying of these agents must be done within one 100 feet of the reserve lands boundary, or if they have the potential to drift, flow, or be washed into the area in the opinion of a qualified biologist.

All transplants and seedlings should be irrigated for a minimum of 3 years post-installation. The irrigation season is typically between April and November but could extend beyond this range depending on climatic conditions. Irrigation methods can consist of hand watering or via drip system. Overhead spray systems should be avoided because such systems can encourage non-native plant growth. Irrigation events should occur at least once per week.

## **Monitoring and Adaptive Management**

A qualitative assessment of the riparian habitat will take place every year for the first 3 years after planting, or until success criteria stipulated in the restoration plan are met, and should provide enough detail to demonstrate that the plantings are developing on a self-sustaining trajectory and developing into diverse riparian habitat found within Yolo County and representative of the broader goals of the Yolo HCP/NCCP. Information collected during each monitoring site visit will consist of the following:

- General health and diversity of the habitat, including the dominant species present.
- Evidence of natural recruitment of native plants.
- Visual estimate of cover of potential or observed noxious weeds (defined as such by the California Invasive Plant Council (Cal-IPC, [cal-ipc.org](http://cal-ipc.org)), California Department of Food and Agriculture list of noxious weeds that are subject to regulation or quarantine by county agriculture departments, the California Department of Food and Agriculture's Integrated Pest Control Branch, and the University of California State Integrated Pest Management Program list of "Exotic and invasive pests and diseases that threaten California's agricultural, urban, or natural areas").
- Evidence of natural geomorphic processes, such as erosion or sediment accretion, where appropriate

During each assessment of the habitat, photographs should be taken from permanent photo points identified during the plant establishment phase.

Adaptive management is the process of adjusting management actions at a restoration site based on what is learned from observation and conclusions from collected data. The management and

maintenance strategy should be adjusted as needed to meet the success criteria stipulated in the restoration plan.

## **Conduct Long-term Monitoring and Management (YHC)**

Once the restoration site has met the criteria defined in the restoration plan, the YHC should continue to monitor and adaptively manage the site in accordance with a long-term management plan developed by the YHC consistent with the Yolo HCP/NCCP Section 6.4.3.3, *Management Plans* and Section 6.4.3.5.3, *Valley Foothill Riparian Natural Community*.



## MEMORANDUM

To: Alexander Tengolics  
From: Robert Spencer  
CC: Petrea Marchand (Consero Solution), Sally Nielsen (Hausrath Economics Group)  
Date: March 24, 2021  
Subject: Revised Valley Foothill Riparian Wetland Fee

---

The purpose of this memorandum is to update the wetland fee based on changes to mitigation responsibilities for projects that impact valley foothill riparian habitat.

To mitigate impacts on the valley elderberry longhorn beetle, the Yolo HCP/NCCP requires project proponents to transplant to a riparian restoration site elderberry shrub that cannot be avoided directly within a project footprint and within a 100-foot buffer distance.<sup>1</sup> Elderberry shrub occurs in the valley foothill riparian habitat and not in the other two habitats subject to the wetland fee (fresh emergent wetland and lacustrine & riverine habitats).<sup>2</sup>

While the project proponent is responsible for elderberry shrub transplantation, the current wetland fee funds the following three additional costs:

1. Identifying and development plans and specifications for restoration sites
2. Planting specific amounts of elderberry shrub native associates
3. Five years of post-construction irrigation, maintenance, and monitoring.

The Yolo Habitat Conservancy is transferring the second cost component, responsibility for native associates planting, to project proponents, thereby removing this cost from the wetland fee. The Conservancy will remain responsible for the two other cost components.

The revised valley foothill riparian wetland fee is shown in Table 1. The table shows the original restoration costs from the 2018 Yolo HCP/NCCP funding model used to calculate the initial fee. Cost reductions are shown for native associates planting including associated environmental compliance costs, all in 2017 dollars. The recalculated fee is then increased for the annual inflation adjustments that the Conservancy has adopted from 2019 through 2021. As shown in Table 1, The updated valley foothill riparian wetland fee is \$63,681, a 26 percent reduction from the current fee.

---

<sup>1</sup> See Yolo Final HCP/NCCP, April 2018, Section 4.3.4, AMM12, Minimize Take and Adverse Effects on Habitat of Valley Elderberry Longhorn Beetle.

<sup>2</sup> Elderberry shrubs may occur in non-wetland habitats as well and therefore require transplant by project proponents. The Conservancy is adopting a separate “elderberry transplant site maintenance fee” to cover costs associated with the maintenance and monitoring of these transplant sites.

**Table 1: Revised Valley Foothill Riparian Restoration Fee**

			<b>Source</b>
Valley Foothill Riparian Restoration Costs (\$2017)		\$48,246,605	2018 HCP/NCCP Funding Model
Costs Reductions (\$2017)			
Restoration	\$12,155,607		Updated HCP/NCCP Cost Model
Environmental Compliance	233,387		Updated HCP/NCCP Cost Model
Subtotal		<u>12,388,994</u>	
Revised Restoration Costs		\$35,857,611	
Land Conversion During Permit Term (acres)		<u>608</u>	2018 HCP/NCCP Funding Model
Revised Valley Foothill Riparian Wetland Fee (\$2017)		\$ 58,976	
Inflation Adjustment			
Initial Fee (2018)	\$ 79,353		2018 HCP/NCCP Funding Model
Current Fee (2021)	<u>85,683</u>		Yolo Habitat Conservancy
Inflation (2018-2021)		<u>7.98%</u>	
Revised Valley Foothill Riparian Wetland Fee (\$2021)		\$ 63,681	
Reduction from Current Fee		25.68%	

Sources: *Yolo HCP/NCCP*, Appendix H (Cost Estimates and Assumptions), Table 10, and Appendix I (Funding Plan), Table 7, 2018; Hausrath Economics Group (updated restoration costs); Yolo Habitat Conservancy.



## MEMORANDUM

**Date:** March 23, 2021

**To:** Alex Tengolics, Yolo Habitat Conservancy

**cc:** Petrea Marchand, Consero Solutions and Bob Spencer, Urban Economics

**From:** Sally Nielsen

**Subject:** **Elderberry Transplant Site Maintenance Fee**

---

The Yolo HCP/NCCP requires project applicants to transplant to a riparian restoration site elderberry shrubs that cannot be avoided directly within a project footprint and within a 100-foot buffer distance (Yolo Final HCP/NCCP, April 2018, Section 4.3.4, AMM12, Minimize Take and Adverse Effects on Habitat of Valley Elderberry Longhorn Beetle). The cost for maintaining these transplant and restoration sites has been included in the Wetland Fee for impacts to valley foothill riparian habitat.

There have been cases of project applicants discovering elderberry shrubs on non-wetland land cover types, and these shrubs also require transplantation. Impacts on these land cover types are only subject to the Land Cover Fee, however. This fee does not cover the cost of the post-transplant maintenance and monitoring at transplant sites. The 2018 Yolo HCP/NCCP Cost Model provides cost factors that can be used to assess a new *Elderberry Transplant Site Maintenance Fee*. The table on the next page presents the estimate of this new fee.

The cost model has a cost factor for post-restoration site maintenance and monitoring for valley foothill riparian restoration: \$16,619 per restored acre. The cost model applies a 10 percent contingency factor to all restoration costs, so the total cost is \$18,281 per restored acre. The conservation strategy for elderberry shrub transplants specifies that “the restoration area will provide at least 1,800 square feet for each transplanted elderberry plant.”<sup>1</sup> At 1,800 square feet per transplant, a restored acre accommodates 24 transplant sites. Dividing the post-construction

---

<sup>1</sup> *Yolo HCP/NCCP*, April 2018, page 6-104.

restoration maintenance and monitoring cost per acre (\$18,281) by 24 transplant sites results in a cost of \$762 per transplant site.

**Fee to cover the cost of maintenance and monitoring of elderberry transplants from non-riparian habitat (2021 dollars)**

<b>Post-construction restoration monitoring &amp; maintenance costs<sup>1</sup></b>		
Cost per restored acre	\$16,619	
Contingency at 10%	\$1,662	
<b>Total cost per restored acre</b>	<b>\$18,281</b>	<b>A</b>
Square feet per elderberry transplant at restoration site <sup>2</sup>	1,800	
Transplant sites per acre [43,560 sq. ft. ÷ 1,800 sq. ft.]	24	<b>B</b>
<b>Cost per elderberry transplant site</b>	<b>\$762</b>	<b>[ A ÷ B ]</b>

Notes:

1. In addition to the inflation index, there are two adjustments to the restoration cost factors in the 2018 Cost Model. First, the cost for restoration construction activity is increased by 20% to account for prevailing wage rates in some occupations, Second, the years of post-construction monitoring and maintenance for valley foothill riparian restoration (and thus for these elderberry transplant sites) is reduced from 10 to five. This may occur as five monitoring events over a 10-year period.
2. *Yolo Final HCP/NCCP*, April 2018, Section 6.4.2.4.1 Valley Elderberry Longhorn Beetle, page 6-104

Source: Yolo Habitat Conservancy and Hausrath Economics Group.

Assessing a fee of this amount for every elderberry transplant from non-wetland land cover types would cover the cost of five years of post-transplant maintenance and monitoring on the restoration site that is not captured in the Land Cover Fee.

**RESOLUTION NO. \_\_\_\_\_**

**Resolution of the Yolo Habitat Conservancy Board of Directors Reducing the Per Acre Valley Foothill Riparian Fee and Creating a Per Acre Maintenance Fee for Elderberry Bushes Transplanted from Non-Riparian Habitat**

**WHEREAS**, projects that occur within 100 feet of a Valley Elderberry shrub must comply with AMM12, Minimize Take and Adverse Effects on Habitat of Valley Elderberry Longhorn Beetle; and

**WHEREAS**, to mitigate impacts on the valley elderberry longhorn beetle, the Yolo HCP/NCCP requires project proponents to transplant to a riparian restoration site elderberry shrub that cannot be avoided directly within a project footprint and within a 100-foot buffer distance; and

**WHEREAS**, to lessen the per acre fee for projects requiring and reduce the administrative burden related to coordinating roles and responsibilities for transplanting the elderberry bush, it is proposed that the project proponent also be responsible for the planting of native associates while the Yolo Habitat Conservancy remains responsible for identifying and developing plans and specifications for restoration sites and five years of post-construction irrigation, maintenance, and monitoring; and

**WHEREAS**, to ensure full cost recovery for the maintenance of transplanted elderberry bushes and native associates from non-riparian habitat, it is proposed to create a per acre maintenance fee for such transplanting.

**NOW, THEREFORE**, the Board of Directors of the YHC hereby resolves as follows:

1. The Board approves the revised roles and responsibilities associated with Valley Elderberry Longhorn Beetle mitigation.
2. The Board reduces the 2021 per acre valley foothill riparian fee to \$63,681.
3. The Board creates a per acre maintenance fee for elderberry bushes transplanted from non-riparian habitat in the amount of \$18,281 for 2021.
4. Fees adjusted or created by this resolution are subject to annual adjustment pursuant to existing policy.

**PASSED AND ADOPTED** by the Board of Directors of the Yolo Habitat Conservancy on September 20, 2021, by the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

\_\_\_\_\_  
Will Arnold, Chair  
Yolo Habitat Conservancy

Attest:  
Julie Dachtler, Clerk of the Board

Approved As To Form:

By: \_\_\_\_\_  
Julie Dachtler

By:   
Philip J. Pogledich, County Counsel  
Counsel to the Yolo Habitat Conservancy

**Yolo Habitat Conservancy**

**Meeting Date:** 09/20/2021

---

**Information**

**SUBJECT**

Authorize the Executive Director and agency counsel to finalize and execute endowment and expendable fund agreements and take all other necessary actions to transfer the pre-permit endowments and the post-permit endowment fund to the Yolo Community Foundation/Sacramento Region Community Foundation

---

**Attachments**

Staff Report

Attachment A. 2017 Staff Report

Attachment B. DFS Analysis

Attachment C. Sample Endowment Agreement

Attachment D. Sample Expendable Fund Agreement

---

**Form Review**

Form Started By: Alexander Tengolics

Started On: 09/14/2021 03:47 PM

Final Approval Date: 09/16/2021



# Yolo Habitat Conservancy

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

To: Will Arnold, Chair  
Members of the Board

From: Alexander Tengolics  
Executive Director

Re: Authorize the Executive Director and agency counsel to finalize and execute endowment and expendable fund agreements and take all other necessary actions to transfer the pre-permit endowments and the post-permit endowment fund to the Yolo Community Foundation/Sacramento Region Community Foundation

Date: September 20, 2021

---

## **REQUESTED ACTION:**

1. Authorize the Executive Director and agency counsel to finalize and execute endowment and expendable fund agreements with the Yolo Community Foundation/Sacramento Region Community Foundation for the pre-permit endowments
2. Authorize the Executive Director and agency counsel to finalize and execute an endowment agreement with the Yolo Community Foundation/Sacramento Region Community Foundation for the post-permit endowment fund
3. Authorize the Executive Director to take all other necessary actions to transfer the pre-permit endowments and the post-permit endowment fund to the Yolo Community Foundation/Sacramento Region Community Foundation

## **BACKGROUND:**

In 2017, the Board authorized staff to transfer and invest the Conservancy's endowments funds with the Silicon Valley Community Foundation following an analysis of endowment options, namely the Silicon Valley Community Foundation (SVCF) and the Yolo Community Foundation/Sacramento Region Community Foundation (YCF) (the Sacramento Region Community Foundation manages funds for the Yolo Community Foundation); the staff report is included as Attachment A. The Board also authorized staff to create the requisite non-profit entity, as the Silicon Valley Community Foundation maintains a policy that only 501(c)3 non-profit entities are eligible to hold funds invested in their Nonprofit Investment Fund. Creation of a non-profit would create additional administrative actions and annual reporting requirements. Due to the continued focus on completing the permitting process for the HCP/NCCP and the change in executive directors and administrative model delayed the creation of the non-profit entity and the transfer of the endowments.

Transferring the endowments out of the County Treasury Pool to a community foundation with access to additional investment vehicles is essential to the endowments generating sufficient returns to cover annual easement monitoring costs into perpetuity. To that end, staff resumed the endowment transfer efforts in late 2020. Staff consulted with the County's Department of Financial Services (DFS) which was also analyzing potential endowment solutions to fund ongoing park maintenance activities. DFS's updated analysis, included as Attachment B, concluded that the Yolo Community Foundation presented a better balance of administrative requirements and fees than the Silicon Valley Community Foundation, specifically:

- YCF does not require the formation of a non-profit entity to create an endowment fund eliminating the future administrative burden associated with a 501(c)(3)
- Investment returns are comparable between the two organizations
- While the fees charged by YCF are still slightly higher than SVCF, this is outweighed by the reduction in administrative burden and that the support fees paid to the YCF will provide additional local benefit
- YCF staff have provided a high level of customer service that the Conservancy could not reasonably expect to receive from SVCF and have worked closely with staff to meet the specific needs of the Conservancy

Staff recommends the Board authorize the Executive Director and agency counsel to finalize and execute endowment and expendable fund agreements for all pre-permit endowments and an endowment agreement for the post-permit endowment fund with the Yolo Community Foundation and upon finalization take all other necessary actions to transfer the endowments. The pre-permit endowments require an expendable fund agreement as they will have immediate annual distribution needs to cover annual monitoring costs. A sample draft of the endowment and expendable fund agreements are included as Attachments C and D, respectively.

**ATTACHMENTS:**

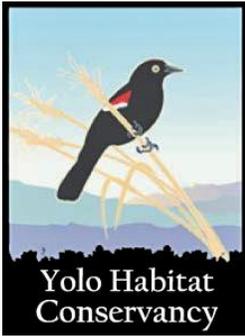
Attachment A. 2017 Staff Report

Attachment B. DFS Analysis

Attachment C. Sample Endowment Agreement

Attachment D. Sample Expendable Fund Agreement





# Yolo Habitat Conservancy

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

To: Jim Provenza, Chair  
Members of the Board

From: Petrea Marchand  
Executive Director

Chris Alford  
Deputy Director

Re: Approve the recommendation of the Finance Advisory Committee and staff to invest the Yolo Habitat Conservancy's endowment fund with the Silicon Valley Community Foundation and authorize the Executive Director to establish a nonprofit entity to utilize the Silicon Valley Community Foundation's Nonprofit Investment Fund Program

Date: January 23, 2017

---

## REQUESTED ACTIONS:

1. Approve the recommendation of the Finance Advisory Committee and staff to invest the Yolo Habitat Conservancy's endowment fund with the Silicon Valley Community Foundation; and
2. Authorize the Executive Director to establish a nonprofit entity to utilize the Silicon Valley Community Foundation's Nonprofit Investment Fund Program.

## BACKGROUND:

The Conservancy's existing endowment funds total approximately \$330,000 and are projected to grow to approximately \$12.5 million (in 2015 dollars) by 2067 as additional mitigation and conservation endowment funds are contributed as part of the implementation of the Yolo Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP). The endowment funds are intended to cover management and compliance monitoring costs for conservation easement sites in perpetuity. Based on the endowment model developed for the Yolo HCP/NCCP, annual returns on endowment fund balances (net of fees) must be equal to or greater than 3.25 percent to generate average real returns

(i.e., inflation adjusted) that would be adequate for sustainably funding ongoing conservation easement management and monitoring costs without eroding the endowment principal.<sup>1</sup>

Currently, the Conservancy's endowment funds are held by the Yolo County Treasury and invested in the Yolo County Investment Pool. The Yolo County Treasury's investments, however, are set up as short-term investments and do not typically achieve the overall rate of return expected for long-term investments such as endowments. For example, the recent 5-year average rate of return (net of fees) for funds held in the Yolo County Investment Pool was 0.49%. On February 22, 2016, the Board directed staff to begin the process of identifying a financial management entity that is qualified to manage endowment funds so that the Conservancy's endowment funds could be moved out of the County Treasury and into qualified investment vehicles that are more appropriate for long-term investments in an effort to improve the overall rate of return for these funds and reduce the future likelihood that budgeted monitoring costs will exceed investment returns.

### **Endowment Management Options:**

The state statute governing endowments for habitat conservation purposes is located within Chapter 4.6 of the California Government Code in Sections 65965-65968. Conservancy legal counsel has determined that the Conservancy's endowment funds can be held by a community foundation or congressionally chartered foundation in accordance with California Government Code Sections 65965-65968 under the condition that the Conservancy has a funding agreement with the qualified entity that:

- (a) restricts the endowment funds to each specific property for which they are conveyed;
- (b) allows disbursements only for the costs of long-term management and stewardship (and separately, and legal expenses necessary to enforce the easement);
- (c) requires the endowment funds to be managed consistent with the Uniform Prudent Management of Institutional Funds Act; and
- (d) allows the Conservancy to demand immediate release of the endowment funds in the event it determines, in its sole discretion, that the funds are not being managed, disbursed, or otherwise handled as required by (a)-(c), including but not limited to the timely distribution of funds to meet the stewardship expenses of the entity holding the easement.

The Conservancy also has the option to maintain endowment funds with the County's comingled investment pool or to manage the endowment funds in-house. The County investment pool is not a viable option due to inadequate return rates, as described above. The Conservancy Board may opt to manage endowment funds in-house in the future as staff capacity increases; however, this option is not currently under consideration.

### **Endowment Manager Solicitation and Proposal Review Process:**

Conservancy staff worked with Yolo County staff to distribute a request for qualifications (RFQ) through the County's BidSync system. The Conservancy did not receive any letters of interest from that initial solicitation, so Conservancy staff distributed a subsequent RFQ solicitation directly to the

---

<sup>1</sup> The endowment model assumes 3.25 percent annual real returns on endowment fund balances as a realistic rate of return based on a current habitat endowment management program operated by the National Fish and Wildlife Foundation (NFWF) under agreement with the California Department of Fish and Wildlife (CDFW).



National Fish and Wildlife Foundation (a congressionally chartered foundation) and to community foundations known to provide endowment fund financial management services in California. The Conservancy accepted letters of interest and proposals through October 6, 2016. The Conservancy received proposal packages from the Sacramento Region Community Foundation (which manages funds for the Yolo Community Foundation) and the Silicon Valley Community Foundation. A response from the National Fish and Wildlife Foundation stating that they received the RFQ and would review it was received prior to the submittal deadline although they ultimately did not submit a proposal.

The Conservancy Board established a Finance Advisory Committee on February 22, 2016. The Finance Advisory Committee consists of Petrea Marchand (Executive Director), Chad Rinde (a representative from the Yolo County Department of Financial Services), Bob Spencer (an investment professional), Chris Ledesma (Board member), and Lucas Frerichs (Board member). The Finance Advisory Committee members independently reviewed the all proposal materials provided by the two community foundations, held a proposal review meeting in which they evaluated both proposals and compiled follow-up questions for both the Sacramento Region Community Foundation and Silicon Valley Community Foundation, and reviewed responses to follow-up questions. A sub-set of the finance advisory committee, staff, and legal counsel participated in in-person interviews with representatives of each community foundation. Subsequently Finance Advisory Committee members provided staff with a recommendation for an investment manager and associated investment funds after evaluating the following criteria: qualifications of the potential endowment holder, rate of return, fees and fee structure, spending rules, disbursement policies, and included services. A summary of the Finance Advisory Committee's analysis and recommendations are provided below.

#### **Endowment Manager and Investment Evaluation:**

The Finance Advisory Committee reviewed the proposal responses and determined that the Sacramento Region Community Foundation and the Silicon Valley Community Foundation are both suitable entities to hold endowment funds. Each organization has been operating as a community foundation for over 30 years, both have staff and board members with appropriate financial and investment management expertise, their investment funds have historically had return rates that exceed the minimum rate of return identified in the Yolo HCP/NCCP endowment model, and they both currently rely on the same well-regarded investment consulting firm (Colonial Consulting) as their investment advisor.

Each community foundation offers two different types of fund options suited for long-term investments, an Endowment Investment Fund and a Nonprofit Investment Fund. Each of these funds differ in a variety of ways including: how the ownership and control of the funds are set up, what type of entity is eligible to invest funds, spending policies, and the associated fee structure. A table comparing the primary aspects of each of the potential fund options is provided as **Attachment A**. The Endowment Fund options provided by both community foundations require that the funding entity (i.e. Conservancy) gift the funds to the foundation managing the endowment funds, thereby relinquishing all ownership and control of the funds as an irrevocable gift to the associated foundation. Both community foundations would require that the Conservancy could only withdraw funds from the Endowment Fund according to the associated foundation's spending policy. These two fund options are very restrictive and do not meet the conditions described above as suitable funding options for the



Conservancy’s endowment funds (see the Endowment Management Options section of this staff report); therefore, the Finance Advisory Committee recommends against utilizing an Endowment Investment Fund. The Nonprofit Investment Fund offered by Sacramento Region Community Foundation requires that the Conservancy gift the funds to the Sacramento Region Community Foundation but does provide more flexibility regarding fund withdrawals than their Endowment Fund. The Nonprofit Investment Fund offered by Silicon Valley Community Foundation allows the funding entity to maintain full ownership and control over any withdrawals of funds but requires that the Conservancy establish or partner with a 501(c)3 nonprofit organization to act as the fund holder. Each of the Nonprofit Investment Fund options were further evaluated for closer comparison and evaluation.

Both Nonprofit Investment Fund options were evaluated based on their record of investment performance. While historical performance does not determine future performance, it provides a quantitative metric from which to compare investment managers. The Sacramento Region Community Foundation’s Nonprofit Investment Fund had the best rate of return for both the 5- and 7-year return periods (See Table 1). Both Nonprofit Investment Funds maintained significantly higher rates of return compared to the County Treasury for all time periods in which data was available and are greater than the rate identified in the Yolo HCP/NCCP endowment model. Both community foundations use Colonial consulting as their investment advisor. Colonial works with them to recommend asset managers for the various asset classes. Both have elements of active and passive investment management, but the Silicon Valley Community Foundation does have a higher proportion of investment managers that are active managers.

**Table 1: Comparison of return rates for Long-Term Nonprofit Investment Fund options (net of fees)**

Term	Yolo County Treasury <i>(current fund location - provided for reference)</i>	Sacramento Region Community Foundation  Nonprofit Investment Fund	Silion Valley Community Foundation  Nonprofit Investment Fund
	5 yr	0.49%	9.1%
7 yr	0.64%	8.1%	7.4%
10 yr	1.79%	no data available (fund established <10yrs ago)	5.3%

*\* Yolo County Treasury returns based on end-date of 6/30/16. Sacramento Region Community Foundation and Silion Valley Community Foundation fund returns based on end-date of 9/30/16.*

Of the two Nonprofit Investment Fund options, Silicon Valley Community Foundation’s Nonprofit Investment Fund currently provides the most favorable rates, with a service fee that is half of that charged by Sacramento Region Community Foundation’s Investment Fund (1% vs. 2%) and includes a tiered fee structure such that Silicon Valley Community Foundation’s service fee rates are reduced as the fund amount increases (See Table 2). While the difference in the total percent fee rate seems somewhat minimal (1% difference currently with a difference of 1.55% once the endowment fund is over \$5 million), the projected amount of fees paid annually at the end of the Yolo HCP/NCCP permit term, based on each community foundations current fee structure, is approximately \$178,750 annually to Silicon Valley Community Foundation vs. \$372,500 annually to Sacramento Region Community Foundation (a difference of \$193,750). The Finance Advisory Committee asked Sacramento Region Community Foundation staff if they offer or would consider offering a tiered fee rate structure. They responded that they may consider a tiered fee structure in the future but do not currently.



**Table 2: Comparison of fee rates for Long-Term Nonprofit Investment Fund options**

Fund Amount	Sacramento Region Community Foundation Nonprofit Investment Fund		Silicon Valley Community Foundation Nonprofit Investment Fund		Difference
	Total Fee Rate	Amount	Total Fee Rate	Amount	
\$330,000*	2.98%	\$9,834	1.98%	\$6,534	<b>\$3,300</b>
\$1,000,001	2.98%	\$29,800	1.73%	\$17,300	<b>\$12,500</b>
\$5,000,001	2.98%	\$149,000	1.43%	\$71,500	<b>\$77,500</b>
\$12,500,000**	2.98%	\$372,500	1.43%	\$178,750	<b>\$193,750</b>

\* Approximate value of current endowment funds held in County Treasury

\*\* Estimated amount of endowment fund at end of permit term (2067)

**Recommendations:**

The Finance Advisory Committee and staff recommend the Board of Directors select the Silicon Valley Community Foundation as the Conservancy’s endowment investment manager and direct the Executive Director to take the necessary steps to establish a nonprofit entity to utilize the Silicon Valley Community Foundation’s Nonprofit Investment Fund as the investment vehicle for the Conservancy’s endowment funds.

The recommendation to select Silicon Valley Community Foundation to manage the Conservancy’s endowment funds and to utilize their Nonprofit Investment Fund as the investment vehicle is due to the following reasons:

- **Qualifications:** Both Silicon Valley Community Foundation’s Board members and investment committee members have substantial investment expertise. They contract with Colonial Consulting, a well-recognized investment advisory firm that specializes in serving nonprofit endowments, for investment advisory services. As a large community foundation, the Silicon Valley Community Foundation also has a high degree of diversification across investment managers and asset classes.
- **Rate of return:** The average rate of return for the Silicon Valley Community Foundation’s Nonprofit Investment Fund over the recent 5, 7, and 10-year term was significantly higher than the County Treasury and greater than the rate of return identified in the Yolo HCP/NCCP endowment model.
- **Fees and fee structure:** The support fee rate for the Silicon Valley Community Foundation’s Nonprofit Investment Fund is initially half of that of Sacramento Regional Community Foundation’s Nonprofit Investment Fund and is set up with a fee structure that decreases incrementally as fund levels increase, resulting in significant cost savings over time.
- **Spending rules:** The Conservancy will maintain complete ownership and control of all funds deposited in the Silicon Valley Community Foundation’s Nonprofit Investment Fund, including all decision making authority over the spending policy and withdrawals associated with the Conservancy’s endowment funds.



- **Disbursement policy:** Funds held in Silicon Valley Community Foundation's Nonprofit Investment Fund are essentially liquid and can be disbursed as needed by the Conservancy with the limitation that disbursement of the entirety of a fund and/or amounts greater than \$10 million take approximately one month to fully process.
- **Included services:** Silicon Valley Community Foundation has staff points of contact for each fund holder which can be contacted at any time and have committed to attend and present at Conservancy board meetings on an annual basis if desired by the Conservancy Board. They also offer additional services such as workshops and trainings both in-person and remotely to their fund holders at little or no cost.

The recommendation to direct the Executive Director to establish a 501(c)3 non-profit organization to act as the fiscal sponsor of the Conservancy's endowment funds is being made so that the Conservancy's endowment funds can be invested in Silicon Valley Community Foundation's Nonprofit Investment Fund. The Silicon Valley Community Foundation maintains a policy that only 501(c)3 non-profit entities are eligible to hold funds invested in their Nonprofit Investment Fund. Conservancy staff recommend that the Conservancy establish a new 501(c)3 non-profit organization, opposed to partnering with an existing 501(c)3 non-profit organization, so that the Conservancy Board can serve as the board for the new organization, thereby maintaining control over the Conservancy's endowment funds. Conservancy staff recognize that some additional administrative effort would be required to establish a 501(c)3 non-profit organization and have provided the following list of pros and cons for the Board to consider when evaluating this recommendation:

**Pros:**

- Eligible to invest endowment funds in Silicon Valley Community Foundation's Nonprofit Investment Fund
- Eligible to apply for funding from private foundations and other funding sources that are only eligible to 501(c)3 non-profit organizations

**Cons:**

- Staff and legal counsel time needed to complete formation documents
- Annual federal and state accounting and reporting requirements
- Would require the 501(c)3 to convene a board meeting at least once annually that is separate from, although potentially sequential to, a Conservancy Board meeting to review and approve financials and conduct other administrative duties.

If approved by the Board, the Executive Director will take the initial administrative steps necessary to establish a new 501(c)3 non-profit organization and will subsequently return to the Board with an MOU agreement that would formally define the relationship between the Conservancy and the affiliated 501(c)3 organization.

**ATTACHMENT:**

Attachment A: Comparison chart of fund options from proposals



## Community Foundation Comparison

Updated on 09-13-2021

	Yolo Community Foundation (YCF)	Silicon Valley Community Foundation (SVCF)
<b>Customers</b>	Allowed any IRS Exempt Entity ★	Only allows 501(c)(3) entities
<b>Size Assets under Management (AUM)</b>	\$189 Million	\$13 Billion ★
<b>Support Fees</b>	Endowment Funds = 1% Expendable Funds = 2%	Endowment Funds = 0.5% Expendable Funds (Tiered) = 1.0% first \$1M, 0.75% \$1M-5M, 0.5% over \$5M ★
<b>Investment Fees*</b>	Endowment = 0.99% Long-Term Expendable = 0.18% ★	Endowment = 1.33% Long-Term Expendable = 1.27%
<b>Endowment Withdrawal</b>	4% set by Board, 12 quarter average	5% set by Board, 12 quarter average
<b>Investment Returns net of fees (most recent quarter - June 30, 2021)</b>	3 YR Endowment = 12% 3 YR Expendable (LT) = 11.7% ★	3 YR Endowment = 12%
<b>Endowment</b>	Irrevocable, unless cause ★	Irrevocable
<b>Investment Advisor</b>	Crewcial Partners (Formerly Colonial Consulting)	Crewcial Partners (Formerly Colonial Consulting)
<b>Withdraw Timing</b>	Endowment – Quarterly Expendable – As needed	Endowment – Quarterly Expendable – As needed

### Annual Fee Calculation (on expendable fund) on \$1 million Endowment:

	Yolo Community Foundation (YCF)	Silicon Valley Community Foundation (SVCF)
<b>Support Fee</b>	\$10,000	\$5,000
<b>Investment Fee</b>	\$9,900	\$13,300
<b>Total Annual Fee</b>	<b>\$19,900</b>	<b>\$18,300</b>

**FUND AGREEMENT  
for the**

**BOGLE ENDOWMENT FUND**  
*(a Mitigation Endowment fund)*

THIS AGREEMENT is made and entered into as of <DATE>, by and between the SACRAMENTO REGION COMMUNITY FOUNDATION (“SRCF”) and the Yolo Habitat Conservation Plan/Natural Community Conservation Plan Joint Powers Agency, commonly known as the Yolo Habitat Conservancy (“Agency”).

**RECITALS**

- A. The Agency currently holds endowment funds for several habitat conservation easements recorded as mitigation for impacts to biological resources in Yolo County. It anticipates collecting additional endowment funds in the future, during implementation of the Yolo Habitat Conservation Plan/Natural Community Conservation Plan (the “HCP/NCCP”). Pursuant to the federal and state agency approvals issued for the HCP/NCCP, the Agency is responsible for ensuring the long-term stewardship of various properties held in conservation easements, including oversight of easement compliance, easement enforcement, and other obligations as set forth in the individual easements and/or the HCP/NCCP and its federal and state approvals (collectively, the “Stewardship Obligations”).
- B. Funding for performance of the Stewardship Obligations is typically provided by a project proponent concurrently with the recording of each conservation easement. This funding creates an endowment fund in a principal amount (which varies by easement) that, when managed and invested, is reasonably anticipated to cover the funding needs of the long-term stewardship of the encumbered lands. For easements recorded after the execution of this Agreement, this endowment funding will be held, managed, invested and disbursed by SRCF solely for, and permanently restricted to, the long-term stewardship of the properties covered by these easements.
- C. Pursuant to the federal and state agency approvals referenced in Recital A, above, the Agency will manage conserved properties for certain purposes described in each conservation easement and related management plans. The Agency is a joint powers agency organized and existing under the laws of the State of California.
- D. To facilitate the matters described in these Recitals, the Agency is entering into this Agreement.

**DEFINITIONS**

The following terms, as used in this Agreement, shall be defined as follows:

- (1) Agency: As defined in the introductory paragraph of this Agreement.

(2) Habitat Manager: Nonprofit or governmental entity contracted to perform habitat management tasks. In this Agreement, the Habitat Manager is the Agency (though Agency may at times contract with other third parties for the performance of some or all of the Stewardship Obligations for conserved properties) and such terms may be used interchangeably.

(3) Property: Fee title land or any partial interest in real property, including a conservation easement, acquired by the Agency in connection with a mitigation requirement or otherwise (for example, with grant funding).

(4) Management Plan: The plan describing the management activities to be performed on the Property.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. NAME OF FUND

Agency transfers assets irrevocably to SRCF to establish in SRCF the **Bogle Endowment Fund** (the "Fund") as an endowment for the purpose described in Section 2 below. An endowment is a permanent fund. Endowment funds are pooled for maximum benefit and invested to achieve long-term capital growth. Contributions are irrevocable and become assets of SRCF. As an endowment fund for the purpose described in Section 2 below, the Fund shall be operated and administered in accordance with (i) Sections 65965, 65966, 65967 and 65968 of the California Government Code and (ii) the Uniform Prudent Management of Institutional Funds Act, California Probate Code Section 18501 et seq. ("UPMIFA"), except to the extent SRCF may adhere, from time to time, to more rigorous standards or requirements than those proscribed by UPMIFA. Expenditures from the Fund shall be made in the manner described for endowment funds under UPMIFA Section 18504. SRCF may receive additional irrevocable gifts of property acceptable to SRCF from time to time from Project Proponent and from any other source to be added to the Fund, all subject to the provisions hereof.

2. PURPOSE

The exclusive purpose of the Fund shall be to support the Agency's full and timely performance of its Stewardship Obligations for each conserved property covered by this Agreement. In the event that, in the future, the Agency (i) no longer constitutes an organization described in Sections 170(c)(1) or (2) of the Internal Revenue Code, (ii) becomes subject to bankruptcy proceedings under state or federal law, (iii) liquidates and dissolves or otherwise ceases to exist, or (iv) proves or is unable to fulfill substantially all of the Stewardship Obligations as determined by either the federal and state agencies responsible for approving and overseeing the HCP/NCCP or a court of law, then the assets of the Fund shall be applied as described in Section 4 below.

3. INVESTMENT OF FUNDS

SRCF shall have all powers necessary or desirable to carry out the purposes of the Fund, including,

but not limited to, the power to retain, invest and reinvest the Fund in any manner within the “prudent person” standard and the power to commingle the assets of the Fund with those of other funds for investment purposes, subject however, to the requirements of Sections 5231 and 5240 of the California Corporations Code.

#### 4. DISTRIBUTION

Distributions from the Fund may be made from earnings and so much of the net gains (realized and unrealized) in the fair value of the assets of the Fund as is prudent under the standard established by Section 18504 of UPMIFA. If requested by Agency and subject to the same legal limitations, if approved by SRCF Board of Directors, distributions may also be made from the endowment principal. Distributions shall be made to the Agency or such other permissible grantees and at such times and in such amounts as may be designated by the Agency, subject to the approval of the SRCF Board of Directors which may not be withheld unreasonably or in a manner that would constitute a breach of this Agreement. Subject to the limitations of Section 18504 of UPMIFA, distributions shall be made each year to the extent needed to cover the Stewardship Obligations (including but not limited to management and maintenance expenses) for such year in accordance with the requirements of the management plan(s) and other documents pertaining to stewardship of conserved properties; provided, however, SRCF is not, and shall not in the future under any circumstances be deemed to be, a party to either the management plans, conservation easements, or any related agreement. SRCF shall have no liability or responsibility whatsoever for the funding needed to cover such expenses to the extent such funding need is greater than the distributable amount of the Fund. There shall be no requirement that all earnings and net gains be distributed each year; earnings and net gains may be accumulated and added to principal and shall not later be available for distribution except as may be approved by the SRCF Board of Directors upon request of the Agency, as set forth above.

In the event SRCF becomes aware that any authorized (by Agency) third party recipient of funding covered by this Agreement has misused or diverted any monies from the performance of Stewardship Obligations or any of the events listed in Section 2 above have occurred, SRCF shall (i) immediately cease making any further distributions from the Fund to said recipient, and (ii) provide Agency with written notice of such misuse or diversion so that SRCF and Agency can take appropriate action, and (iii) if Agency elects to undertake the management and maintenance responsibilities over the Property, make distributions from the Fund to Agency or make distributions from the Fund to a grantee designated by Agency and approved the SRCF Board of Directors as described in Section 5 below.

Without limiting the foregoing, all parties hereto acknowledge and agree that distributions from the Fund are to be made only for the Stewardship Obligations described in Section 2, above.

Unless the Agency Agreement provides that another person or entity shall prepare an annual fiscal report that complies with the requirements set forth in Section 65966(e) of the California Government Code, SRCF shall prepare such an annual fiscal report. Such reports are available via SRCF’s website, [www.sacregcf.org](http://www.sacregcf.org).

#### 5. CONTINUITY OF THE FUND

If any of the events referred to in Section 2(i)-(iv) or Section 4 (iii) above occur and Agency declines to receive a distribution of funds, SRCF and Agency shall designate a nonprofit habitat management organization approved by Agency and the SRCF Board of Directors as the recipient. Further, if at

any point SRCF fails or is unable to operate and administer the Fund in accordance with Sections 65965, 65966, 65967 and 65968 of the California Government Code or applicable provisions of the UPMIFA, Agency may terminate this Agreement upon written notice to SRCF.

The Fund shall continue so long as assets are available in the Fund and the purposes in the Fund can be served by its continuation. If the Fund is terminated for any reason, SRCF shall return all assets to Agency.

6. NOT A SEPARATE TRUST

The Fund shall be subject to the Articles of Incorporation and Bylaws of SRCF. All money and property in the Fund shall be assets of SRCF, and not a separate trust, and shall be subject only to the control of SRCF. Pursuant to Treasury Regulations, the Board of Directors of SRCF has the power “to modify any restriction or condition on the distribution of funds for any specified charitable purpose or to any specified organization if, in the sole discretion of the Board of Governors, such restriction or condition becomes unnecessary, incapable of fulfillment, or inconsistent with the charitable needs of the community or area served.” Treas. Reg. §1.170A-9(e)(11)(v)(B) and (E). Notwithstanding the foregoing, nothing in this Section 6 expressly or impliedly authorizes SRCF to act contrary to or disregard its express obligations under this Agreement.

7. COSTS OF THE FUND

A fair and reasonable portion of the total administrative costs of SRCF shall be paid by the Fund. The administrative cost annually charged against the Fund shall be determined in accordance with the then current Fee Policy identified by SRCF as the fee structure applicable to Funds of this type. Any costs to SRCF in accepting, transferring, or managing property donated to SRCF for the Fund shall also be paid from the Fund. Any dispute between the Parties as to the reasonableness of any fees or proposed fee increases covered by this Section 7 shall be subject to the dispute resolution addendum executed concurrently with this Agreement.

8. ACCOUNTING

This Fund shall be accounted for separately and apart from other gifts to SRCF.

9. CHARITABLE DEDUCTIONS

SRCF has provided no advice or assurance to Agency as to the tax treatment of the amounts deposited in the Fund by Agency. Agency has been advised and given the opportunity to seek independent advice as to such tax treatment.

10. ATTACHMENTS

If checked below, the attachment(s) so designated shall be incorporated by reference herein and hereby made a part of this Agreement as if fully set forth in this Agreement (provided that the applicable attachments are executed by the Parties).

X  Addendum to Fund Agreement for the **Bogle Endowment Fund**

     Endowment Distribution Election for the **Bogle Endowment Fund**

11. CERTIFICATION

Pursuant to California Government Code section 65968(e), SRCF certifies that it meets all of the following requirements:

- a. SRCF has the capacity to effectively manage the Fund;
- b. SRCF has the capacity to achieve reasonable rates of return on the investment of the Fund similar to those of other prudent investors for endowment funds and shall manage and invest the Fund in good faith and with the care an ordinarily prudent person in a like position would exercise under similar circumstances, consistent with UPMIFA;
- c. SRCF uses generally accepted accounting practices (GAAP) as promulgated by the Financial Accounting Standards Board or any successor entity;
- d. SRCF will be able to ensure that the Fund is accounted for, and tied to, the Property; and
- e. SRCF has an investment policy that is consistent with UPMIFA.

IN WITNESS WHEREOF, we execute this agreement on **<Date>**.

Yolo Habitat Conservancy:

By:

\_\_\_\_\_  
Name, Title

Approved by the CEO of the Sacramento Region Community Foundation on **<Date>**.

By:

\_\_\_\_\_  
Linda Beech Cutler  
CEO

**NON-ENDOWMENT FUND AGREEMENT**

**for the**

**BOGLE EXPENDABLE FUND**

THIS AGREEMENT is made and entered into as of <DATE>, by and between the SACRAMENTO REGION COMMUNITY FOUNDATION (“SRCF”) and the Yolo Habitat Conservation Plan/Natural Community Conservation Plan Joint Powers Agency, commonly known as the Yolo Habitat Conservancy (“Agency”).

**RECITALS**

- A. The Agency currently holds endowment funds for several habitat conservation easements recorded as mitigation for impacts to biological resources in Yolo County. It anticipates collecting additional endowment funds in the future, during implementation of the Yolo Habitat Conservation Plan/Natural Community Conservation Plan (the “HCP/NCCP”). Pursuant to the federal and state agency approvals issued for the HCP/NCCP, the Agency is responsible for ensuring the long-term stewardship of various properties held in conservation easements, including oversight of easement compliance, easement enforcement, and other obligations as set forth in the individual easements and/or the HCP/NCCP and its federal and state approvals (collectively, the “Stewardship Obligations”).
- B. Funding for performance of the Stewardship Obligations is typically provided by a project proponent concurrently with the recording of each conservation easement. This funding creates an endowment fund in a principal amount (which varies by easement) that, when managed and invested, is reasonably anticipated to cover the funding needs of the long-term stewardship of the encumbered lands. For easements recorded after the execution of this Agreement, this endowment funding will be held, managed, invested and disbursed by SRCF solely for, and permanently restricted to, the long-term stewardship of the properties covered by these easements.
- C. Pursuant to the federal and state agency approvals referenced in Recital A, above, the Agency will manage conserved properties for certain purposes described in each conservation easement and related management plans. The Agency is a joint powers agency organized and existing under the laws of the State of California.
- D. To facilitate the matters described in these Recitals, the Agency is entering into this Agreement.

## DEFINITIONS

The following terms, as used in this Agreement, shall be defined as follows:

- (1) Agency: As defined in the introductory paragraph of this Agreement.
- (2) Habitat Manager: Nonprofit or governmental entity contracted to perform habitat management tasks. In this Agreement, the Habitat Manager is the Agency (though Agency may at times contract with other third parties for the performance of some or all of the Stewardship Obligations for conserved properties) and such terms may be used interchangeably.
- (3) Property: Fee title land or any partial interest in real property, including a conservation easement, acquired by the Agency in connection with a mitigation requirement or otherwise (for example, with grant funding).
- (4) Management Plan: The plan describing the management activities to be performed on the Property.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

### 1. NAME OF THE FUND

Founder hereby irrevocably transfers assets to SRCF to establish in SRCF the Bogle Expendable Fund (the "Fund"). SRCF may receive additional irrevocable gifts of property acceptable to SRCF from time to time from Founder and from any other source to be added to the Fund, all subject to the provisions hereof.

### 2. PURPOSE

Subject to the limitations of paragraph 4 below, the primary purpose of the Fund shall be to support the Agency's full and timely performance of its Stewardship Obligations for each conserved property covered by this Agreement.

### 3. INVESTMENT OF FUNDS

SRCF shall have all powers necessary or desirable to carry out the purposes of the Fund, including, but not limited to, the power to retain, invest and reinvest the Fund in any manner within the "prudent person" standard and the power to commingle the assets of the Fund with those of other funds for investment purposes, subject, however, to the requirements of Sections 5231 and 5240 of the California Corporations Code. SRCF may accept investment recommendations from the Fund Advisor, if any; provided, however, that such recommendations from the Fund Advisor shall be solely advisory, and

SRCF may accept or reject them, consistent with the standards of this paragraph. If the Fund Advisor fails to provide investment recommendations within ninety (90) days from the date of this Agreement, SRCF may invest the Fund's assets in Pool A (Short-Term Fixed Income).

4. DISTRIBUTEES

Subject to paragraph 6, principal and/or earnings allocated by SRCF to the Fund shall be distributed exclusively for charitable, scientific, literary or educational purposes or to organizations of the type to which an individual taxpayer may make deductible charitable contributions, gifts, and bequests under the income, gift and estate tax provisions of the Internal Revenue Code of 1986, as amended, and of the Revenue and Taxation Code of California. It is intended by the foregoing that at the time a distribution is made from the Fund, the distribution must be made for a charitable, scientific, literary or educational purpose as described in, or to an organization which is described in, Sections 170(c)(1) or (2), of the Internal Revenue Code of 1986, as amended, and Section 17201 of the Revenue and Taxation Code of California. Distributions from the Fund shall be within the purposes and procedures of SRCF as contained in its Articles of Incorporation and its Bylaws.

5. DISTRIBUTIONS

Distributions from the Fund may be made from income and/or principal and shall be made at such times and in such amounts as may be determined by the Board of Directors. There shall be no requirement that income be distributed each year; income may be accumulated and added to principal. Consistent with the foregoing, distributions shall be made to such distributees of the type described in paragraph 4 as may be designated by SRCF; provided, however, that the Fund Advisor of the Fund, if any, may from time to time submit to SRCF the names of distributees to which it is recommended that distributions be made, which distributees shall not be other than those described in paragraph 4. All recommendations from the Fund Advisor shall be solely advisory, and SRCF may accept or reject them, applying reasonable standards and guidelines with regard thereto.

6. CONTINUITY OF THE FUND

The Fund shall continue so long as assets are available in the Fund and the purposes in the Fund can be served by its continuation. If the Fund is terminated for either of the above reasons, SRCF shall devote any remaining assets in the Fund exclusively for charitable purposes that (i) are within the scope of the charitable purposes of SRCF's Articles of Incorporation and (ii) most nearly approximate, in the good faith opinion of the Board of Directors, the original purpose of the Fund.

7. NOT A SEPARATE TRUST

The Fund shall be subject to the Articles of Incorporation and Bylaws of SRCF. All money and property in the Fund shall be assets of SRCF, and not a separate trust, and shall be subject only to the control of SRCF. Pursuant to Treasury Regulations, the Board of Directors of The Sacramento Region Community Foundation has the power "to modify any restriction or condition on the distribution of funds for any specified charitable purpose or to any specified organization if, in the sole discretion of the Board of Directors, such restriction or condition becomes unnecessary, incapable of fulfillment, or

inconsistent with the charitable needs of the community or area served.” Treas. Reg. §1.170A-9(f)(11)(v)(B) and (E).

8. ACCOUNTING

This Fund shall be accounted for separately and apart from other gifts to SRCF.

IN WITNESS WHEREOF, we execute this agreement on <Date>.

Yolo Habitat Conservancy:

By:

\_\_\_\_\_  
Name, Title

Approved by the CEO of the Sacramento Region Community Foundation on <Date>.

By: \_\_\_\_\_

Linda Beech Cutler

CEO

**Yolo Habitat Conservancy**

**Meeting Date:** 09/20/2021

---

**Information**

**SUBJECT**

Executive Director's Report

---

**Attachments**

*No file(s) attached.*

---

**Form Review**

Form Started By: Alexander Tengolics  
Final Approval Date: 09/13/2021

Started On: 09/09/2021 02:47 PM