

# YOLO HABITAT CONSERVANCY

## AGENDA

May 16, 2022



### BOARD MEMBERS

GARY SANDY, COUNTY OF YOLO  
DON SAYLOR, COUNTY OF YOLO  
WILL ARNOLD, CITY OF DAVIS  
DAWNTÉ EARLY, 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.

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

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Agenda
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 March 21, 2022 meeting minutes
7. Pursuant to Assembly Bill 361, find that the Governor's emergency proclamation for the COVID-19 pandemic remains in effect and that meeting in person would present imminent risks to the health and safety of attendees.
8. Receive and file transmittal memo recommending the Whitworth Site for inclusion in the Yolo HCP/NCCP reserve system; approve Whitworth Site as a candidate Yolo HCP/NCCP conservation easement site
9. Approve amendment to Special Participating Entities Policy
10. Authorize Executive Director to establish a second application fee for projects exempt from land cover fees but still subject to Avoidance and Minimization Measures (AMMs) and approve revisions to Yolo HCP/NCCP Small Urban Infill Project Guidance

## REGULAR AGENDA

11. Receive and file 20-21 State Controller's Office Report and independent auditor's report and presentation from Lance, Soll & Lunghard, LLP
12. Approve 2022-23 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
13. Approve contract amendments with Conservation Land Group, Dokken Engineering, Estep Environmental Consulting, ICF Jones & Stokes Inc. and a contract with Alford Environmental Consulting for services to be provided in FY 22-23 and amend and extend the term of Memorandum of Understanding with Yolo County for Administrative Services through June 30, 2023
14. 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 I-680C natural gas transmission line excavation project
15. 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 R-1692 natural gas transmission line pressurization project
16. Executive Director's Report

## ADJOURNMENT

Next meeting scheduled for: July 18, 2022

I declare under penalty of perjury that the foregoing agenda was posted May 13, 2022 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: 05/16/2022

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Information

SUBJECT  
Approve March 21, 2022 meeting minutes

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Attachments

Attachment A. March 21, 2022 Minutes

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**Form Review**

Form Started By: Alexander Tengolics  
Final Approval Date: 05/10/2022

Started On: 05/06/2022 02:20 PM

# YOLO HABITAT CONSERVANCY

March 21, 2022

## MINUTES

The Yolo Habitat Conservancy Board met on the 21st day of March, 2022, via teleconference at 5:30 p.m. pursuant to Government Code Section 54953(e)(1) (as amended by Assembly Bill 361), available at the following [link](#).

- Present:** Victoria Fernandez  
Pierre Neu  
Gary Sandy  
Don Saylor  
Matt Dulcich (non-voting)
- Absent:** Will Arnold  
Dawnte Early
- Staff Present:** Alexander Tengolics, Executive Director  
Julie Dachtler, Clerk  
Phil Pogledich, County Counsel  
Charlie Tschudin, Assistant Planner

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

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

Minute Order No. 22-06: Approved agenda order noting Agenda Item No. 9 was moved to the May 16, 2022 meeting.

MOTION: Fernandez / SECOND: Neu  
AYES: Fernandez, Neu, Sandy, Saylor.  
ABSENT: Arnold, Early.

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 Board Correspondence.

## CONSENT AGENDA

Minute Order No. 22-07: Approved Consent Agenda Item Nos. 6-8.

MOTION: Saylor / SECOND: Fernandez  
AYES: Fernandez, Neu, Sandy, Saylor.  
ABSENT: Arnold, Early.

6. Approve authorization for remote (teleconference/videoconference) meetings by finding, pursuant to Assembly Bill 361, that (a) the COVID-19 pandemic state of emergency is ongoing, and (b) local officials continue to recommend measures to promote social distancing

Approved recommended action on Consent.

7. Approve January 24, 2022 meeting minutes

Approved the January 24, 2022 meeting minutes on Consent.

8. Receive and file the 2022 Yolo HCP/NCCP Development Fees Automatic Inflation Adjustment Memorandum

Approved recommended action on Consent.

## REGULAR AGENDA

9. Receive and file 20-21 State Controller's Office Report and independent auditor's report and presentation from Lance, Soll & Lunghard, LLP

Agenda Item No. 9 was moved to the May 16, 2022 meeting.

10. Receive and file the Yolo HCP/NCCP Annual Report for FY20/21

Minute Order No. 22-08: Approved recommended action.

MOTION: Neu / SECOND: Saylor  
AYES: Fernandez, Neu, Sandy, Saylor.  
ABSENT: Arnold, Early.

11. Authorize the Executive Director to take necessary actions to execute a Certificate of Inclusion and the Special Participating Entity Agreement with University of California, Davis to allow the use of Yolo HCP/NCCP permit coverage for the University of California, Davis Orchard Park Connectivity Valley Elderberry Planting Project

Minute Order No. 22-09: Approved recommended action.

MOTION: Saylor / SECOND: Neu  
AYES: Fernandez, Neu, Sandy, Saylor.  
ABSENT: Arnold, Early.

12. Approve framework for the Yolo Habitat Conservancy Implementation Advisory Committee

Minute Order No. 22-10: Approved recommended action.

MOTION: Neu / SECOND: Fernandez  
AYES: Fernandez, Neu, Sandy, Saylor.  
ABSENT: Arnold, Early.

13. Executive Director's Report

Received Executive Director's Report.

## ADJOURNMENT

Next meeting scheduled for: May 16, 2022

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Yolo Habitat Conservancy  
Meeting Date: 05/16/2022

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Information

SUBJECT

Pursuant to Assembly Bill 361, find that the Governor's emergency proclamation for the COVID-19 pandemic remains in effect and that meeting in person would present imminent risks to the health and safety of attendees.

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Attachments

*No file(s) attached.*

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**Form Review**

Form Started By: Alexander Tengolics  
Final Approval Date: 05/10/2022

Started On: 05/06/2022 02:36 PM



Yolo Habitat Conservancy  
Meeting Date: 05/16/2022

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Information

SUBJECT

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

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Attachments

Staff Report  
Attachment A. Transmittal Memo  
Attachment B. Map

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Form Review

Form Started By: Alexander Tengolics  
Final Approval Date: 05/12/2022

Started On: 05/09/2022 09:14 AM



# Yolo Habitat Conservancy

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

To: Gary Sandy, Chair  
Members of the Board

From: Alexander Tengolics  
Executive Director

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

Date: May 16, 2022

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## REQUESTED ACTIONS:

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

## BACKGROUND:

The landowner of the Whitworth Site submitted an application to the Conservancy for consideration of an HCP/NCCP conservation easement on approximately 6.25 acres of their property. The property is located immediately downstream of the confluence of Putah Creek and Dry Creek and the portion of the property that is being considered for an HCP/NCCP conservation easement is within the Putah Creek Ecological Corridor, a Priority 1 HCP/NCCP acquisition area within Planning Unit 9. Conservancy and Yolo HCP/NCCP Science and Technical Advisory Committee (STAC) representatives conducted a site visit on the Whitworth Site, on February 24, 2022. The STAC recommends that the property be enrolled in the HCP/NCCP reserve system as summarized in the transmittal memo (Attachment A).

The Executive Director recommends that the Board approve the Whitworth Site as a candidate Yolo HCP/NCCP conservation easement site. Following Board approval staff will seek concurrence from CDFW and USFWS that the site be considered a candidate Yolo HCP/NCCP conservation easement site and, if approved, 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 Whitworth Site for inclusion in the Yolo HCP/NCCP reserve system
- Attachment B.** Location map of Whitworth Site



# Yolo Habitat Conservancy

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

*Site*

**Transmittal of STAC Evaluation to Wildlife Agencies**

**To:** [ian\\_perkins-taylor@fws.gov](mailto:ian_perkins-taylor@fws.gov); [samuel\\_sosa@fws.gov](mailto:samuel_sosa@fws.gov); [ian.boyd@wildlife.ca.gov](mailto:ian.boyd@wildlife.ca.gov);  
[Gabriele.Quillman@wildlife.ca.gov](mailto:Gabriele.Quillman@wildlife.ca.gov); [Kelley.Barker@wildlife.ca.gov](mailto:Kelley.Barker@wildlife.ca.gov)

**From:** [alex@yolohabitatconservancy.org](mailto:alex@yolohabitatconservancy.org); [chris@yolohabitatconservancy.org](mailto:chris@yolohabitatconservancy.org)  
 Direct questions to Chris Alford at [chris@yolohabitatconservancy.org](mailto:chris@yolohabitatconservancy.org)

**Application Name:** Whitworth Site

**Application submittal date:** December 31, 2021

**STAC site visit date:** February 24, 2022

**Yolo Habitat Conservancy Board Meeting Date:** May 16, 2022

**WA Coordinating meeting date:** anticipated June 2, 2022

	Palmate-bracted bird's beak		Giant garter snake		Western burrowing owl
X	Valley elderberry longhorn beetle	X	Swainson's hawk		Least Bell's vireo
	California tiger salamander	X	White-tailed kite		Bank swallow
X	Western pond turtle		Western yellow-billed cuckoo		Tricolored blackbird

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

The Whitworth Site is within the Putah Creek Ecological Corridor immediately east of the confluence of Putah Creek and Dry Creek. The portion of the property being considered for enrollment is an approximately 6.25-acre area that includes a small portion of the active Putah Creek channel, the adjacent floodplain, riparian uplands, and an approximately 3.5-acre walnut orchard that the landowner has expressed an interest in restoring to native species habitat. While the site is small, it is in a well-studied biological hot spot that has significant ecological values as-is with the potential for additional substantial ecological lift with habitat restoration. The site contains numerous mature elderberry shrubs and has potential to be a future VELB mitigation and demonstration restoration site along Putah Creek. Currently there are no sites enrolled in the Yolo HCP/NCCP that are located along Putah Creek so this site would expand both the number and geographic region for valley oak riparian and VELB sites. Because of its key location along the Putah Creek corridor, its habitat values, potential for restoration, and potential as an anchor site along Putah Creek, the STAC recommends enrollment of the site in the Yolo HCP/NCCP reserve system.

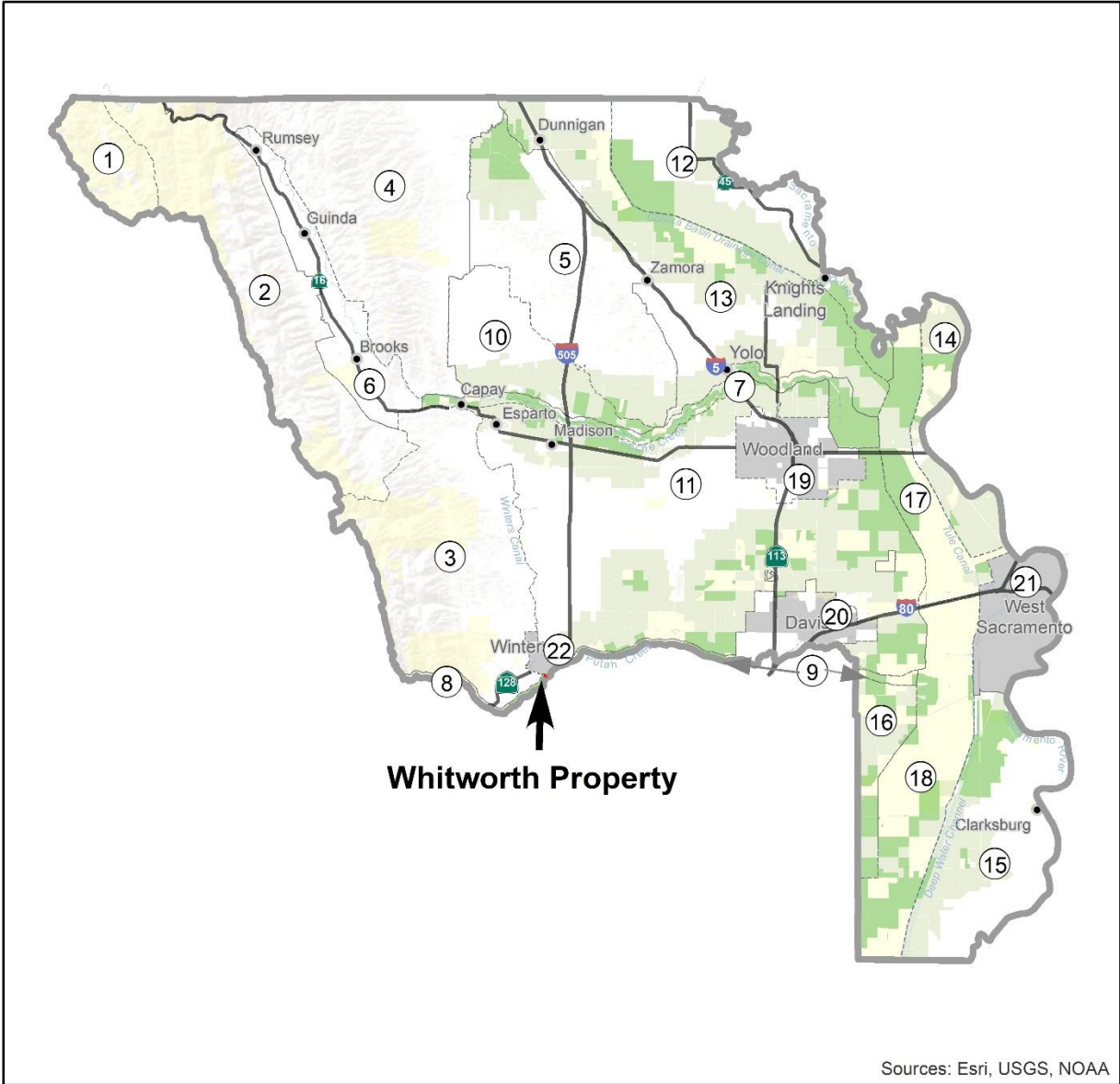


Figure 1: Location map for Whitworth Site

Yolo Habitat Conservancy  
Meeting Date: 05/16/2022

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Information

SUBJECT  
Approve amendment to Special Participating Entities Policy

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Attachments

Staff Report  
Attachment A. Revised Special Participating Entities Policy

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**Form Review**

Form Started By: Charlie Tschudin  
Final Approval Date: 05/11/2022

Started On: 05/10/2022 11:04 AM



# Yolo Habitat Conservancy

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

To: Gary Sandy, Chair  
Members of the Board

From: Alexander Tengolics  
Executive Director

Re: Approve amendment to Special Participating Entities policy

Date: May 16, 2022

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## **REQUESTED ACTION:**

Approve amendment to Special Participating Entities policy (Attachment A)

## **BACKGROUND:**

Special Participating Entities (SPEs) include entities that, among other things, are not subject to the jurisdiction of the Yolo HCP/NCCP Permittees. SPEs may conduct or initiate projects or continue ongoing activities within the Permit area that may affect listed species and require take authorization from U.S. Fish and Wildlife Service or the California Department of Fish and Wildlife. SPE applications are brought to the Board of Directors for approval prior to receiving take authorization for their projects to ensure the availability of take coverage and that approving the take authorization would not preclude member agency projects from receiving coverage through the Yolo HCP/NCCP in the future.

The proposed amendment to the Special Participating Entity policy is included as Attachment A. The policy amendment distinguishes between local SPEs that have projects anticipated in the Yolo HCP/NCCP Chapter 5, Effects Analysis, and those non-local entity SPEs that were not contemplated in the effect analysis but could receive coverage if the Conservancy determines the project meets the criteria for coverage. It is YHC's policy to seek Board approval for all projects seeking SPE authorization. For those SPE projects specifically anticipated in the Yolo HCP/NCCP (i.e., levee improvements by Yolo County Flood Control and Water Conservation District and reclamation district operations and maintenance activities, as indicated in the HCP/NCCP Table 3-2; and conservation strategy implementation as described in the HCP Section 3.5.4), Board approval is required, but staff recommends such projects not be subject to the cost recovery charge.

The Conservancy has been approached by local entity SPEs and learned that the cost-burden of mitigation fees and the contribution to recovery charges are too costly for local entities to use the Yolo

HCP/NCCP as the vehicle for take authorization. By removing the cost recovery charges for SPEs with acreages contemplated in the effects analysis, the project requests would only need to pay any mitigation fees associated with the project, which will contribute to the YHC reserve system establishment, and allow for the projects to receive streamlined permitting in-line with the spirit of the Yolo HCP/NCCP.

Staff recommend that the Board of Directors approve the amendment to the Special Participating Entities policy so that a framework for evaluating SPE authorization requests can be formalized and to reduce the financial burden on local SPEs who provide a public service to the communities across the Plan area so those SPEs can utilize the streamlined permitting offered by the Yolo HCP/NCCP.

**ATTACHMENTS:**

**Attachment A.** Special Participating Entity Policy Amendment



# **Implementation Policy of the Yolo Habitat Conservancy Regarding Supplemental Charges related to Special Participating Entities Seeking Take Authorization**

**Updated May 16, 2022**

The Yolo Habitat Conservancy (Conservancy) will require a Special Participating Entity (SPE) to pay a supplemental charge that is not included in the land cover or wetland fees to aid the Conservancy in covering costs associated with the implementation of the HCP/NCCP. For those SPE activities specifically anticipated in the Yolo HCP/NCCP (i.e., local public agencies and district operation activities and maintenance, as indicated in Yolo HCP/NCCP Table 3-2) shall not be subject to the supplemental charge. In addition, the Conservancy will charge the SPE for all staff time associated with processing the SPE application and will require a deposit prior to starting work on the SPE application. The Conservancy may use the revenue from the supplemental charges for any purpose, including the following:

Additional Conservation Actions: Under the California Natural Community Conservation Planning Act a Natural Community Conservation Plan (NCCP) provides a method for conserving species on a large geographic scale and must contribute to recovery of covered species. The Yolo HCP/NCCP requires the Conservancy to assemble a reserve system that not only mitigates impacts to covered activities (mitigation) but also provides for the conservation of the 12 species covered by the Yolo HCP/NCCP (conservation). The land cover and wetland mitigation fees are used to pay for the mitigation component, whereas the Conservancy uses other sources, such as public funds and supplemental fees from SPES, to pay for the conservation component.

Plan Preparation: The cost to prepare the Yolo HCP/NCCP, which provides a countywide framework to protect natural resources in Yolo County and improve and streamline the environmental permitting process for endangered species impacts, was over \$10 million dollars between 2002 and 2018. This cost was covered mainly by grants secured by the Yolo Habitat Conservancy, as well as General Fund contributions from the member agencies. SPEs did not contribute to the plan preparation cost.

## **Guidelines for Calculating the Contribution to Recovery**

1. For projects with cumulative permanent land cover fees, temporary effect fees and wetland fees less than or equal to \$1,000 the Conservancy will require a minimum contribution to recovery charge of \$1,000.
2. For projects with cumulative permanent land cover fees, temporary effect fees and wetland fees greater than \$1,000 and less than or equal to \$10,000, the Conservancy will require a supplemental charge equal to the land cover and/or wetland fee total (100%).



3. For projects with cumulative permanent land cover fees, temporary effect fees and wetland fees greater than \$10,000 the SPE will 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%).

**Example:** if the permanent land cover fee or temporary effects is \$20,000, the applicant would be required to pay a total of \$15,000 for the SPE supplemental charge. This is calculated based on charging \$10,000 on the first \$10,000 (100%) and \$5,000 on the remaining \$10,000 (50%).

4. For projects with cumulative land cover and wetland fees greater than \$50,000 which are paying *permanent* land cover and/or wetland fees for *temporary* effects, the Conservancy will require a supplemental charge that is equal to the land cover and/or wetland fee up to \$10,000, plus one half of the remaining mitigation fee up to \$50,000, and an additional 10% charge on the remaining balance of the land cover and/or wetland fee for temporary effects.

**Example:** If the applicant's permanent land cover and/or wetland fee for temporary effects is \$80,000, the applicant would be required to pay a total of \$33,000 for the contribution to recovery charge. This is calculated based on charging \$10,000 on the first \$10,000 (100%), \$20,000 on the remainder up to \$50,000 (50% of \$40,000), and \$3,000 for the remaining \$30,000 (10%).

5. For projects that impose unique or challenging mitigation measures on the Conservancy, staff will recommend adjusting the supplemental charge to address the increased costs of fulfilling mitigation and species recovery obligations. Staff will recommend all supplemental charge adjustments to the Conservancy Board for approval.

**Example:** Additional supplemental charges may be required for projects with impacts to giant garter snakes, Swainson's hawk nest trees, or other species with unique mitigation requirements in the HCP/NCCP. Such actions may be more costly than standard habitat conservation and restoration measures.

Yolo Habitat Conservancy  
Meeting Date: 05/16/2022

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**Information**

**SUBJECT**

Authorize Executive Director to establish a second application fee for projects exempt from land cover fees but still subject to Avoidance and Minimization Measures (AMMs) and approve revisions to Yolo HCP/NCCP Small Urban Infill Project Guidance

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**Attachments**

Staff Report  
Attachment A. Small Urban Infill Project Guidance 5.16.22

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**Form Review**

Form Started By: Charlie Tschudin  
Final Approval Date: 05/11/2022

Started On: 05/10/2022 01:15 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: Gary Sandy, Chair  
Members of the Board

From: Alexander Tengolics  
Executive Director

Re: Authorize Executive Director to establish a second application fee for projects exempt from land cover fees but still subject to Avoidance and Minimization Measures (AMMs) and approve revisions to Yolo HCP/NCCP Small Urban Infill Project Guidance

Date: May 16, 2022

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## REQUESTED ACTION:

- A. Authorize Executive Director to establish an application fee of \$990.50 for projects exempt from land cover fees but still subject to Avoidance and Minimization Measures (AMMs); and
- B. Approve revisions to Yolo HCP/NCCP Small Urban Infill Project Guidance (Attachment A)

## BACKGROUND:

The Yolo Habitat Conservancy Board previously adopted the 'Small Urban Infill Project Guidance', which provides guidance for projects that likely exempt from landcover mitigation fees but still subject to Avoidance and Minimization Measure (AMM) implementation due to the project overlapping with a natural resources or species-specific resource protection buffers. The guidance currently allows for those projects to request an exemption from the application fee because of economic hardship. The guidance does not provide criteria to evaluate a project's economic hardship request, Conservancy staff propose replacing the economic hardship exemption with a reduced application fee (\$990.50). Project proponents would submit a Screening Form to determine if a project is exempt from mitigation fees and it's exempt from fees but subject to avoidance and minimization measures, fill out a Preliminary Application for coverage and pay the reduced application fee to cover the cost of the project review and preparation of a Certificate of Approval or Compliance.

The proposed revisions also include minor changes to assist member agency staff and consultants with determining when urban-ruderal land cover triggers payment of Yolo HCP/NCCP fees. Permanent and

temporary impacts to urban ruderal lands providing covered species habitat trigger payment of Yolo HCP/NCCP mitigation fees.

**ATTACHMENTS:**

Attachment A. Small Urban Infill Project Guidance May 16, 2022





# Yolo Habitat Conservancy

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

## Yolo HCP/NCCP Small Urban Infill Project Guidance May 16, 2022

The Conservancy strives to minimize the administrative and financial burden on small infill projects within the limits of the Yolo HCP/NCCP permits. The following guidance applies to small infill projects. Applicants will also find this information in the Yolo HCP/NCCP Permitting Guide.

- Most small infill projects (two acres in size or less and surrounded by development) are located on “developed” land and therefore are exempt from fees. Table 2-1 of the Permitting Guide lists the land cover types exempt from fees: urban, urban-ruderal, vegetated corridor, and barren-anthropogenic. Applicants should fill out the Screening Form to determine if a small infill project is exempt from fees.
- Determining the difference between the urban-ruderal land cover type and the grassland land cover types can be difficult, so the Conservancy prepared the following guidance in the section below titled “Distinguishing Urban-Ruderal from Other Land Cover Types,” also included in the Permitting Guide under instructions for Box C, Item 5 of the Screening Form. A qualified biologist must verify all land cover mapping and determine if habitat value is present on any urban-ruderal land.
- Small infill projects exempt from fees may still need to implement AMMs. AMMs for these projects are required if the project overlaps with any resource protection buffers for sensitive natural communities or covered species habitat as specified in Table 2-3 of the Permitting Guide, unless a qualified biologist determines the project will not affect sensitive natural communities or covered species (see page 42 of Permitting Guide for instructions on filling out the Screening Form, Box C, Item 7).
- The most common AMM applicable to infill projects is AMM16 for Swainson’s hawk and white-tailed kite because these species sometimes nest in urban areas. AMM16 requires a qualified biologist to determine whether trees onsite and within the resource protection buffer (1,320 feet for Swainson’s hawk/white-tailed kite) are potential nest trees. To facilitate

RVSD: 2022.05.16

this process for small urban infill projects, the Conservancy has defined “potential nest tree” within an urban setting as native and non-native trees (e.g., cottonwood, valley oak, walnut, sycamore, eucalyptus, redwood, ornamental pine) that are at least 40 feet tall. If potential nest trees do not occur onsite or within the resource protection buffer, no further surveys are required. If potential nest trees do occur, then surveys are required to determine presence/absence of active nests. Upon request and on a case-by-case basis, the Conservancy is available to assess the presence/absence of active Swainson’s hawk/white-tailed kite nests on and around urban infill project sites.

- Small infill projects exempt from land cover fees but still subject to Avoidance and Minimization Measures (AMMs) qualify for the reduced application fee of \$990.50. Conservancy staff will determine whether a covered activity qualifies for the reduced application fee after review of the project materials.
- Discretionary projects that are exempt from fees and AMMs do not need to fill out the HCP/NCCP Application, just the Screening Form.
- Projects exempt from fees but for which AMMs are required will need to complete the HCP/NCCP Application, but only need to fill out Boxes A-C, F, G, and I of the HCP/NCCP Application.

RVSD: 2022.05.16

## Identifying the Urban-Ruderal Land Cover Type

The intent of the urban-ruderal designation is to characterize sites that have already been disturbed and have no covered species habitat value, such as small infill areas within the urban core. The plant composition would be primarily invasive weed species, but sometimes it is difficult to distinguish these urban-ruderal lands (non-fee paying land cover type) from grasslands or fallow agricultural lands that have weedy components (fee paying land cover types).

A couple of things are important when characterizing a site as urban ruderal and distinguishing it from grassland or agricultural land. The qualified biologist should follow these guidelines when uncertain whether or not an area should be mapped as urban-ruderal.

1. Review the recent history of land use on the site. An idle agricultural field at the edge of an urban area – or a recent infill resulting from new surrounding development – can potentially meet the definition in Table 2-1 for urban-ruderal, but may be more accurately classified as agricultural land. Idle fields are typically comprised of a variety of non-native weed species, often very dense associations of invasive species. If the surrounding agricultural land was recently developed and a small infill or edge remains, one might regard this as an urban-ruderal land cover. But instead, it could be part of an idle agricultural field. In one or two seasons, an active agricultural field can convert to a weedy, idle field, which may meet the vegetation definition of an urban-ruderal site, but may be more appropriately considered agricultural land cover. So, reviewing the recent land use history of the site is important in making this distinction.
2. Carefully assess the vegetation composition and determine the dominant species. Of the three types under grassland natural community, only the California annual grassland alliance is potentially problematic (see definition in Table 2-1, and note the potential overlap with the urban-ruderal definition). To distinguish urban-ruderal from California annual grassland alliance, it is important for the qualified biologist to clearly identify the dominant species and their relative cover. The land cover definitions refer to the *dominant* plant associations. A grassland may, and usually does, include a variety of invasive species, such as yellow star-thistle. If the dominant plants are grasses and forbs, but the site has an herbaceous overstory of yellow-star thistle (which might be more obvious through casual observation), then by definition, the site is a grassland. Biologists can make this distinction through a simple visual survey of the site. There is no expectation that a complete vegetation survey will be conducted. The result could be a simple table that describes the dominant species or species alliance and their relative cover or just sufficient text to

RVSD: 2022.05.16

**Yolo Habitat Conservancy**

**Meeting Date:** 05/16/2022

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**Information**

**SUBJECT**

Receive and file 20-21 State Controller's Office Report and independent auditor's report and presentation from Lance, Soll & Lunghard, LLP

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**Attachments**

Staff Report

Attachment A. 2020-21 State Controller's Office Report

Attachment B. 2020-21 Independent Auditor's Report

Attachment C. 2020-21 Audit Communication Letter

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**Form Review**

Form Started By: Alexander Tengolics

Final Approval Date: 05/11/2022

Started On: 05/06/2022 03:13 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: Gary Sandy, Chair  
Members of the Board

From: Alexander Tengolics, Executive Director

Re: Receive and file 2020-21 State Controller's Office Report and independent auditor's report and presentation from Lance, Soll & Lunghard, LLP

Date: May 16, 2022

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## **REQUESTED ACTIONS:**

- 1) Receive and file 2020-21 State Controller's Office Report (Attachment A)
- 2) Receive and file independent auditor's report and presentation from Lance, Soll & Lunghard, LLP (Attachment B)

## **BACKGROUND:**

The Yolo Habitat Conservancy (YHC) is required by law, pursuant to Government Code 53891, to submit to the California State Controller's Office the Special District Financial Transaction Report within seven months after the close of the fiscal year (Attachment A). This report for fiscal year ended June 30, 2021 is due January 31, 2022. The report summarizes YHC's revenues and expenditures in accordance to the Accounting Standards and Procedures for Counties manual published by the California State Controller.

Additionally, the Board of Directors requires annual outside audits of the YHC finances, including a presentation to the Board. The Conservancy also provides the audit to member agency city managers and the County Administrator of Yolo County. The independent auditor, Lance, Soll & Lunghard, LLP, completed the 2020-21 independent auditor's report (Attachment B).

The Management Discussion and Analysis within the audit provides information from staff about changes to the Conservancy's net position. Most notably, at the end of the current fiscal year, the YHC's total net position increased by \$289,968. The Mitigation Fee Fund ended the fiscal year with a positive fund balance of \$603,255 however, the Conservancy still owes \$213,523 in loans provided by the member agencies to assist with implementation (these loans have been repaid in FY21-22). The Mitigation Trust Account, ended the fiscal year of with a positive fund balance of \$737,411; staff had anticipated expending these funds in FY20-21 to acquire conservation easements, however, that did not occur (the Conservancy has since begun spending down these funds in FY21-22).

There were two findings in the 2020-21 independent auditor's report both regarding accruals. Staff concurs with the recommendations associated with the findings and will work with the County Department of Financial Services to implement. Staff would also note that due to the value of its fund balance and revenues the agency was subject to a low materiality threshold in FY20-21.

**ATTACHMENT:**

Attachment A. 2020-21 State Controller's Office Report

Attachment B. 2020-21 Independent Auditor's Report

Attachment C. 2020-21 Audit Communication Letter



Special District of Yolo County Natural Community Conservation Plan Joint Powers Agency  
Special Districts' Financial Transactions Report  
General Information

Reporting Year: 2021

District Mailing Address

Street 1   Has Address Changed?

Street 2

City  State  Zip

Email

Members of the Governing Body

	First Name	M. I.	Last Name	Title
Member 1	<input type="text" value="Jim"/>	<input type="text"/>	<input type="text" value="Provenza"/>	<input type="text" value="Director"/>
Member 2	<input type="text" value="Xochitl"/>	<input type="text"/>	<input type="text" value="Rodriguez"/>	<input type="text" value="Director"/>
Member 3	<input type="text" value="Matt"/>	<input type="text"/>	<input type="text" value="Dulcich"/>	<input type="text" value="Director"/>
Member 4	<input type="text" value="Don"/>	<input type="text"/>	<input type="text" value="Saylor"/>	<input type="text" value="Director/Chair"/>
Member 5	<input type="text" value="Will"/>	<input type="text"/>	<input type="text" value="Arnold"/>	<input type="text" value="Director"/>
Member 6	<input type="text" value="Gary"/>	<input type="text"/>	<input type="text" value="Sandy"/>	<input type="text" value="Director"/>
Member 7	<input type="text" value="Martha"/>	<input type="text"/>	<input type="text" value="Guerrero"/>	<input type="text" value="Director/Vice Chair"/>
Member	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

District Fiscal Officers

	First Name	M. I.	Last Name	Title	Email
Official 1	<input type="text" value="Phil"/>	<input type="text"/>	<input type="text" value="Pogledich"/>	<input type="text" value="County Counsel"/>	<input type="text" value="phil.pogledich@yolocounty.org"/>
Official 2	<input type="text" value="Alexander"/>	<input type="text"/>	<input type="text" value="Tengolics"/>	<input type="text" value="Executive Director"/>	<input type="text" value="alexander@yolohabitatconservan"/>
Officials	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Report Prepared By

First Name  M. I.  Last Name

Telephone  Email

Independent Auditor

Firm Name

First Name  M. I.  Last Name

Telephone

1. Is this district a component unit of a City, County, or Special District (Choose one)? If "Yes", answer question 2.  Yes  No

2. Is this district a blended component unit (BCU) or a discretely presented component unit (DPCU) of a City, County, or Special District (Choose one)? Refer to the Financial Transactions Report (FTR) instructions for definitions of these terms. If the district is a BCU, answer questions 3 - 5.  
 BCU  DPCU

3. Is financial data of this BCU included in the financial statements or Annual Comprehensive Financial Report (ACFR) of a City, County, or Special District (Choose one)?  
 City  County  Special District

4. In which City, County, or Special District financial statements or ACFR is the financial data of this BCU included?  
City name:   
County name:   
Special District name:

5. Is financial data of this BCU included in the City, County, or Special District FTR (Choose one)?  Yes  No

Special District of Yolo County Natural Community Conservation Plan Joint Powers Agency  
 Special Districts' Financial Transactions Report - Governmental Funds  
 Statement of Revenues, Expenditures, and Changes in Fund Balances

Reporting Year: 2021

Activity: (1 of 1) (Record Completed)

Governmental Services

		General	Special Revenue	Debt Service	Capital Projects	Permanent	Total Governmental Funds
<b>Revenues</b>							
Taxes and Assessments							
R01.	Current Secured and Unsecured (1%)						
R02.	Voter-Approved Taxes						
R03.	Pass-through and Residual Property Taxes (ABX1 26)						
R05.	Tax Increment						
R06.	Parcel Tax						
R07.	Property Assessments						
R09.	Prior-Year Taxes and Assessments						
R10.	Penalties and Costs of Delinquent Taxes and Assessments						
R11.	Other Taxes and Assessments						
R12.	<b>Total Taxes and Assessments</b>	0	0	0	0	0	0
R13.	Licenses, Permits, and Franchises	658,308					658,308
R14.	Fines, Forfeitures, and Penalties						
Revenue from Use of Money and Property							
R15.	Investment Earnings	3,196	-1,035			4,552	6,713
R16.	Rents, Leases, Concessions, and Royalties						
R17.	Other Revenue from Use of Money and Property						
R18.	<b>Total Revenue from Use of Money and Property</b>	3,196	-1,035	0	0	4,552	6,713
Intergovernmental – Federal							
R19.	Aid for Construction						
R20.	Other Intergovernmental – Federal						
R21.	<b>Total Intergovernmental – Federal</b>	0	0	0	0	0	0
Intergovernmental – State							
R22.	Aid for Construction						
R23.	State Water Project						
R24.	Homeowners Property Tax Relief						
R25.	Timber Yield						
R26.	Other Intergovernmental – State		238,943				238,943
R27.	<b>Total Intergovernmental – State</b>	0	238,943	0	0	0	238,943
R28.	Intergovernmental – Other						
R29.	Charges for Current Services						
R30.	Contributions from Property Owners						
Self-Insurance Only							
R31.	Member Contributions						
R32.	Claim Adjustments						
R33.	<b>Total Self-Insurance Only</b>	0	0	0	0	0	0
R34.	Other Revenues		46,064			13,138	59,202
R35.	<b>Total Revenues</b>	\$661,504	\$283,972	\$0	\$0	\$17,690	\$963,166
<b>Expenditures</b>							
R36.	Salaries and Wages						
R37.	Employee Benefits						
R38.	Services and Supplies	362,380	149,052			510	511,942

R39. Self-Insurance Only – Claims Paid						
R40. Contributions to Outside Agencies					33,468	33,468
<b>Debt Service</b>						
R41. Principal Payments on Long-Term Debt						
R42. Interest Payments on Long-Term Debt						
R42.5 Lease Principal						
R43. Principal and Interest on Short-Term Notes and Warrants						
R44. Other Debt Service						
R45. Total Debt Service	0	0	0	0	0	0
R46. Capital Outlay						
R47. Other Expenditures						
R48. Total Expenditures	\$362,380	\$149,052	\$0	\$0	\$33,978	\$545,410
R49. Excess (Deficiency) of Revenues Over (Under) Expenditures	\$299,124	\$134,920	\$0	\$0	\$-16,288	\$417,756
<b>Other Financing Sources (Uses)</b>						
R50. Long-Term Debt Proceeds						
R51. Other Long-Term Debt Proceeds						
R51.5 Lease Obligations Proceeds						
R51.6 Proceeds from Refinancing on Loans, Notes, and Other						
R51.7 Payments to Refinanced Loans, Notes, and Other						
R52. Refunding Bonds Proceeds						
R53. Premium on Bonds Issued						
R54. Discount on Bonds Issued						
R55. Payments to Refunded Bond Escrow Agent						
R56. Demand Bonds						
R57. Proceeds from Sale of Capital Assets						
R58. Capital Leases						
R59. Insurance Recoveries						
R60. Transfers In						
R61. Transfers Out						
R61.5 Other Financing Sources (Uses) – Other						
R62. Total Other Financing Sources (Uses)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Special and Extraordinary Items</b>						
R63. Special Item						
R64. Extraordinary Item						
R65. Total Special and Extraordinary Items	0	0	0	0	0	0
R66. Net Change in Fund Balances	\$299,124	\$134,920	\$0	\$0	\$-16,288	\$417,756
R67. Fund Balances (Deficits), Beginning of Fiscal Year	\$405,092	\$736,373	\$0	\$0	\$432,511	\$1,573,976
R68. Adjustment	-12,194	12,194			740	740
R69. Reason for Adjustment	PY Adj to agree to	PY Adj to agree to			PY Adj to agree to	
R70. Fund Balances (Deficits), End of Fiscal Year	\$692,022	\$883,487	\$0	\$0	\$416,963	\$1,992,472

**Note:**  
 (R69) Gen-Reason for Adjustment: PY Adj to agree to GL  
 (R69) SpRev-Reason for Adjustment: PY Adj to agree to GL  
 (R69) Perm-Reason for Adjustment: PY Adj to agree to GL

Special District of Yolo County Natural Community Conservation Plan Joint Powers Agency  
 Special Districts' Financial Transactions Report  
 Other Long-Term Debt  
 Loans, Notes, and Other

Go to Report: Detail Summary of Other Long-Term Debt

**Reporting Year: 2021**

R01. Purpose of Debt (1 of 1) (Record Completed)	Temporary cash flow needs
R02. Nature of Revenue Pledged	General Revenue
R03. Debt Type	Loans
R04. Fund Type	Governmental
SD05. Activity	Governmental Services
R06. Year of Issue	2019
R07. Beginning Maturity Year	2020
R08. Ending Maturity Year	2023
R09. Principal Authorized	426,890
R10. Principal Received to Date	213,523
R11. Principal Unspent	213,523
R12. <b>Principal Outstanding, Beginning of Fiscal Year</b>	<b>\$213,523</b>
R13. Adjustment to Principal in Current Fiscal Year	
R14. Reason for Adjustment to Principal in Current Fiscal Year	
R15. Principal Received in Current Fiscal Year	
R16. Principal Paid in Current Fiscal Year	0
R17. Principal Refinanced in Current Fiscal Year	
R18. <b>Principal Outstanding, End of Fiscal Year</b>	<b>\$213,523</b>
R19. Principal Outstanding, Current Portion	0
R20. <b>Principal Outstanding, Noncurrent Portion</b>	<b>\$213,523</b>
R21. Interest Paid in Current Fiscal Year	0
R22. Principal Delinquent, End of Fiscal Year	
R23. Interest Delinquent, End of Fiscal Year	
SD24. Principal Due but Not Presented (Time Warrants Only)	
SD25. Interest Due but Not Presented (Time Warrants Only)	

Special District of Yolo County Natural Community Conservation Plan Joint Powers Agency  
 Special Districts' Financial Transactions Report  
 Detail Summary of Other Long-Term Debt

Back to Form: Other Long-Term Debt

**Reporting Year: 2021**

	<b>Year of Issue</b>	<b>Principal Outstanding, Beginning of Fiscal Year</b>	<b>Principal Received in Current Fiscal Year</b>	<b>Principal Paid in Current Fiscal Year</b>	<b>Principal Outstanding, End of Fiscal Year</b>	<b>Principal Outstanding, Current Portion</b>	<b>Principal Outstanding, Noncurrent Portion</b>	<b>Interest Paid in Current Fiscal Year</b>
<b>Governmental</b>								
<b>Loans</b>								
Temporary cash flow needs	2019	213,523	0	0	213,523	0	213,523	0
<b>Total Governmental Debt:</b>		<b>\$213,523</b>	<b>\$0</b>	<b>\$0</b>	<b>\$213,523</b>	<b>\$0</b>	<b>\$213,523</b>	<b>\$0</b>



Special District of Yolo County Natural Community Conservation Plan Joint Powers Agency  
Special Districts' Financial Transactions Report  
Debt Service Reconciliation Report

Reporting Year: 2021

	Governmental Funds	Internal Service Fund	Enterprise Funds
<b>Debt Payments from Debt Forms</b>			
R01. Long-Term Debt			
R02. Other Long-Term Debt			
R03. Construction Financing			
R04. Lease Obligations			
R05. <b>Total Debt Payments from Debt Forms</b>	\$0	\$0	\$0
R06. <b>Debt Service</b>			
R07. <b>Difference</b>	\$0	\$0	\$0
R08. Reason for Difference			

Special District of Yolo County Natural Community Conservation Plan Joint Powers Agency  
 Special Districts' Financial Transactions Report  
 Balance Sheet  
 Governmental Funds

Reporting Year: 2021

	General	Special Revenue	Debt Service	Capital Projects	Permanent	Total Governmental Funds
<b>Assets</b>						
R01. Cash and Investments	865,620	727,218			416,963	2,009,801
R02. Investments						
R03. Accounts Receivable (net)		3,098				3,098
R04. Taxes Receivable						
R05. Interest Receivable (net)						
R06. Lease Payments Receivable						
R07. Due from Other Funds						
R08. Due from Other Governments		175,811				175,811
R09. Advances to Other Funds						
R10. Inventories						
R11. Prepaid Items						
R12. Loans, Notes, and Contracts Receivable						
R13. Other Assets 1						
R14. Other Assets 2						
R15. Other Assets 3						
R16. <b>Total Assets</b>	<b>\$865,620</b>	<b>\$906,127</b>	<b>\$0</b>	<b>\$0</b>	<b>\$416,963</b>	<b>\$2,188,710</b>
R17. <b>Deferred Outflows of Resources</b>						
R18. <b>Total Assets and Deferred Outflows of Resources</b>	<b>\$865,620</b>	<b>\$906,127</b>	<b>\$0</b>	<b>\$0</b>	<b>\$416,963</b>	<b>\$2,188,710</b>
<b>Liabilities</b>						
R19. Accounts Payable	38,694	1,245				39,939
R20. Contracts and Retainage Payable						
R21. Interest Payable						
R22. Due to Other Funds						
R23. Due to Other Governments						
R24. Advances from Other Funds						
R25. Deposits and Advances						
R26. Loans and Notes Payable						
R27. Other Liabilities 1	134,904	21,395				156,299
R28. Other Liabilities 2						
R29. Other Liabilities 3						
R30. <b>Total Liabilities</b>	<b>\$173,598</b>	<b>\$22,640</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$196,238</b>
R31. <b>Deferred Inflows of Resources</b>						
R32. <b>Total Liabilities and Deferred Inflows of Resources</b>	<b>\$173,598</b>	<b>\$22,640</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$196,238</b>
<b>Fund Balances (Deficits)</b>						
R33. Nonspendable					416,963	416,963
R34. Restricted		883,487				883,487
R35. Committed						
R36. Assigned						
R37. Unassigned	692,022					692,022
R38. <b>Total Fund Balances (Deficits)</b>	<b>\$692,022</b>	<b>\$883,487</b>	<b>\$0</b>	<b>\$0</b>	<b>\$416,963</b>	<b>\$1,992,472</b>
R39. <b>Total Liabilities, Deferred Inflows of Resources, and Fund Balances (Deficits)</b>	<b>\$865,620</b>	<b>\$906,127</b>	<b>\$0</b>	<b>\$0</b>	<b>\$416,963</b>	<b>\$2,188,710</b>

Special District of Yolo County Natural Community Conservation Plan Joint Powers Agency  
 Special Districts' Financial Transactions Report  
 Noncurrent Assets, Deferred Outflows of Resources,  
 Noncurrent Liabilities, and Deferred Inflows of Resources  
 Governmental Funds

**Reporting Year: 2021**

		Noncurrent Assets/Deferred Outflows of Resources	Noncurrent Liabilities/Deferred Inflows of Resources
<b>Noncurrent Assets</b>			
Capital Assets			
R01.	Land		
R02.	Buildings and Improvements		
R03.	Equipment		
R04.	Infrastructure		
R05.	Intangible Assets – Amortizable		
R06.	Construction in Progress		
R07.	Intangible Assets – Nonamortizable	2,174,926	
R08.	Other Capital Assets		
R09.	Less: Accumulated Depreciation/Amortization		
R10	Net Pension Asset		
R11	Net OPEB Asset		
R12	Other Noncurrent Assets 1		
R13	Other Noncurrent Assets 2		
R14	Other Noncurrent Assets 3		
R15.	<b>Total Noncurrent Assets</b>	<b>\$2,174,926</b>	
<b>Deferred Outflows of Resources</b>			
R16	Related to Pensions		
R17	Related to OPEB		
R18	Related to Debt Refunding		
R19	Other Deferred Outflows of Resources		
R20.	<b>Total Deferred Outflows of Resources</b>	<b>\$0</b>	
R21.	<b>Total Noncurrent Assets and Deferred Outflows of Resources</b>	<b>\$2,174,926</b>	
<b>Noncurrent Liabilities</b>			
R22.	Deposits and Advances		
R23.	Compensated Absences		
R24.	General Obligation Bonds		
R25.	Revenue Bonds		
R26.	Certificates of Participation		
R27.	Other Bonds		
R28.	Loans (Other Long-Term Debt)		213,523
R29.	Notes (Other Long-Term Debt)		
R30.	Other (Other Long-Term Debt)		
R31.	Construction Financing – Federal		
R32.	Construction Financing – State		
R33.	Lease Principal		
R34.	Net Pension Liability		0
R35.	Net OPEB Liability		
R36.	Other Noncurrent Liabilities 1		
R37.	Other Noncurrent Liabilities 2		

R38. Other Noncurrent Liabilities 3		
R39. <b>Total Noncurrent Liabilities</b>		\$213,523
<b>Deferred Inflows of Resources</b>		
R40 Related to Pensions		
R41 Related to OPEB		
R42 Related to Debt Refunding		
R43 Other Deferred Inflows of Resources		
R44. <b>Total Deferred Inflows of Resources</b>		\$0
R45. <b>Total Noncurrent Liabilities and Deferred Inflows of Resources</b>		\$213,523

Special District of Yolo County Natural Community Conservation Plan Joint Powers Agency  
 Special Districts' Financial Transactions Report  
 Summary

Reporting Year: 2021

	Governmental Funds	Internal Service Fund	Enterprise Fund	Total
<b>Governmental Revenues</b>				
R01. General	661,504			
R02. Special Revenue	283,972			
R03. Debt Service				
R04. Capital Projects				
R05. Permanent	17,690			
R06. Transportation				
R07. <b>Total Governmental Revenues</b>	\$963,166			
<b>Internal Service Revenues</b>				
R08. Total Operating Revenues		\$0		
R09. Total Non-Operating Revenues		\$0		
R10. <b>Total Internal Service Revenues</b>		\$0		
<b>Enterprise Revenues</b>				
<b>Operating Revenues</b>				
R11. Airport				
R12. Electric				
R13. Gas				
R14. Harbor and Port				
R15. Hospital				
R16. Sewer				
R17. Solid Waste				
R18. Transit				
R19. Water				
R20. Other Enterprise				
R21. Conduit				
R22. Transportation				
R23. <b>Total Operating Revenues</b>			\$0	
<b>Non-Operating Revenues</b>				
R24. Airport				
R25. Electric				
R26. Gas				
R27. Harbor and Port				
R28. Hospital				
R29. Sewer				
R30. Solid Waste				
R31. Transit				
R32. Water				
R33. Other Enterprise				
R34. Conduit				
R35. Transportation				
R36. <b>Total Non-Operating Revenues</b>			\$0	
R36.5 <b>Total Revenues</b>	\$963,166	\$0	\$0	\$963,166

**Governmental Expenditures**

R37.	General	362,380			
R38.	Special Revenue	149,052			
R39.	Debt Service				
R40.	Capital Projects				
R41.	Permanent	33,978			
R42.	Transportation				
R43.	<b>Total Governmental Expenditures</b>	\$545,410			
<b>Internal Service Expenses</b>					
R44.	Total Operating Expenses		\$0		
R45.	Total Non-Operating Expenses		\$0		
R46.	<b>Total Internal Service Expenses</b>		\$0		
<b>Enterprise Expenses</b>					
<b>Operating Expenses</b>					
R47.	Airport				
R48.	Electric				
R49.	Gas				
R50.	Harbor and Port				
R51.	Hospital				
R52.	Sewer				
R53.	Solid Waste				
R54.	Transit				
R55.	Water				
R56.	Other Enterprise				
R57.	Conduit				
R58.	Transportation				
R59.	<b>Total Operating Expenses</b>			\$0	
<b>Non-Operating Expenses</b>					
R60.	Airport				
R61.	Electric				
R62.	Gas				
R63.	Harbor and Port				
R64.	Hospital				
R65.	Sewer				
R66.	Solid Waste				
R67.	Transit				
R68.	Water				
R69.	Other Enterprise				
R70.	Conduit				
R71.	Transportation				
R72.	<b>Total Non-Operating Expenses</b>			\$0	
R72.5	<b>Total Expenditures/Expenses</b>	\$545,410	\$0	\$0	\$545,410
R73.	Transfer In				
R74.	Transfer Out				
R75.	<b>Change in Fund Balance/Net Position</b>	\$417,756	\$0	\$0	\$417,756
R76.	<b>Fund Balance/Net Position (Deficit), Beginning of Fiscal Year</b>	\$1,573,976	\$0	\$0	\$1,573,976
R77.	Adjustments	740			740
R78.	<b>Fund Balance/Net Position (Deficit), End of Fiscal Year</b>	\$1,992,472	\$0	\$0	\$1,992,472

<b>Assets</b>				
R79.	Total Current Assets	2,188,710		2,188,710
R80.	Total Noncurrent Assets			
R81.	<b>Total Assets</b>	\$2,188,710	\$0	\$2,188,710
<b>Liabilities</b>				
R82.	Total Current Liabilities	196,238		196,238
R83.	Total Noncurrent Liabilities			
R84.	<b>Total Liabilities</b>	\$196,238	\$0	\$196,238
R85.	<b>Total Fund Balance/Net Position (Deficit)</b>	\$1,992,472	\$0	\$1,992,472

Special District of Yolo County Natural Community Conservation Plan Joint Powers Agency  
 Special District Financial Transactions Report  
 Footnotes

Fiscal Year: 2021		
FORM DESC	FIELD NAME	FOOTNOTES
RevenuesExpendituresChangesFundBalances	(R26)SpRev-OtherIntergovernmentalState	(Governmental Services) Conservation Grant 4 \$82,556 2019 Local Assistance Grant \$135,661 2021 Local Assistance Grant \$20,726
RevenuesExpendituresChangesFundBalances	(R34)Perm-OtherRevenues	(Governmental Services) Additions to endowments
RevenuesExpendituresChangesFundBalances	(R34)SpRev-OtherRevenues	(Governmental Services) Refund \$770 Private grant \$45,294
RevenuesExpendituresChangesFundBalances	(R35)Gen-TotalRevenues	(Governmental Services) State revenue was reported in GF column in the PY.
RevenuesExpendituresChangesFundBalances	(R35)SpRev-TotalRevenues	(Governmental Services) State revenue was reported in the GF column in the PY.
RevenuesExpendituresChangesFundBalances	(R36)Gen-SalariesandWages	(Governmental Services) Change is structure beginning in 2021, the agency does not have any employees, now contracted with County.
RevenuesExpendituresChangesFundBalances	(R38)Gen-ServicesandSupplies	(Governmental Services) There was a change in operating models beginning in 2021 to reduce cost.
RevenuesExpendituresChangesFundBalances	(R38)SpRev-ServicesandSupplies	(Governmental Services) There was a change in operating models beginning in 2021 to reduce cost.
OtherLongTermDebt	(R16)PrincipalPaidinCurrentFiscalYear	(1_Temporary cash flow needs) No payments were made in 2021.
OtherLongTermDebt	(R19)PrincipalOutstandingCurrentPortion	(1_Temporary cash flow needs) No formal debt schedule. Balance is considered to be long-term.
OtherLongTermDebt	(R21)InterestPaidinCurrentFiscalYear	(1_Temporary cash flow needs) No payments were made in 2021.
BalanceSheetGovernmentalFunds	(R01)Gen-CashInvestments	During the year YHC-GF had a net income of \$299,124.
BalanceSheetGovernmentalFunds	(R16)Gen-TotalAssets	During the year YHC-GF had a net income of \$299,124.
BalanceSheetGovernmentalFunds	(R16)SpRev-TotalAssets	YHC-SRF had a net income of \$134,920.
BalanceSheetGovernmentalFunds	(R27)Gen-OtherLiabilities1	Unearned income.
BalanceSheetGovernmentalFunds	(R27)SpRev-OtherLiabilities1	Unearned revenue
BalanceSheetGovernmentalFunds	(R30)Gen-TotalLiabilities	Unearned income decreased by \$82,328
BalanceSheetGovernmentalFunds	(R30)SpRev-TotalLiabilities	Increase in unearned revenue
NoncurrentAssetsLiabilities	(R34)Liab-NetPensionLiability	Agency does not have any employees.

Total Footnote: 19





YOLO COUNTY HABITAT/NATURAL  
COMMUNITY CONSERVATION PLAN  
JOINT POWERS AGENCY  
WOODLAND, CALIFORNIA  
FOR THE FISCAL YEAR ENDED JUNE 30, 2021

INDEPENDENT AUDITORS' REPORT,  
BASIC FINANCIAL STATEMENTS AND  
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JOINT POWERS AGENCY  
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FOR THE FISCAL YEAR ENDED JUNE 30, 2021

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## INDEPENDENT AUDITORS' REPORT

To the Honorable Board of Directors  
Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency  
Woodland, California

### **Report on the Financial Statements**

#### ***Opinions***

We have audited the accompanying financial statements of the Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency (the Habitat JPA) and each major fund, as of and for the year ended June 30, 2021, and the related notes to the financial statements, which collectively comprise the Habitat JPA's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency (the Habitat JPA) and each major fund, as of June 30, 2021, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

#### ***Basis for Opinions***

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Habitat JPA and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

#### ***Responsibilities of Management for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Habitat JPA's ability to continue as a going concern for twelve months beyond the date of the financial statements.



To the Board of Directors  
Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency  
Woodland, California

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with the GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if, there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate to the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Habitat JPA's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Habitat JPA's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

### ***Emphasis of Matter***

#### *Economic Dependency*

As discussed in Note 10 to the financial statements, the General Fund of the Habitat JPA is economically dependent on revenue derived from mitigation fees and pre-payment of mitigation fees from member agencies consisting of 90 percent of General Fund program revenues for the year ended June 30, 2021. Our opinion is not modified with respect to this matter.

### ***Other Reporting Responsibilities***

#### *Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, and the budgetary comparison schedules be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required



To the Board of Directors  
Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency  
Woodland, California

supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

*Supplementary Information*

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Habitat's basic financial statements. The endowment permanent funds budgetary comparison schedules are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the endowment permanent funds budgetary comparison schedules are fairly stated, in all material respects in relation to the basic financial statements as a whole.

**Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated March 21, 2022 on our consideration of the Habitat JPA's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Habitat JPA's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Habitat JPA's internal control over financial reporting and compliance.

A handwritten signature in black ink that reads "Lance, Solt &amp; Loughard, LLP". The signature is written in a cursive, flowing style.

Sacramento, California  
March 21, 2022

## Management's Discussion and Analysis

As management of the Yolo Habitat/Natural Community Conservation Plan Joint Powers Agency (Habitat JPA)), we offer readers of the Habitat JPA's financial statements this narrative overview and analysis of the financial activities of the Habitat JPA for the fiscal year ended June 30, 2021. We encourage readers to consider the information presented here in conjunction with the Habitat JPA's financial statements and the accompanying notes to the basic financial statements.

### Financial Highlights

The assets of the Habitat JPA exceeded its liabilities at the close of the most recent fiscal year by \$3,826,089 (net position), of which \$389,732 is reported as unrestricted net position.

The Habitat JPA's total net position increased by \$289,968 which was largely driven by mitigation fee revenue.

The Habitat JPA recorded program revenue of \$854,871, comprised of mitigation fees, grants, interest, loans and pre-payments from member agencies, and other income. The Habitat JPA reported \$538,235 in program expense, including professional services, real estate acquisition, and miscellaneous expenses. The Habitat JPA reported resulting net program revenue of \$316,636.

### Overview of the Financial Statements

This discussion and analysis serves as an introduction to the Habitat JPA's basic financial statements. The Habitat JPA's financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the basic financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

**Government-wide financial statements.** The government-wide financial statements are designed to provide readers with a broad overview of the Habitat JPA's finances in a manner similar to a private-sector business and are composed of the *statement of net position* and the *statement of activities*.

The *statement of net position* presents information about the financial position of the Habitat JPA, reflecting all of the Habitat JPA's (a) assets and deferred outflows of resources, and (b) liabilities and deferred inflows of resources on a full accrual basis, with the difference between the two reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Habitat JPA is improving or deteriorating.

The *statement of activities* presents information about the Habitat JPA's revenues and expenses, also on a full accrual basis, with the emphasis on measuring net revenues and expenses of the Habitat JPA. The *statement of activities* reflects how the government's net position changed during the most recent fiscal year.



All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

The government-wide financial statements can be found on page 12-13 of this report.

### **Fund financial statements**

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Habitat JPA, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The Habitat JPA's fund is a governmental fund.

*Governmental funds* are used to account for essentially the same functions reported as governmental *activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Since the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statements of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The Habitat JPA's governmental fund accounts for its activities, which include completion of the Yolo HCP/NCCP, acquisition of habitat conservation easements, and monitoring of habitat conservation easements. The Habitat JPA adopts an annual appropriated budget for its funds. A budgetary comparison statement has been provided to demonstrate compliance with this budget.

The basic governmental fund financial statements can be found on pages 15-20 of this report.

### **Notes to the basic financial statements**

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the basic financial statements can be found on pages 21-30 of this report.

### **Government-wide Financial Analysis**

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. In the case of the Habitat JPA, assets exceeded liabilities by \$3,826,089 at the close of the most recent fiscal year.

The largest portion of the Habitat JPA's net position, \$2,174,926, reflects its investment in capital assets (e.g. easements).

**STATEMENT OF NET POSITION**

	<u>2021</u>	<u>2020</u>	<u>Increase (Decrease)</u>
<b>Assets:</b>			
Current Assets:			
Cash and investments	\$ 1,593,436	\$ 1,335,495	\$ 257,941
Receivables:			
Accounts	24,563	19,983	4,580
Due from other governments	109,280	63,662	45,618
Restricted Cash and investments	416,365	437,855	(21,490)
	<u>2,143,644</u>	<u>1,856,995</u>	<u>286,649</u>
Noncurrent Assets:			
Capital assets not being depreciated	2,174,926	2,174,926	-
<b>Total Assets</b>	<b><u>4,318,570</u></b>	<b><u>4,031,921</u></b>	<b><u>286,649</u></b>
<b>Liabilities:</b>			
Accounts payable	59,497	51,082	8,415
Unearned revenue	217,231	217,231	-
Deposits payable	2,230	2,230	-
Due to other governments	-	11,733	(11,733)
Loans payable	213,523	213,523	-
<b>Total Liabilities</b>	<b><u>492,481</u></b>	<b><u>495,799</u></b>	<b><u>(3,318)</u></b>
<b>Net Position:</b>			
Net investment in capital assets	2,174,926	2,174,926	-
Restricted for:			
Restricted	1,261,431	804,923	456,508
Unrestricted	389,732	556,272	(166,540)
<b>Total Net Position</b>	<b><u>\$3,826,089</u></b>	<b><u>\$3,536,121</u></b>	<b><u>\$ 289,968</u></b>

At the end of the current fiscal year, the Habitat JPA's total net position increase by \$289,968 which was largely driven by mitigation fee revenue.

**CHANGES IN NET POSITION**

	<u>2021</u>	<u>2020</u>	<u>Increase (Decrease)</u>
<b>Program Expenses:</b>			
Salaries and benefits	\$ -	\$ 62,685	\$ (62,685)
Professional services	537,285	691,150	(153,865)
Miscellaneous expenses	950	22,246	(21,296)
Real estate acquisition	-	-	-
Total program expenses	<u>538,235</u>	<u>776,081</u>	<u>(237,846)</u>
<b>Program Revenues:</b>			
Operating grants, contributions and fees	854,871	737,927	116,944
Total program revenues	<u>854,871</u>	<u>737,927</u>	<u>116,944</u>
Net program revenue (expense)	<u>316,636</u>	<u>(38,154)</u>	<u>354,790</u>
<b>General Revenues:</b>			
Interest income	(26,668)	42,535	(69,203)
Other revenues	-	45,378	(45,378)
Total general revenues	<u>(26,668)</u>	<u>87,913</u>	<u>(114,581)</u>
Change in net position	<u>289,968</u>	<u>49,759</u>	<u>240,209</u>
Net Position at Beginning of Year	3,536,121	3,650,982	(114,861)
Restatement of Net Position	-	(164,620)	164,620
Net position at Beginning of Year	<u>3,536,121</u>	<u>3,486,362</u>	<u>49,759</u>
Net Position at End of Year	<u><b>\$ 3,826,089</b></u>	<u><b>\$ 3,536,121</b></u>	<u><b>\$ 289,968</b></u>

**Government-wide Financial Analysis**

As noted earlier, the Habitat JPA uses fund accounting to ensure and demonstrate compliance with legal and governmental accounting requirements.

**Governmental Funds**

The focus of the Habitat JPA’s governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Habitat JPA’s financing requirements. In particular, unassigned fund balance may serve as a useful measure of the Habitat JPA’s net resources available for spending at the end of the fiscal year.

As of the end of the current fiscal year, the Habitat JPA’s General Fund reported an ending unassigned fund balance of \$603,255, an increase of \$266,172 from the prior fiscal year as a result of mitigation fee revenues. As of June 30, 2021, the \$603,255 fund balance includes \$60,087 in permanent reserve.

At the end of the current fiscal year, the Habitat JPA’s new Grant Revenue Special Revenue Fund and Other Revenue Special Revenue Fund reported an ending fund balance of \$83,779, and \$23,876, respectively.

At the end of the current fiscal year, the Habitat JPA's Mitigation Trust Account Fund Special Revenue Fund reported an ending assigned fund balance of \$737,411, an increase of \$1,038. The entire fund balance is restricted to acquisition of habitat conservation easements consistent with the Interim Swainson's Hawk Mitigation Program and required burrowing owl mitigation. The Habitat JPA expects to expend the remaining funds in this account in future fiscal years on the acquisition of habitat conservation easements. The Interim Swainson's Hawk Mitigation Program ceased to exist after the wildlife agencies issued the Habitat JPA permits in January 2019.

At the end of the current fiscal year, the Habitat JPA's Pre-permit and Post Permit Permanent Funds reported an ending fund balance of \$384,161 and \$32,204 respectively, a decrease of \$29,226 from prior year in the Pre-permit Permanent Fund, and an increase of \$12,379 in the Post-permit Permanent Fund. The decrease in the Pre-permit Permanent Fund is due to the transferring of the funds and fund management responsibility of an endowment to an external entity. The entire amounts are endowments associated with monitoring of habitat conservation easements.

### **Mitigation Fee Fund Budgetary Highlights**

The material difference between the final budget and the actual amounts can be briefly summarized as follows:

- During the fiscal year ended June 30, 2021, the Habitat JPA received more mitigation fee revenue than budgeted.
- The Habitat JPA spent less on professional services and other expenses than originally budgeted.

### **Grant Fund Budgetary Highlights**

The material difference between the final budget and the actual amounts can be briefly summarized as follows:

- During the fiscal year ended June 30, 2021, the Habitat JPA engaged in fewer grant billable tasks than anticipated resulting in less grant revenues and expenditures than budgeted.
- The budget for the fiscal year ended June 30, 2021 contemplated \$5,000,000 in grant revenue for the purpose of easement acquisitions, however, staff was subsequently made aware that these funds will not pass through the Habitat JPA budget, but rather the Wildlife Conservation Board (a state agency) will directly make payment to the easement seller at the conclusion of the acquisition process for the benefit of the Habitat JPA.

## **Other Revenue Fund Budgetary Highlights**

The material difference between the final budget and the actual amounts can be briefly summarized as follows:

- During fiscal year ended June 30, 2021 there were fewer Special Participating Entity projects, and cost recovery agreements than anticipated, resulting in revenues less than budgeted.
- During the fiscal year ended June 30, 2021, the Habitat JPA engaged in fewer cost recovery agreement tasks than anticipated resulting in less expenditures than budgeted.

## **Mitigation Trust Fund Budgetary Highlights**

The material difference between the final budget and the actual amounts can be briefly summarized as follows:

- During the fiscal year ended June 30, 2021, the Habitat JPA received less interest on funds than anticipated as a result of a higher rate of return on funds held in the County Treasury.
- During the fiscal year ended June 30, 2021, no conservation easement acquisitions were finalized and there were no related expenditures.

## **Capital Assets**

The Habitat JPA's investment in capital assets, as of June 30, 2021 amounts to \$2,174,926. This investment in capital assets includes land, easements and other intangible assets, construction in progress, land improvements, machinery and equipment, and pre-acquisition costs. There was no increase in the Habitat JPA's investment in capital assets for the current fiscal year.

Additional information on the Habitat JPA's capital assets can be found in the notes to the basic financial statements.

## **Debt Administration**

The Habitat JPA owed Yolo County, the City of Winters and the City of Davis \$213,523 as of June 30, 2021. Yolo County, the City of Winters and the City of Davis loaned the Habitat JPA funds in previous fiscal years to assist with implementation.

## **Economic Factors and Next Year's Budgets and Rates**

The Habitat JPA expects to secure additional revenue from mitigation fees in 2021-22, as construction activity continues to increase. The Habitat JPA will continue to contract with Yolo County for administrative services. The Habitat JPA also expects to increase expenditures on permitting and real estate acquisition assistance and easement monitoring as the Habitat JPA proceeds with easement acquisitions. The Habitat JPA will also continue work on multiple grants.

All of these factors were considered in preparing the Habitat JPA's budget for the fiscal year ending June 30, 2022.

### **Request for Information**

This financial report is designed to provide a general overview of the Habitat JPA's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Yolo Habitat JPA, 625 Court Street, Room 202, Woodland, California 95695. The Habitat JPA can also be reached by telephone at (530) 666- 8150 or via email at [info@yolohabitatconservancy.org](mailto:info@yolohabitatconservancy.org). For more information about the Habitat JPA or the Yolo HCP/NCCP, please visit the website at [www.yolohabitatconservancy.org](http://www.yolohabitatconservancy.org).

**GOVERNMENT – WIDE FINANCIAL STATEMENTS**

YOLO COUNTY HABITAT/NATURAL COMMUNITY  
 CONSERVATION PLAN JOINT POWERS AGENCY

STATEMENT OF NET POSITION  
 JUNE 30, 2021

**Assets:**

Current Assets:

Cash and investments	\$ 1,593,436
Receivables:	
Accounts	24,563
Due from other governments	109,280
Restricted Cash and investments	416,365
	<u>2,143,644</u>

Noncurrent Assets:

Capital assets not being depreciated	<u>2,174,926</u>
--------------------------------------	------------------

**Total Assets**

**4,318,570**

**Liabilities:**

Accounts payable	59,497
Unearned revenue	217,231
Deposits payable	2,230
Loans payable	213,523
	<u>492,481</u>

**Total Liabilities**

**492,481**

**Net Position:**

Investment in capital assets	2,174,926
Restricted for:	
Wildlife mitigation	845,066
Endowment - nonspendable	416,365
Unrestricted	389,732
	<u>3,826,089</u>

**Total Net Position**

**\$ 3,826,089**

The notes to the basic financial statements are an integral part of this statement.



YOLO COUNTY HABITAT/NATURAL COMMUNITY  
CONSERVATION PLAN JOINT POWERS AGENCY

**STATEMENT OF ACTIVITIES**  
**YEAR ENDED JUNE 30, 2021**

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**Program Expenses:**

Professional services	\$ 537,285
Miscellaneous expenses	950
	<hr/>
Total program expenses	538,235
	<hr/>

**Program Revenues:**

Operating grants, contributions and fees	854,871
	<hr/>
Total program revenues	854,871
	<hr/>
Net program revenue (expense)	316,636
	<hr/>

**General Revenues:**

Use of money and property	(26,668)
	<hr/>
Total general revenues	(26,668)
	<hr/>

Change in net position 289,968

Net Position at Beginning of Year 3,536,121

Net Position at End of Year **\$ 3,826,089**

The notes to the basic financial statements are an integral part of this statement.

**FUND FINANCIAL STATEMENTS**

YOLO COUNTY HABITAT/NATURAL COMMUNITY  
CONSERVATION PLAN JOINT POWERS AGENCY

BALANCE SHEET  
GOVERNMENTAL FUNDS  
JUNE 30, 2021

	Special Revenue Funds			
	General	Grant Fund	Other Revenue Fund	Mitigation Trust Account Fund
<b>Assets:</b>				
Pooled cash and investments	\$ 817,399	\$ -	\$ 38,626	\$ 737,411
Receivables:				
Accounts	-	24,563	-	-
Due from other governments	-	109,280	-	-
Due from other funds	48,819	-	-	-
Restricted assets:				
Cash and investments	-	-	-	-
<b>Total Assets</b>	<b>\$ 866,218</b>	<b>\$ 133,843</b>	<b>\$ 38,626</b>	<b>\$ 737,411</b>
<b>Liabilities and Fund Balances</b>				
<b>Liabilities:</b>				
Accounts payable	\$ 58,252	\$ 1,245	\$ -	\$ -
Unearned revenues	202,481	-	14,750	-
Deposits payable	2,230	-	-	-
Due to other funds	-	48,819	-	-
<b>Total Liabilities</b>	<b>262,963</b>	<b>50,064</b>	<b>14,750</b>	<b>-</b>
<b>Fund Balances:</b>				
<b>Nonspendable:</b>				
Endowment	-	-	-	-
<b>Restricted for:</b>				
Wildlife Mitigation	-	83,779	23,876	737,411
<b>Unassigned</b>	<b>603,255</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total Fund Balances</b>	<b>603,255</b>	<b>83,779</b>	<b>23,876</b>	<b>737,411</b>
<b>Total Liabilities and Fund Balances</b>	<b>\$ 866,218</b>	<b>\$ 133,843</b>	<b>\$ 38,626</b>	<b>\$ 737,411</b>

The notes to the basic financial statements are an integral part of this statement.

YOLO COUNTY HABITAT/NATURAL COMMUNITY  
CONSERVATION PLAN JOINT POWERS AGENCY

BALANCE SHEET  
GOVERNMENTAL FUNDS  
JUNE 30, 2021

	Permanent Funds		Total Governmental Funds
	Pre-permit Endowment Fund	Post-Permit Endowment Fund	
<b>Assets:</b>			
Pooled cash and investments	\$ -	\$ -	\$ 1,593,436
Receivables:			
Accounts	-	-	24,563
Due from other governments	-	-	109,280
Due from other funds	-	-	48,819
Restricted assets:			
Cash and investments	384,161	32,204	416,365
<b>Total Assets</b>	<b>\$ 384,161</b>	<b>\$ 32,204</b>	<b>\$ 2,192,463</b>
<b>Liabilities and Fund Balances</b>			
<b>Liabilities:</b>			
Accounts payable	\$ -	\$ -	\$ 59,497
Unearned revenues	-	-	217,231
Deposits payable	-	-	2,230
Due to other funds	-	-	48,819
<b>Total Liabilities</b>	<b>-</b>	<b>-</b>	<b>327,777</b>
<b>Fund Balances:</b>			
<b>Nonspendable:</b>			
Endowment	384,161	32,204	416,365
<b>Restricted for:</b>			
Wildlife Mitigation	-	-	845,066
<b>Unassigned</b>	-	-	603,255
<b>Total Fund Balances</b>	<b>384,161</b>	<b>32,204</b>	<b>1,864,686</b>
<b>Total Liabilities and Fund Balances</b>	<b>\$ 384,161</b>	<b>\$ 32,204</b>	<b>\$ 2,192,463</b>

The notes to the basic financial statements are an integral part of this statement.

**YOLO COUNTY HABITAT/NATURAL COMMUNITY  
CONSERVATION PLAN JOINT POWERS AGENCY**

**RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS  
TO THE STATEMENT OF NET POSITION  
JUNE 30, 2021**

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Fund balances of governmental funds	\$ 1,864,686
Amounts reported for governmental activities in the statement of net position are different because:	
Capital assets net of depreciation have not been included as financial resources in governmental fund activity.	2,174,926
Long-term liabilities below are not in the current year therefore are have not been included in the governmental fund activity:	
Loans payable	<u>(213,523)</u>
<b>Net Position of governmental activities</b>	<b><u><u>\$ 3,826,089</u></u></b>

**The notes to the basic financial statements are an integral part of this statement.**

YOLO COUNTY HABITAT/NATURAL COMMUNITY  
 CONSERVATION PLAN JOINT POWERS AGENCY

STATEMENT OF REVENUES,  
 EXPENDITURES AND CHANGES IN FUND BALANCES  
 GOVERNMENTAL FUNDS  
 YEAR ENDED JUNE 30, 2021

	Special Revenue Funds			
	General	Grant Fund	Other Revenue Fund	Mitigation Trust Account Fund
<b>Revenues:</b>				
Grant revenue	\$ -	\$ 193,876	\$ -	\$ -
Mitigation fees	645,106	-	770	-
Cost recovery fees	-	-	-	-
Charges for services	1,981	-	-	-
Use of money and property	3,196	(122)	(1,353)	1,038
<b>Total Revenues</b>	<b>650,283</b>	<b>193,754</b>	<b>(583)</b>	<b>1,038</b>
<b>Expenditures:</b>				
Current:				
Conservation Activities:				
Professional services	382,621	136,270	17,796	-
Other expenditures	950	-	-	-
<b>Total Expenditures</b>	<b>383,571</b>	<b>136,270</b>	<b>17,796</b>	<b>-</b>
Excess (Deficiency) of Revenues Over (Under) Expenditures	266,712	57,484	(18,379)	1,038
Net Change in Fund Balances	266,712	57,484	(18,379)	1,038
Fund Balances, Beginning of Year	336,543	26,295	42,255	736,373
<b>Fund Balances, End of Year</b>	<b>\$ 603,255</b>	<b>\$ 83,779</b>	<b>\$ 23,876</b>	<b>\$ 737,411</b>

The notes to the basic financial statements are an integral part of this statement.

YOLO COUNTY HABITAT/NATURAL COMMUNITY  
 CONSERVATION PLAN JOINT POWERS AGENCY

STATEMENT OF REVENUES,  
 EXPENDITURES AND CHANGES IN FUND BALANCES  
 GOVERNMENTAL FUNDS  
 YEAR ENDED JUNE 30, 2021

	Permanent Funds		Total Governmental Funds
	Pre-permit Endowment Fund	Post-Permit Endowment Fund	
<b>Revenues:</b>			
Grant revenue	\$ -	\$ -	\$ 193,876
Mitigation fees	-	-	645,876
Cost recovery fees	-	13,138	13,138
Charges for services	-	-	1,981
Use of money and property	(28,668)	(759)	(26,668)
<b>Total Revenues</b>	<b>(28,668)</b>	<b>12,379</b>	<b>828,203</b>
<b>Expenditures:</b>			
Current:			
Conservation Activities:			
Professional services	598	-	537,285
Other expenditures	-	-	950
<b>Total Expenditures</b>	<b>598</b>	<b>-</b>	<b>538,235</b>
Excess (Deficiency) of Revenues Over (Under) Expenditures	(29,266)	12,379	289,968
Net Change in Fund Balances	(29,266)	12,379	289,968
Fund Balances, Beginning of Year	413,427	19,825	1,574,718
<b>Fund Balances, End of Year</b>	<b>\$ 384,161</b>	<b>\$ 32,204</b>	<b>\$ 1,864,686</b>

The notes to the basic financial statements are an integral part of this statement.

**YOLO COUNTY HABITAT/NATURAL COMMUNITY  
CONSERVATION PLAN JOINT POWERS AGENCY**

**RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS  
TO THE STATEMENT OF ACTIVITIES  
YEAR ENDED JUNE 30, 2021**

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The schedule below reconciles the Net Changes in Fund Balances reported on the Governmental Funds Statement of Revenues, Expenditures and Changes in Fund Balance, which measures only changes in current assets and current liabilities on the modified accrual basis, with the Change in Net Position of Governmental Activities reported in the Statement of Activities, which prepared on the full accrual basis.

Net change in fund balances - total governmental funds	<u>\$ 289,968</u>
<b>Change in net position of governmental activities</b>	<b><u>\$ 289,968</u></b>

**The notes to the basic financial statements are an integral part of this statement.**



**YOLO COUNTY HABITAT/NATURAL COMMUNITY CONSERVATION  
PLAN JOINT POWERS AGENCY**

**NOTES TO FINANCIAL STATEMENTS  
YEAR ENDED JUNE 30, 2021**

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**Note 1: Summary of Significant Accounting Policies**

**a. Reporting Entity**

The Yolo County Habitat/Natural Community Conservation Joint Powers Agency (Habitat JPA) was founded in August 2002, under the provision of Section 61600 of the Government Code of the State of California. The Health and Safety Code and the Water Code of the State of California regulate the Habitat JPA's operations.

The Habitat JPA was formed for the purposes of acquiring Swainson's hawk habitat conservation easements and to serve as the lead agency for the preparation and implementation of the Yolo Habitat Conservation Plan/ Natural Community Conservation Plan (HCP/NCCP).

The JPA governing Board is composed of representatives from member agencies, which include two members of the Yolo County Board of Supervisors, one member each from the City Councils of Davis, Woodland, West Sacramento and Winters, and one ex-officio member from University of California, Davis.

**b. Basis of Accounting**

*Government-Wide Statements*

The statement of net position and statement of activities display information about the primary government of the Habitat JPA. These statements include the financial activities of the overall Habitat JPA.

The statement of activities presents a comparison between direct expenses and program revenues for the Habitat JPA's governmental activity. Direct expenses are those that are specifically associated with the operations of the Habitat JPA. Program revenues include charges for services, mitigation fees and grants and contributions that are restricted to meeting the operational or capital requirements of the Habitat JPA. Revenues that are not classified as program revenues, including investment income, are presented instead as general revenues.

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows take place. Grants and similar items are recognized as revenues as soon as eligibility requirements have been met.

*Fund Financial Statements*

The governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available to finance expenditures of the current period. A 365-day availability period is used for revenue recognition for all governmental fund revenues. Expenditures are generally recorded when a liability is incurred, as under accrual accounting.

YOLO COUNTY HABITAT/NATURAL COMMUNITY CONSERVATION  
PLAN JOINT POWERS AGENCY

NOTES TO FINANCIAL STATEMENTS (CONTINUED)  
YEAR ENDED JUNE 30, 2021

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**Note 1: Summary of Significant Accounting Policies (Continued)**

Nonexchange transactions, in which the Habitat JPA gives (or receives) value without directly receiving (or giving) value in exchange, include developer mitigation fees, grants, entitlements, and donations. On a modified accrual basis, revenues from grants, entitlements and donations are recognized in the fiscal year in which all eligibility requirements have been satisfied and resources meet the availability criteria.

The Habitat JPA reports the following major governmental funds:

- The *General Fund* is the general operating fund of the Habitat JPA and is used to account for all financial resources.
- The *Grant Special Revenue Fund* records all grant revenues and expenditures through this fund.
- The *Other Revenue Special Revenue Fund* records revenue from special participating entities contribution to recovery fees, landowner contributions, and other non-mitigation fee revenue.
- The *Mitigation Trust Account Special Revenue Fund (previously the Wildlife Mitigation Fund)* records Swainson's hawk mitigation fees collected prior to permit issuance on January 9, 2019.
- The *Pre-Permit Endowment Fund (previously Stewardship Permanent Fund)* is used for restricted revenues and resources for conservation easement stewardship to maintain and monitor the easements in accordance with the easement agreements prior to permit issuance on January 9, 2019. The funds are based on individual easement agreements with land owners but the principal amounts are to remain intact and interest earned on the funds will be used to perform monitoring activities in perpetuity.
- The *Post-Permit Endowment Fund* is used for restricted revenues and resources for conservation easement stewardship to maintain and monitor the easements in accordance with the easement agreements after permits have been issued. The funds are based on individual easement agreements with land owners but the principal amounts are to remain intact and interest earned on the funds will be used to perform monitoring activities in perpetuity.

**b. Cash**

The total of restricted and unrestricted cash comprises cash and investments in the County Treasury. Cash is defined as all cash and investments with maturities of 90 days or less and the Habitat JPA's investment in the County of Yolo's pooled cash and investments.

**c. Fair Value Measurement**

The Habitat JPA implemented Governmental Accounting Standards Board (GASB) Statement No. 72, *Fair Value Measurement and Application* for reporting purposes and applying fair value to certain investments and disclosures related to all fair value measurements. The Habitat JPA categorizes the fair value measurements of its investments based on the hierarchy established by generally accepted accounting principles.

**YOLO COUNTY HABITAT/NATURAL COMMUNITY CONSERVATION  
PLAN JOINT POWERS AGENCY**

**NOTES TO FINANCIAL STATEMENTS (CONTINUED)  
YEAR ENDED JUNE 30, 2021**

---

**Note 1: Summary of Significant Accounting Policies (Continued)**

The fair value hierarchy, which has three levels, is based on the valuation inputs used to measure an asset's fair value: Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs.

The Habitat JPA is a participant in the Yolo County Treasurer's Pool (County Pool). The County Pool is an external investment pool, is not rated and is not registered with the Securities Exchange Commission (SEC). The Yolo County Treasury Oversight Committee conducts County Pool oversight. Cash on deposit in the County Pool at June 30, 2021, is stated at fair value. The County Pool values participant shares on an amortized cost basis during the year and adjusts to fair value at year-end. For further information regarding the County Pool, refer to the County of Yolo Comprehensive Annual Financial Report.

**d. Due From Other Governments**

Due from other governments receivables are recorded at their gross value and, where appropriate, are reduced by the portion that is considered uncollectible. Receivables consist primarily of grant claims that have been filed but not received as of year-end. Management believes its receivable balance to be fully collectible and, accordingly, no allowance for doubtful accounts has been recorded.

**e. Capital Assets**

All capital assets, including easements, are capitalized by the Habitat JPA. The Habitat JPA defines capital assets as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of one year. Purchased capital assets are stated at cost. Donated fixed assets are valued at their acquisition value. Depreciation of exhaustible capital assets is charged as an expense against operations. Capital assets of the Habitat JPA are reported in the statement of net position, net of accumulated depreciation. Depreciation is computed using the straight-line method over the estimated useful lives of the capital assets. Easements and intangible assets have indefinite useful lives and are not depreciated.

The Habitat JPA also capitalizes conservation easements acquired per the initiative of the Habitat JPA's objective. Conservation easements are a form of deed restriction that landowners voluntarily place on their property to protect certain features, including agricultural and wildlife habitat, open space, or cultural resources. A conservation easement is recorded in the chain of title and it vests the easement "holder" with authority to monitor the property and enforce the restrictions set forth in the easement. The landowner retains fee title to the property and, subject to the restrictions in the conservation easement, continues to determine the types of land uses and activities that occur on the property. Often, this includes continuing his or her current use of the encumbered property so long as such use(s) are compatible with the terms of the conservation easement.

YOLO COUNTY HABITAT/NATURAL COMMUNITY CONSERVATION  
PLAN JOINT POWERS AGENCY

NOTES TO FINANCIAL STATEMENTS (CONTINUED)  
YEAR ENDED JUNE 30, 2021

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**Note 1: Summary of Significant Accounting Policies (Continued)**

**f. Deferred Inflows of Resources**

The deferred inflows of resources represent an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

Unavailable revenues represent amounts associated with the state and federal grants of the Habitat JPA which are not expected to be received within the Habitat JPA's period of availability of 365 days. As such, these amounts are not available for expenditure and are required to be recorded as deferred inflows of resources in the governmental funds balance sheet.

**g. Net Position/Fund Balance**

Net Position is displayed in three components:

- *Investment in capital assets* - Consists of capital assets, net of accumulated depreciation.
- *Restricted net position* - Consists of net position with constraints placed on the use either by (1) external groups such as creditors, grantors, contributors or laws or regulations of other governments; or (2) law through constitutional provisions or enabling legislation.
- *Unrestricted net position* - All other net position that does not meet the definition of "restricted" or "net investment in capital assets."

When both restricted and unrestricted net position is available, restricted resources are used only after the unrestricted resources are depleted.

The governmental funds utilize a classified fund balance presentation. Fund balances are reported in classifications that comprise a hierarchy based primarily on the extent to which the government is bound to honor constraints on the specific purposes for which amounts can be spent as follows:

- *Nonspendable* – to reflect amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact.
- *Restricted* – to reflect amounts that can only be used for specific purposes pursuant to constraints either:
  - (a) externally imposed by creditors (such as debt covenants), grants, contributors, or laws or regulations of other governments or
  - (b) imposed by law through constitutional provisions or enabling legislation.

YOLO COUNTY HABITAT/NATURAL COMMUNITY CONSERVATION  
PLAN JOINT POWERS AGENCY

NOTES TO FINANCIAL STATEMENTS (CONTINUED)  
YEAR ENDED JUNE 30, 2021

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**Note 1: Summary of Significant Accounting Policies (Continued)**

- *Committed* – to reflect amounts that can only be used for specific purposes pursuant to the constraints imposed by formal action of the Board of the Habitat JPA. The formal action necessary to establish (and modify or rescind) a commitment is done through a majority vote via resolution of the Board of the Habitat JPA.
- *Assigned* – to reflect amounts that are constrained by formal actions of the Board of the Habitat JPA's intent to be used for specific purposes but are neither restricted nor committed. A formal action is not required to re-assign fund balance.
- *Unassigned* – to reflect amounts that have not been restricted, committed, or assigned to specific purposes.

When committed, assigned, and unassigned fund balance amounts are available for use, it is the Habitat JPA's policy to use committed resources first, then assigned resources, and then unassigned resources as they are needed.

**h. General Reserve**

During October 2013, the Board of Directors of the Habitat JPA adopted a general reserve of \$60,087. The reserve can only be released with action from the Board of Directors and was established in order to reserve funding to ensure fiscal stability of the Habitat JPA. The general reserve is reported in the General Fund's unassigned fund balance.

**i. Use of Estimates**

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts and disclosure of contingent amounts at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

**Note 2: Cash and Investments**

Habitat JPA holds restricted and unrestricted cash and investments with the Treasurer of the County of Yolo in a cash and investment pool. On a quarterly basis the Auditor Controller allocates interest to participants based upon their average daily balances. The Treasurer's investments and policies are overseen by the Yolo County Treasury Oversight Committee. Required disclosure information regarding the credit risk, custodial credit risk, concentration risk and interest rate risk of investments can be found in the County of Yolo's basic financial statements. The County of Yolo's financial statements may be obtained by contacting the County of Yolo's Auditor-Controller's Office at 625 Court Street, Room 103, Woodland, California 95695. The Yolo County Treasury Oversight Committee oversees the Treasurer's investments and policies.

Investments held in the County's investment pool are available on demand and are stated at fair value.

**YOLO COUNTY HABITAT/NATURAL COMMUNITY CONSERVATION  
PLAN JOINT POWERS AGENCY**

**NOTES TO FINANCIAL STATEMENTS (CONTINUED)  
YEAR ENDED JUNE 30, 2021**

**Note 2: Cash and Investments (Continued)**

California Government Code authorizes the Treasurer of the County to invest excess funds in the following list of eligible securities:

- a. Obligations of the County or any local agency and instrumentality in or of the State of California.
- b. Obligations of the U.S. Treasury, agencies and instrumentalities.
- c. Bankers' acceptances eligible for purchase by the Federal Reserve System.
- d. Commercial paper with an A-1 rating by Moody's Investors Service or a P-1 rating by Standard & Poor's Corporation.
- e. Repurchase agreements or reverse repurchase agreements.
- f. Medium-term notes with a five-year maximum maturity of corporations operating within the United States and rated in the top three rating categories by Moody's Investors Service and Standard & Poor's Corporation.
- g. Shares of beneficial interest issued by diversified management companies (money market funds) investing in securities and obligations as outlined in a) through f) above. Certain security rankings and/or organizational requirements apply to this type of investment.

Cash and investments are classified in the financial statements as follows:

Cash and Investments:

Cash in County Pooled Treasury	\$ 1,593,436
Restricted Cash in County Pooled Treasury	<u>416,365</u>
Total Cash and Investments	<u><u>\$ 2,009,801</u></u>

Investments

The Habitat JPA invests its cash in the County of Yolo Treasury Investment Pool. The Habitat JPA does not have its own investment policy defining criteria for selecting acceptable financial institutions, brokers/dealers, or allowable investment types as defined by Government Code 53601. The investments in the County of Yolo Treasury Investment Pool follow the County's investment policy with oversight by the Yolo County Treasury Oversight Committee.

At June 30, 2021, the Habitat JPA had the following investments:

	<u>Interest Rates</u>	<u>Maturities</u>	<u>Cost Value</u>	<u>Fair Value</u>
Cash in County Pooled Treasury	Variable	On demand	\$ 1,593,436	\$ 1,593,436
Restricted Cash in County Pooled Treasury	Variable	On demand	<u>416,365</u>	<u>416,365</u>
Total Cash and Investments			<u><u>\$ 2,009,801</u></u>	<u><u>\$ 2,009,801</u></u>

YOLO COUNTY HABITAT/NATURAL COMMUNITY CONSERVATION  
PLAN JOINT POWERS AGENCY

NOTES TO FINANCIAL STATEMENTS (CONTINUED)  
YEAR ENDED JUNE 30, 2021

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**Note 2: Cash and Investments (Continued)**

At June 30, 2021 the Habitat JPA had the following restrictions on cash balances:

Restricted for:	
Conservation Easement Endowment	<u>\$416,365</u>

The restricted cash is to provide funds for the monitoring of easements to ensure landowners follow the terms of the conservation easements purchased by the Yolo Habitat JPA. The monitoring is performed by the Habitat JPA, Yolo Land Trust, or California Waterfowl Association depending on the individual easement and reimbursed from the Habitat JPA's restricted cash.

Interest Rate Risk:

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment the greater the sensitivity of its fair value to changes in the market interest rate.

Credit Risk:

State law limits investments in commercial paper, corporate bonds, and mutual bond funds to the top two ratings issued by nationally recognized statistical rating organizations. The Habitat JPA has no investment policy that would further limit its investment choices.

Fair Value Measurement

The Habitat JPA categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 input are quoted prices in active markets for identical assets, Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs. As of June 30, 2021, the Habitat JPA held no individual investments. All funds are invested in the County Pool.

In instances where inputs used to measure fair value fall into different levels in the above fair value hierarchy, fair value measurements in their entirety are categorized based on the lowest level input that is significant to the valuation. Habitat JPA's assessment of the significance of particular inputs to these fair value measurements requires judgment and considers factors specific to each asset or liability. Deposits and withdrawals from the County Pool are made on the basis of \$1 and not fair value.

Accordingly, the Habitat JPA's proportionate share of investments in the County Pool at June 30, 2021 of \$2,009,801 is an uncategorized input not defined as a Level 1, Level 2, or Level 3 input.

**YOLO COUNTY HABITAT/NATURAL COMMUNITY CONSERVATION  
PLAN JOINT POWERS AGENCY**

**NOTES TO FINANCIAL STATEMENTS (CONTINUED)  
YEAR ENDED JUNE 30, 2021**

**Note 3: Capital Assets**

The Habitat JPA's capital assets consist of land easement agreements. The agreement limits certain uses on all or a portion of a property for conservation purposes while keeping the property in the landowner's ownership and control. These agreements do not have an expiration date and thus, the easements are considered to have indefinite useful lives.

A summary of changes in capital assets for the year ended June 30, 2021 is as follows:

	Balance July 1, 2020	Additions	Retirements	Balance June 30, 2021
Capital Assets, Not Being Depreciated				
Land Easements	\$ 2,174,926	\$ -	\$ -	\$ 2,174,926
Total Capital Assets, Not being Depreciated	<u>\$ 2,174,926</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 2,174,926</u>

**Note 4: Loans Payable**

During fiscal year 2019, the Habitat JPA's Board of Directors approved requests to member agencies for loans and pre-payments of mitigation fees to support implementation work for the NCCP/HCP. Total funding of \$426,890 was approved, and in fiscal year 2019, \$213,523 in loans were issued. The loans are to be repaid in fiscal year 2022 and shall not accrue interest until July 1, 2021. A summary of the loan balance is as follows:

Member Agency	Balance June 30, 2021
City of Davis	\$ 101,389
City of Winters	10,745
Yolo County	101,389
Total Loans Payable	<u>\$ 213,523</u>

In the event of default, the entire principal balance, together with accrued interest thereon, shall be immediately due and payable without presentment, demand, protest, or other notice of any kind, and the Habitat JPA will pay all reasonable fees and expenses incurred by the member agencies and those of its attorneys.

**Note 5: Risk Management**

The Habitat JPA is exposed to various risks of loss related to workers' compensation and general liability. The Habitat JPA participates in the Yolo County Public Agency Risk Management Insurance Agency (YCPARMIA), a public entity risk pool of governmental entities within Yolo County, for comprehensive general and auto liability, and worker's compensation insurance. Through the Habitat JPA's membership in the YCPARMIA, the Habitat JPA is provided with excess coverage through the California State Association of Counties – Excess Insurance Agency for catastrophic liability losses. Loss contingency reserves established by YCPARMIA are funded by contributions from member agencies.



**YOLO COUNTY HABITAT/NATURAL COMMUNITY CONSERVATION  
PLAN JOINT POWERS AGENCY**

**NOTES TO FINANCIAL STATEMENTS (CONTINUED)  
YEAR ENDED JUNE 30, 2021**

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**Note 5: Risk Management (Continued)**

The Habitat JPA pays an annual premium to YCPARMIA that includes its pro-rata share of excess insurance premiums, charges for the pooled risk, claims adjusting and legal cost, and administrative and other costs to operate the YCPARMIA. The Habitat JPA's deductibles and maximum coverages are as follows:

2021 Coverage	Deductible	YCPARMIA	Excess
General Liability	\$ 5,000	\$ 500,000	\$ 40,000,000

The Habitat JPA has had no settlements exceeding coverage in the fiscal year ended June 30, 2021 or the prior two fiscal years.

**Note 6: Related Party Transactions**

The County of Yolo provides certain legal, accounting, administrative, and other professional services to the Habitat JPA. Although the Habitat JPA was created in part by the County of Yolo, it is not part of the County's financial reporting entity. Legal, payroll, and accounting services are billed separately and at amounts that will approximately recover the County's full cost of providing such services. The Habitat JPA had expenditures for services provided by the County for the 2021 fiscal year as follows:

	Amount
Legal	\$ 1,511

**Note 7: Contingencies**

The Habitat JPA receives funding for specific purposes through state and federal grants that are subject to review and audit by the funding source. Such audits could result in a request for reimbursement of expenditures to be disallowed under the terms and conditions of the contracts. Management is of the opinion that no material liabilities will result from such potential audits.

**Note 8: Mitigation Credits**

On November 10, 2008, the Habitat JPA Board of Directors adopted Resolution 2008-02 supporting the creation of receiving sites for Swainson's Hawk Foraging Habitat Mitigation and the subsequent sale of mitigation credits. The Habitat JPA has engaged in the subsequent sale and exchange of mitigation credits in order to acquire conservation easements. The Habitat JPA is responsible for the tracking and management of the mitigation credits provided. As of June 30, 2021, a total of 5 mitigation receiving sites have been established for 980.7 acres. A total of 810.95 credits have been issued as of June 30, 2021. Landowners are responsible for reporting the sales of credits to the Habitat JPA in accordance with the Mitigation Credit agreement between the Habitat JPA and the landowner.

**YOLO COUNTY HABITAT/NATURAL COMMUNITY CONSERVATION  
PLAN JOINT POWERS AGENCY**

**NOTES TO FINANCIAL STATEMENTS (CONTINUED)  
YEAR ENDED JUNE 30, 2021**

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**Note 9: Contingencies and Commitments**

Grant Awards

The Habitat participates in certain federal, and state assisted grant programs. These programs are subject to program compliance audits by the grantors or their representatives. Any liability for reimbursement which may arise as the result of these audits is not believed to be material.

**Note 10: Economic Dependence**

The Habitat JPA is economically dependent on revenue derived from mitigation fees from member agencies consisting of 90 percent of General Fund program revenues for the year ended June 30, 2021. The Habitat JPA is dependent on the continued support member agencies for the organization's objective of the implementation of the Yolo County Habitat/Natural Community Conservation Plan and to continue operations in the future.

**REQUIRED SUPPLEMENTARY INFORMATION**

YOLO COUNTY HABITAT/NATURAL COMMUNITY  
 CONSERVATION PLAN JOINT POWERS AGENCY

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL  
 GENERAL FUND  
 YEAR ENDED JUNE 30, 2021

	Budget Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
<b>Revenues</b>				
Mitigation fees	\$ 397,600	\$ 397,600	\$ 645,106	\$ 247,506
Use of money and property	-	-	3,196	3,196
Charges for services	-	-	1,981	1,981
<b>Total Revenues</b>	<b>397,600</b>	<b>397,600</b>	<b>650,283</b>	<b>252,683</b>
<b>Expenditures</b>				
Services and Supplies				
Professional services	780,511	780,511	382,621	397,890
Other expenditures	97,786	97,786	950	96,836
<b>Total Expenditures</b>	<b>878,297</b>	<b>878,297</b>	<b>383,571</b>	<b>494,726</b>
Net Change in Fund Balances	(480,697)	(480,697)	266,712	747,409
Fund Balances, Beginning of Year	336,543	336,543	336,543	-
<b>Fund Balances (Deficits), End of Year</b>	<b>\$ (144,154)</b>	<b>\$ (144,154)</b>	<b>\$ 603,255</b>	<b>\$ 747,409</b>

YOLO COUNTY HABITAT/NATURAL COMMUNITY  
 CONSERVATION PLAN JOINT POWERS AGENCY

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL  
 GRANT FUND  
 YEAR ENDED JUNE 30, 2021

	Budget Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
<b>Revenues</b>				
Grant revenue	\$ 4,800,000	\$ 4,800,000	\$ 193,876	\$ (4,606,124)
Mitigation fees	169,890	169,890	-	(169,890)
Use of money and property	-	-	(122)	(122)
<b>Total Revenues</b>	<b>4,969,890</b>	<b>4,969,890</b>	<b>193,754</b>	<b>(4,776,136)</b>
<b>Expenditures</b>				
Services and Supplies				
Professional services	4,970,890	4,970,890	136,270	4,834,620
<b>Total Expenditures</b>	<b>4,970,890</b>	<b>4,970,890</b>	<b>136,270</b>	<b>4,834,620</b>
<b>Net Change in Fund Balance</b>	<b>(1,000)</b>	<b>(1,000)</b>	<b>57,484</b>	<b>58,484</b>
Fund Balances, Beginning of Year	26,295	26,295	26,295	-
<b>Fund Balances (Deficits), End of Year</b>	<b>\$ 25,295</b>	<b>\$ 25,295</b>	<b>\$ 83,779</b>	<b>\$ 58,484</b>

See Notes to Required Supplementary Information.

YOLO COUNTY HABITAT/NATURAL COMMUNITY  
 CONSERVATION PLAN JOINT POWERS AGENCY

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL  
 OTHER REVENUE FUND  
 YEAR ENDED JUNE 30, 2021

	Budget Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
<b>Revenues</b>				
Mitigation fees	\$ -	\$ -	\$ 770	\$ 770
Use of money and property	-	-	(1,353)	(1,353)
<b>Total Revenues</b>	<b>-</b>	<b>-</b>	<b>(583)</b>	<b>(583)</b>
<b>Expenditures</b>				
Services and Supplies				
Professional services	45,265	45,265	17,796	27,469
<b>Total Expenditures</b>	<b>45,265</b>	<b>45,265</b>	<b>17,796</b>	<b>27,469</b>
Net Change in Fund Balances	(45,265)	(45,265)	(18,379)	26,886
Fund Balances, Beginning of Year	42,255	42,255	42,255	-
<b>Fund Balances (Deficits), End of Year</b>	<b>\$ (3,010)</b>	<b>\$ (3,010)</b>	<b>\$ 23,876</b>	<b>\$ 26,886</b>

See Notes to Required Supplementary Information.

YOLO COUNTY HABITAT/NATURAL COMMUNITY  
 CONSERVATION PLAN JOINT POWERS AGENCY

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL  
 MITIGATION TRUST ACCOUNT FUND  
 YEAR ENDED JUNE 30, 2021

	Budget Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
<b>Revenues</b>				
Mitigation fees	\$ 10,000	\$ 10,000	\$ -	\$ (10,000)
Use of money and property	-	-	1,038	1,038
<b>Total Revenues</b>	<b>10,000</b>	<b>10,000</b>	<b>1,038</b>	<b>(8,962)</b>
<b>Expenditures</b>				
Services and Supplies				
Professional services	55,000	55,000	-	55,000
Capital outlay	690,000	690,000	-	690,000
<b>Total Expenditures</b>	<b>745,000</b>	<b>745,000</b>	<b>-</b>	<b>745,000</b>
Net Change in Fund Balances	(735,000)	(735,000)	1,038	736,038
Fund Balances, Beginning of Year	736,373	736,373	736,373	-
<b>Fund Balances (Deficits), End of Year</b>	<b>\$ 1,373</b>	<b>\$ 1,373</b>	<b>\$ 737,411</b>	<b>\$ 736,038</b>

See Notes to Required Supplementary Information.

**YOLO COUNTY HABITAT/NATURAL COMMUNITY CONSERVATION  
PLAN JOINT POWERS AGENCY**

**NOTES TO REQUIRED SUPPLEMENTARY INFORMATION  
YEAR ENDED JUNE 30, 2021**

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**Note 1: Budget and Budgetary Accounting**

The Habitat JPA prepares and is required to legally adopt a final budget for all funds on or before June 30th of each fiscal year. Habitat JPA operation, commencing July 1st, is governed by the proposed budget, which is prepared on the modified accrual basis and normally adopted by the JPA Board of Directors in June of the prior year.

After the budget is approved, the Executive Director is authorized to execute transfers within major budget units as long as the total expenditures for each budget unit remain unchanged. The Habitat JPA measures compliance with the legally adopted budget at the major object level.

An operating budget is adopted each fiscal year on the modified accrual basis.



**SUPPLEMENTARY INFORMATION**

YOLO COUNTY HABITAT/NATURAL COMMUNITY  
 CONSERVATION PLAN JOINT POWERS AGENCY

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL  
 PRE-PERMIT ENDOWMENT FUND  
 YEAR ENDED JUNE 30, 2021

	Budget Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
<b>Revenues</b>				
Use of money and property	\$ 7,500	\$ 7,500	\$ (28,668)	\$ (36,168)
<b>Total Revenues</b>	<b>7,500</b>	<b>7,500</b>	<b>(28,668)</b>	<b>(36,168)</b>
<b>Expenditures</b>				
Conservation Activities:				
Professional Services	10,000	10,000	598	9,402
Fees	5,000	5,000	-	5,000
<b>Total Expenditures</b>	<b>15,000</b>	<b>15,000</b>	<b>598</b>	<b>14,402</b>
Net Change in Fund Balances	(7,500)	(7,500)	(29,266)	(21,766)
Fund Balances, Beginning of Year	413,427	413,427	413,427	-
<b>Fund Balances (Deficits), End of Year</b>	<b>\$ 405,927</b>	<b>\$ 405,927</b>	<b>\$ 384,161</b>	<b>\$ (21,766)</b>

YOLO COUNTY HABITAT/NATURAL COMMUNITY  
 CONSERVATION PLAN JOINT POWERS AGENCY

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL  
 POST-PERMIT ENDOWMENT FUND  
 YEAR ENDED JUNE 30, 2021

	Budget Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
<b>Revenues</b>				
Cost Recovery Fees	\$ 11,500	\$ 11,500	\$ 13,138	\$ 1,638
Use of money and property	100	100	(759)	(859)
<b>Total Revenues</b>	<b>11,600</b>	<b>11,600</b>	<b>12,379</b>	<b>779</b>
<b>Expenditures</b>				
Conservation activities:				
Professional Services	2,000	2,000	-	2,000
Fees	2,000	2,000	-	2,000
<b>Total Expenditures</b>	<b>4,000</b>	<b>4,000</b>	<b>-</b>	<b>4,000</b>
Net Change in Fund Balances	7,600	7,600	12,379	4,779
Fund Balances, Beginning of Year	19,825	19,825	19,825	-
<b>Fund Balances (Deficits), End of Year</b>	<b>\$ 27,425</b>	<b>\$ 27,425</b>	<b>\$ 32,204</b>	<b>\$ 4,779</b>



INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL  
OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS  
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE  
WITH *GOVERNMENT AUDITING STANDARDS*

To the Honorable Board of Directors  
Yolo County Habitat/Natural Community Conservation Plan  
Joint Powers Agency  
Woodland, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, and each major fund, of the Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency (the Habitat JPA) as of and for the year ended June 30, 2021, and the related notes to the financial statements, which collectively comprise the Habitat JPA's basic financial statements, and have issued our report thereon dated March 21, 2022.

### Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Habitat JPA's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Habitat JPA's internal control. Accordingly, we do not express an opinion on the effectiveness of the Habitat JPA's internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified. We did identify deficiencies in internal control described in the accompanying schedule of findings and questioned costs as Finding 2021-001 and 2021-002, that we consider to be significant deficiencies.



To the Honorable Board of Directors  
Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency  
Woodland, California

### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Habitat JPA's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### **Habitat's Response to Findings**

The Habitat's response to the findings identified in our audit was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Habitat JPA's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in cursive script that reads "Lance, Soll &amp; Lughard, LLP".

Sacramento, California  
March 21, 2022



To the Honorable Board of Directors  
Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency  
Woodland, California

## SCHEDULE OF FINDINGS AND QUESTIONED COSTS

### Accounts Payable Accrual

**Reference Number:** 2021-001

**Evaluation of Finding:**  
Significant Deficiency

**Condition:**

During our audit test work, we noted one invoice, relating to expenditures incurred prior to June 30, 2021, that were not accrued to the fiscal year.

**Criteria:**

Generally Accepted Accounting Principles require expenditures to be recorded in the period in which they are incurred.

**Cause of Condition:**

During the review of accounts payable, Agency staff performed a review of the invoices based upon the invoice date, rather than the period of performance of the service.

**Effect or Potential Effect of Condition:**

The result was that payables and expenditures were understated. When brought to the management's attention, an adjustment was made to correct the issue.

**Recommendation:**

We recommend that the Agency perform a thorough review accounts payable invoices at fiscal year-end based on the period of work performed in addition to the invoice date to ensure that accounts payable are properly recorded.

**Management's Response and Corrective Action:**

As described in the finding, management corrected this error, an improper accrual of a single invoice, upon its identification. Management concurs with the recommendation and will work with the County Department of Financial Services to implement. Management would also note that due to the value of its fund balance and revenues the agency was subject to a low materiality threshold in FY20-21.

### Due from other Governments Accrual

**Reference Number:** 2021-002

**Condition:**

During our test work of due from other governments, we noted five duplicate postings of due from amounts.

**Criteria:**

Generally Accepted Accounting Principles require revenues and due from other government amounts to be recorded in the period earned.

**Cause of Condition:**

We noted a duplicate entry was posted due to lack of oversight.



To the Honorable Board of Directors  
Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency  
Woodland, California

#### **SCHEDULE OF FINDINGS AND QUESTIONED COSTS (Continued)**

**Effect or Potential Effect of Condition:**

The duplicate entry caused an overstatement of revenue and due from other government amounts. When brought to the management's attention, an adjustment was made to correct the issue.

**Recommendation:**

We recommend that the Agency perform a thorough review of due from other government amounts at fiscal year-end based on period earned and total amounts expected to ensure that due from other governments are properly recorded.

**Management's Response and Corrective Action:**

As described in the finding, management corrected this error upon its identification. Management concurs with the recommendation and will work with the County Department of Financial Services to implement. Management would also note that due to the value of its fund balance and revenues the agency was subject to a low materiality threshold in FY20-21.



March 21, 2022

To the Honorable Members of the Board  
Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency  
Woodland, California

We have audited the financial statements of the Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency (the Habitat JPA), each major fund for the year ended June 30, 2021. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards* and the Uniform Guidance, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated March 21, 2022. Professional standards also require that we communicate to you the following information related to our audit.

### **Significant Audit Findings and Other Issues**

#### ***Qualitative Aspects of Significant Accounting Practices***

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City are described in the notes to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during fiscal year 2020-2021. We noted no transactions entered into by the Habitat JPA during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected.

The financial statement disclosures are neutral, consistent, and clear.

#### ***Significant Unusual Transactions***

Management is responsible for the policies and practices used to account for significant unusual transactions. No significant unusual transactions have occurred during fiscal year 2020-2021.

#### ***Difficulties Encountered in Performing the Audit***

We encountered no significant difficulties in dealing with management in performing and completing our audit.





To the Honorable Board of Directors  
Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency  
Woodland, California

***Corrected and Uncorrected Misstatements***

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, we detected misstatements as a result of audit procedures which were material, and were subsequently corrected by management. The details of these misstatements are described in a separate letter dated March 21, 2022.

***Disagreements with Management***

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

***Circumstances that Affect the Form and Content of the Auditor's Report***

New auditing standards were implemented in fiscal year 2020-2021 related to Statement of Auditing Standards 134, *Auditor Reporting and Amendments, Including Amendments Addressing Disclosures in the Audit of Financial Statements*, through Statement of Auditing Standards 140, *Supplementary Information in Relation to the Financial Statements as a Whole*. These standards updated the form and content of the financial statement auditor's report. The purpose of the change was to present an easier format for users to understand the results of the audit and management's responsibilities.

***Management Representations***

We have requested certain representations from management that are included in the management representation letter dated March 21, 2022.

***Management Consultations with Other Independent Accountants***

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to Habitat JPA's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

***Other Audit Findings or Issues Discussed with Management***

We generally discuss a variety of matters, including the significant events or transactions that occurred during the year, business conditions affecting the Habitat JPA's and business plans and strategies that may affect the risks of material misstatements, the application of accounting principles and auditing standards, with management each year prior to retention as Habitat JPA's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.



To the Honorable Board of Directors  
Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency  
Woodland, California

**Other Matters**

We applied certain limited procedures to the management discussion and analysis, and budgetary comparison schedules for the general fund, grant revenue fund, other revenue fund and mitigation trust account fund which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on individual non-major fund schedules which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

The following new Governmental Accounting Standards Board (GASB) pronouncements were effective for fiscal year 2020-2021 audit:

GASB Statement No. 84, *Fiduciary Activities*.

GASB Statement No. 90, *Majority Equity Interests - an Amendment of GASB Statement Nos. 14 and 61*.

The following GASB pronouncements are effective in the following fiscal years' audits and should be reviewed for proper implementation by management:

Fiscal year 2022

GASB Statement No. 87, *Leases*.

GASB Statement No. 89, *Accounting for Interest Cost Incurred before the End of a Construction Period*.

GASB Statement No. 97, *Certain Component Unit Criteria, and Accounting and Financial Reporting for Internal Revenue Code Section 457 Deferred Compensation Plans*.

Fiscal year 2023

GASB Statement No. 91, *Conduit Debt Obligations*.

GASB Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangement*.

GASB Statement No. 96, *Subscription-Based Information Technology Arrangements*.



To the Honorable Board of Directors  
Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency  
Woodland, California

**Restriction on Use**

This information is intended solely for the use of the board and management of Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency and should not be, used by anyone other than these specified parties.

Very truly yours,

*Lance, Solt & Lingham, LLP*

Sacramento, California

**Yolo Habitat Conservancy**

**Meeting Date:** 05/16/2022

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**Information**

**SUBJECT**

Approve 2022-23 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

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**Attachments**

Staff Report

Attachment A. Budget Summary

Attachment B. Grant Balances

Attachment C. Budget Resolution

Attachment D. FY21-22 Organization and Budget Goals Outcomes

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**Form Review**

Form Started By: Alexander Tengolics

Started On: 05/11/2022 02:01 PM

Final Approval Date: 05/12/2022



# Yolo Habitat Conservancy

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

To: Gary Sandy, Chair  
Members of the Board

From: Alexander Tengolics  
Executive Director

Re: Approve 2022-23 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

Date: May 16, 2022

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## REQUESTED ACTIONS:

1. Approve FY 2022-23 budget (Attachment A)
2. Approve budget resolution (Attachment C)

## BACKGROUND:

The Conservancy financial structure has six funds, with a separate budget for each fund, as follows:

- **Mitigation Fee Fund.** The Conservancy places revenue collected from mitigation fees in this fund and tracks expenditures of mitigation fees.
- **Grant Fund.** The Conservancy tracks all grant revenues and expenditures through this fund.
- **Other Revenue Fund.** The Conservancy places revenue from Special Participating Entities contribution to recovery fees, landowner contributions, and other non-mitigation fee revenue in this fund.
- **Mitigation Trust Account.** The fund contains Swainson's hawk mitigation fees collected prior to permit issuance on January 9, 2019. This Conservancy will exhaust these funds by purchasing conservation easements and close the account.

- **Pre-permit Endowment Fund.** This fund contains revenue from endowments to monitor conservation easements collected prior to issuance of the permits on January 9, 2019. As of 2022, these funds are managed by the Yolo/Sacramento Community Foundation.
- **Post-permit Endowment Fund.** The Conservancy places a portion of every mitigation fee in this fund to save for management and monitoring of the reserve system after the permit term ends in 50 years. As of 2022, these funds are managed by the Yolo/Sacramento Community Foundation.

The proposed FY22-23 budgets for the Mitigation Fee Fund, the Grant Fund, the Other Revenue Fund, the Mitigation Trust Account, and the Pre-Permit Endowment Fund and Post-Permit Endowment are presented in Attachment A. A report on current grant balances is included in Attachment B. The budget was reviewed by Yolo County's Chief Financial Officer.

The Conservancy expects to end the FY21-22 with almost \$3.4 million in fund balance. This fund balance is largely driven by permit revenue. Overall, the Conservancy has a strong fiscal outlook. Highlights of the FY22-23 budget include:

**Continued emphasis on easement acquisition.** The Conservancy continues with easement acquisitions and completed a solicitation for interested landowners in 2021. Staff and consultants will focus on closing out the 2020 Section 6 grant and expending the remaining \$550,000 in the Mitigation Trust Account to acquire easements for the benefit of the Swainson's Hawk before acquiring sites with permit fee revenue. There are currently nine sites in various stages of acquisition due diligence.

**Continuation of current administrative model.** The FY22-23 budget anticipates a continuation of the County providing administrative services and the majority of the existing consultant contracts being renewed. FY22-23 will be the third year of county administration of the Conservancy. In that time, the Conservancy's financial outlook has dramatically improved providing the Board the opportunity to reevaluate the current administrative model, should it so choose. Staff will work with the Chair and Vice-Chair in the following months to discuss any need to reevaluate the current administrative model and the Conservancy's long-term resource needs.

Based on these budget highlight, staff proposes the following organizational and budget goals for FY22-23. Outcomes of the FY21-22 organizational and budget goals are included in Attachment D.

### **FY22-23 Organizational and Budget Goals**

- Close at least five easements and fully expend and close the Mitigation Trust Account
- Reevaluate current administrative model and long-term resource needs



**ATTACHMENTS:**

**Attachment A.** Mitigation Fee Fund, Grant Fund, Other Revenue Fund, Mitigation Trust Account, Pre-Permit Endowment Fund, and Post-Permit Endowment Fund Budgets

**Attachment B.** Grant Balances

**Attachment C.** Budget Resolution

**Attachment D.** FY21-22 Organization and Budget Goals Outcomes



Fund #	Description	FY21-22 Beginning Balance	FY21-22 Revenue (Estimated Actual)	FY21-22 Revenue (Budgeted)	FY21-22 Expenditure (Estimated Actual)	FY21-22 Expenditure (Budgeted)	FY21-22 Actual Revenue vs. Expenditure	FY21-22 Ending Balance (Estimated)	FY22-23 Revenue (Budgeted)	FY22-23 Expenditure (Budgeted)	FY22-23 Ending Balance (Budgeted)
<b>6944</b>	<b>Mitigation Fee Fund</b>	\$ 603,255	\$ 3,504,000	\$ 1,500,000	\$ (686,614)	\$ (1,410,000)	\$ 2,817,386	\$ 3,420,641	\$ 1,505,000	\$ (4,055,500)	\$ 870,141
	<i>Revenues</i>										
	Fees and Permits		\$ 3,500,000	\$ 1,500,000				\$ 1,500,000			
	Interest		\$ 4,000	\$ -				\$ 5,000			
	<i>Expenditures</i>										
	Insurance-public liability				\$ (500)	\$ (500)				\$ (500)	
	Prof & Sec Svc - auditing and accounting				\$ (10,000)	\$ (40,000)				\$ (30,000)	
	Prof & Sec Svc - Legal				\$ (5,000)	\$ (20,000)				\$ (20,000)	
	Prof & Sec Svc - Other				\$ (450,000)	\$ (710,000)				\$ (750,000)	
	Board Meeting Stipends				\$ (5,000)	\$ (8,000)				\$ (5,000)	
	Easements - Non Depreciable				\$ -	\$ (350,000)				\$ (3,000,000)	
	Loan Repayment				\$ (216,114)	\$ (213,523)				\$ -	
	Contingency				\$ -	\$ (67,977)				\$ (250,000)	
	<i>Use (Contribution) to Fund Balance</i>										
	Transfer to reserve				\$ (90,000)	\$ (90,000)				\$ (200,000)	
<b>6945</b>	<b>Mitigation Account Fund</b>	\$ 737,411	\$ 3,000	\$ 10,000	\$ (189,527)	\$ (753,386)	\$ (186,527)	\$ 550,884	\$ 2,000	\$ (552,884)	\$ -
	<i>Revenues</i>										
	Interest		\$ 3,000	\$ 10,000				\$ 2,000			
	<i>Expenditures</i>										
	Prof & Spec Svc - Legal										
	Prof & Spec Svc - Other										
	Easements - Non Depreciable				\$ (189,527)	\$ (753,386)				\$ (552,884)	
<b>6946</b>	<b>Grant Fund</b>	\$ 83,779	\$ 49,870	\$ 133,792	\$ (50,000)	\$ (100,000)	\$ (130)	\$ 83,649	\$ 125,000	\$ (125,000)	\$ 83,649
	<i>Revenues</i>										
	Interest		\$ (130)								
	Other revenue- State		\$ 50,000	\$ 133,792				\$ 125,000			
	<i>Expenditures</i>										
	Prof & spec svc-other				\$ (50,000)	\$ (100,000)				\$ (125,000)	
<b>6947</b>	<b>Pre Permit Endowment Fund</b>	\$ 384,161	\$ (1,055)	\$ 10,000	\$ (5,750)	\$ (2,000)	\$ (6,805)	\$ 377,356	\$ 10,000	\$ (10,000)	\$ 377,356
	<i>Revenues</i>										
	Interest		\$ (1,055)	\$ 10,000				\$ 10,000			
	<i>Expenditures</i>										
	Prof & spec svc-other				\$ (5,750)	\$ (2,000)				\$ (10,000)	
<b>6948</b>	<b>Post Permit Endowment</b>	\$ 32,204	\$ 91,117	\$ 40,000	\$ -	\$ -	\$ 91,117	\$ 123,321	\$ 44,000	\$ (44,000)	\$ 123,321
	<i>Revenues</i>										
	Fees and Permits		\$ 91,000	\$ 39,000				\$ 39,000			
	Interest		\$ 117	\$ 1,000				\$ 5,000			
	<i>Use (Contribution) to Fund Balance</i>										
	Contribution to fund balance									\$ (44,000)	\$ -
<b>6949</b>	<b>Other Revenue Fund</b>	\$ 23,876	\$ 40,147	\$ 25,000	\$ -	\$ (25,000)	\$ 40,147	\$ 64,022	\$ 51,000	\$ -	\$ 115,022
	<i>Revenues</i>										
	Fees and Permits		\$ 40,000	\$ 25,000				\$ 50,000			
	Interest		\$ 147	\$ -				\$ 1,000			
	<i>Expenditures</i>										
	Prof & spec svc-other				\$ -	\$ (25,000)				\$ -	
<b>All Funds</b>		\$ 1,864,686	\$ 3,687,079	\$ 1,718,792	\$ (931,891)	\$ (2,290,386)	\$ 2,755,187	\$ 4,619,873	\$ 1,737,000	\$ (4,787,384)	\$ 1,569,489



HABITAT ACTIVE GRANT INVOICE LOG FY21-22

<b>2020 Local Assistance Grant (LAG2) (Q2020102 ) Exp: 3/31/23 Total:\$125,000 6946-53-2931-7035</b>							LCC Reserve Unit 7	Customer#:1732	Account: 401340
Invoice Number	Sent To	For	Date Sent	Invoice Total	Retention	Date Received			
<b>FY 21-22</b>									
1	Gabe Quillman (CDFW)	Qtr 4 (April - June 2021)	8/10/2021	\$ 5,212.72	n/a	10/12/2021			
2	Gabe Quillman (CDFW)	Qtr 1 (Jul, Aug, Sep 2021)	11/1/2021	\$ 5,717.37	n/a	1/5/2022			
3	Gabe Quillman (CDFW)	To be combined with Q3							
4	Gabe Quillman (CDFW)								
5	Gabe Quillman (CDFW)								
6	Gabe Quillman (CDFW)								
7	Gabe Quillman (CDFW)								
8	Gabe Quillman (CDFW)								
<b>Totals</b>				<b>\$ 10,930.09</b>					

<b>2020 Local Assistance Grant (LAG2) (Q2020101 ) Exp: 3/31/23 Total: \$50,000 6946-53-2931-7036</b>							Swh Priority Mapping	Customer#:1732	Account: 401340
Invoice Number	Sent To	For	Date Sent	Invoice Total	Retention	Date Received			
<b>FY 21-22</b>									
1	Gabe Quillman (CDFW)	Qtr 4 (April - June 2021)	8/16/2021	\$ 5,150.00	n/a	9/28/2021			
2	Gabe Quillman (CDFW)	Qtr 1 (Jul, Aug, Sep 2021)	11/1/2021	\$ 2,667.50	n/a	1/4/2022			
3	Gabe Quillman (CDFW)	Qtr 2 (Oct, Nov, Dec 2021)	2/15/2022	\$ 4,112.50	n/a				
4	Gabe Quillman (CDFW)								
5	Gabe Quillman (CDFW)								
6	Gabe Quillman (CDFW)								
7	Gabe Quillman (CDFW)								
8	Gabe Quillman (CDFW)								
<b>Totals</b>				<b>\$ 11,930.00</b>					

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

**Resolution of the Yolo Habitat Conservancy Board of Directors Adopting the  
Fiscal Year 2022-23 Budget**

**WHEREAS**, the Board of Directors (“Board”) of the Yolo Habitat Conservancy (“YHC”) has heard and considered annual budgets for the FY 2022-23 Mitigation Fee Fund, Grant Fund, Other Revenue Fund, Mitigation Trust Account Fund, Pre-Permit Endowment Fund, and the Post-Permit Endowment Fund (collectively, the “Fiscal Year 2022-23 Budget”); and

**WHEREAS**, the May 16, 2022 staff report for the Fiscal Year 2022-23 budget provides information regarding each fund or account included in the overall YHC budget; and

**WHEREAS**, the recommended budgets for the Mitigation Fee Fund, Grant Fund, Other Revenue Fund, Mitigation Trust Account Fund, Pre-Permit Endowment Fund, and the Post-Permit Endowment Fund are balanced, with total revenues and other available funds equaling or exceeding total expenditures; and

**WHEREAS**, at the conclusion of the Board’s consideration of this item at its May 16, 2022 public meeting, the Board of Directors determined that it was necessary and appropriate to approve the Fiscal Year 2022-23 Budget;

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

1. The Board adopts the Mitigation Fee Fund budget and approves the appropriations of \$4,055,500 based on the revenue of \$1,505,000 and use of the available fund balance of \$2,550,000 (Mitigation Fee Fund), as set forth therein.
2. The Board adopts the Grant Fund budget and approves the appropriations of \$125,000 based on the revenue of \$125,000, as set forth therein.
3. The Board adopts the Other Revenue Fund budget and approves the appropriations of \$0 based on the revenue of \$51,000 as set forth therein.
4. The Board adopts the Mitigation Trust Account Fund budget and approves the appropriations of \$552,884 based on the revenue of \$2,000 and use of the available fund balance of \$550,884 (Mitigation Trust Account Fund), as set forth therein.
5. The Board adopts the Pre-permit Endowment Fund budget and approves the appropriations of \$10,000 based on the revenue of \$10,000, as set forth therein.
6. The Board adopts the Post-permit Endowment Fund budget and approves the appropriations of \$44,000 based on the revenue of \$44,000, as set forth therein.
7. The Board adopts the annual work plan for FY2022-23, as set forth in the staff report accompanying this Resolution.

**PASSED AND ADOPTED** by the Board of Directors of the Yolo Habitat Conservancy on May 16, 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

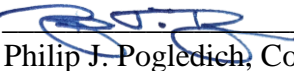
**ABSTAIN:**

\_\_\_\_\_  
Gary Sandy, 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

FY21-22 Yolo Habitat Conservancy Organizational and Budget Goals- Final Report

<b>Goal</b>	<b>Status</b>
Close at least five easements and fully expend and close the Mitigation Trust Account	The Conservancy has closed four easements in FY21-22 and spent down 26% of remaining funds in the Mitigation Trust Account.
Complete development and implementation of permitting, reserve system, and monitoring database	Staff has completed the framework of the database and is in the process of populating the database.
Complete transition of endowment funds to a community foundation	Complete.
Engage the Department of Water Resources on matters related to mitigation credit agreements including the West Sacramento Area Flood Control Agency pilot mitigation credit agreement	Staff has engaged the West Sacramento Area Flood Control Agency and its consultant team to understand the status of negotiations with the California Department of Fish and Wildlife and coordinate review of any potential mitigation credit agreement.

**Yolo Habitat Conservancy**

**Meeting Date:** 05/16/2022

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**Information**

**SUBJECT**

Approve contract amendments with Conservation Land Group, Dokken Engineering, Estep Environmental Consulting, ICF Jones & Stokes Inc. and a contract with Alford Environmental Consulting for services to be provided in FY 22-23 and amend and extend the term of Memorandum of Understanding with Yolo County for Administrative Services through June 30, 2023

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**Attachments**

Staff Report

Attachment A. Conservation Land Group Amendment

Attachment B. Dokken Engineering Amendment

Attachment C. Estep Environmental Consulting Amendment

Attachment D. ICF Jones & Stokes Inc. Amendment

Attachment E. Alford Environmental LLC Contract

Attachment F. Yolo County MOU Amendment

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**Form Review**

Form Started By: Alexander Tengolics

Started On: 05/11/2022 01:40 PM

Final Approval Date: 05/12/2022



# Yolo Habitat Conservancy

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

To: Gary Sandy, Chair  
Members of the Board

From: Alexander Tengolics  
Executive Director

Re: Approve contract amendments with Conservation Land Group, Dokken Engineering, Estep Environmental Consulting, ICF Jones & Stokes Inc. and a contract with Alford Environmental Consulting for services to be provided in FY 22-23 and amend and extend the term of Memorandum of Understanding with Yolo County for Administrative Services through June 30, 2023

Date: May 16, 2022

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## REQUESTED ACTIONS:

1. Approve contract amendments with Conservation Land Group, Dokken Engineering, Estep Environmental Consulting, ICF Jones & Stokes Inc. and a contract with Alford Environmental Consulting (Attachments A-E)
2. Amend and extend the term of the Memorandum of Understanding with Yolo County for Administrative Services through June 30, 2023 (Attachment F)

## BACKGROUND:

Current agreements with Conservation Land Group, Dokken Engineering, Estep Environmental Consulting, ICF Jones & Stokes Inc. and Alford Environmental Consulting expire on June 30, 2022. Staff recommend establishing new contracts or amendments for each of these entities to provide services through June 30, 2023 that support implementation of the Yolo HCP/NCCP and are consistent with the proposed FY22-23 budget. The amounts and general task descriptions are provided below for each contract.

**Conservation Land Group:** The proposed contract amendment is for \$30,000 for services provided from July 1, 2022 through June 30, 2023. Tasks associated with this agreement include technical services to assist with conservation easement acquisitions.

**Dokken Engineering:** The proposed contract amendment is for \$30,000 for services provided from July 1, 2022 through June 30, 2023. Tasks associated with this agreement include technical services to assist with conservation easement acquisitions.

**Estep Environmental Consulting:** The proposed contract amendment is for \$38,263.75 for services to be provided from July 1, 2022 through June 30, 2023. Tasks associated with this agreement include review of HCP/NCCP permit coverage applications, reserve system site review and acquisition assistance, elderberry transplantation and riparian restoration assistance, and general habitat and covered species surveys and advisory services as needed.

**ICF Jones & Stokes:** The proposed contract amendment is for \$78,750 for services to be provided from July 1, 2022 through June 30, 2023. Tasks associated with this agreement include implementation assistance services, such as program administration, land acquisition, restoration, reserve management and reserve monitoring and research.

**Alford Environmental LLC:** The proposed contract is for \$150,000 for services to be provided from July 1, 2022 through June 30, 2023. Tasks associated with this agreement include management of Yolo HCP/NCCP reserve system development, coordination with wildlife agency staff and partners, grant writing, and other assistance related to implementation of the Yolo HCP/NCCP.

**Yolo County Services:** Staff also recommends the Board extend the term of the Memorandum of Understanding with the County for administrative services through June 30, 2023. Pursuant to Section 5 of the Memorandum of Understanding, the County's lead assigned staff conferred with the Chair of the Board of Directors about this proposed amendment. The FY22-23 budget contemplates \$225,000 for County services including administration, legal, fiscal, accounting, and IT, same as FY21-22.

**ATTACHMENTS:**

- Attachment A.** Conservation Land Group Amendment
- Attachment B.** Dokken Engineering Amendment
- Attachment C.** Estep Environmental Consulting Amendment
- Attachment D.** ICF Jones & Stokes Inc. Amendment
- Attachment E.** Alford Environmental LLC Contract
- Attachment F.** Yolo County MOU Amendment



AGREEMENT NO. \_\_\_\_\_

**Second Amendment to Agreement with Conservation Land Group, Inc. for  
On-Call Real Estate Assistance Services for the Yolo HCP/NCCP**

THIS SECOND AMENDMENT to the February 26, 2018 Agreement with Conservation Land Group, Inc. is entered into as of the 16th day of May 2022 by and between the Yolo Habitat Conservancy (“the Conservancy”), and Conservation Land Group, Inc. (“Consultant”), who agree as follows:

**AMENDMENT**

1. Paragraph 2 of the Agreement is hereby amended to read as follows (deletions in strikethrough; new language is underlined):

Consultant shall perform said services between February 26, 2018 and ~~June 30, 2022~~ June 30, 2023. Either party may terminate this Agreement for any reason by providing thirty (30) days advance written notice of termination to the other party. In addition, the Conservancy may suspend work under this Agreement at any time by providing written notice to Consultant, who shall cease all work immediately upon receipt thereof until otherwise directed by the Conservancy.

2. Paragraph 3 of the Agreement is hereby amended to include the following language:

Total compensation to Consultant shall not exceed the rates set forth in Attachment A, nor shall total compensation exceed ~~\$50,000~~ \$80,000. Hourly rates shall not increase during the term of this Agreement.

3. Except as modified by this Second Amendment, the terms and conditions of the February 26, 2018 Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have entered this First Amendment by affixing their signatures hereafter.


YOLO HABITAT CONSERVANCY

CONSULTANT

By \_\_\_\_\_  
Gary Sandy, Chair  
Yolo Habitat Conservancy Board of Directors

By \_\_\_\_\_  
Kevin Knowles, President  
Conservation Land Group, Inc.

Approved as to Form:

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



**AGREEMENT NO. \_\_\_\_\_**

**Second Amendment to Agreement with Dokken Engineering for  
On-Call Real Estate Assistance Services for the Yolo HCP/NCCP**

THIS SECOND AMENDMENT to the February 26, 2018 Agreement with Dokken Engineering, Inc. is entered into as of the 16th day of May 2022 by and between the Yolo Habitat Conservancy (“the Conservancy”), and Dokken Engineering (“Consultant”), who agree as follows:

**AMENDMENT**

1. Paragraph 2 of the Agreement is hereby amended to read as follows (deletions in strikethrough; new language is underlined):

Consultant shall perform said services between February 26, 2018 and ~~June 30, 2022~~ June 30, 2023. Either party may terminate this Agreement for any reason by providing thirty (30) days advance written notice of termination to the other party. In addition, the Conservancy may suspend work under this Agreement at any time by providing written notice to Consultant, who shall cease all work immediately upon receipt thereof until otherwise directed by the Conservancy.

2. Paragraph 3 of the Agreement is hereby amended to include the following language:

Total compensation to Consultant shall not exceed the rates set forth in Attachment A, nor shall total compensation exceed ~~\$50,000~~ \$80,000. Hourly rates shall not increase during the term of this Agreement.

3. Except as modified by this Second Amendment, the terms and conditions of the February 26, 2018 Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have entered this First Amendment by affixing their signatures hereafter.


YOLO HABITAT CONSERVANCY

CONSULTANT

By \_\_\_\_\_  
Gary Sandy, Chair  
Yolo Habitat Conservancy Board of Directors

By \_\_\_\_\_  
Richard Liptak, President  
Dokken Engineering

Approved as to Form:

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

**AGREEMENT NO. \_\_\_\_\_**

**Second Amendment to Agreement with Estep Environmental Consulting Scope of Services for the Yolo Habitat Conservancy**

THIS SECOND AMENDMENT to the February 18, 2020 Agreement with Estep Environmental Consulting is entered into as of the 16th day of May 2022 by and between the Yolo Habitat Conservancy (“the Conservancy”), and Estep Environmental Consulting (“Consultant”), who agree as follows:

**AMENDMENT**

1. Paragraph 3 of the Agreement is hereby amended to read as follows (deletions in strikethrough; new language is underlined):

Consultant shall perform said services between May 18, 2020 and ~~June 30, 2022~~ June 30, 2023. Either party may terminate this Agreement for any reason by providing thirty (30) days advance written notice of termination to the other party. In addition, the Conservancy may suspend work under this Agreement at any time by providing written notice to Consultant, who shall cease all work immediately upon receipt thereof until otherwise directed by the Conservancy.

2. Paragraph 3 of the Agreement is hereby amended to include the following language:

Total compensation to Consultant shall not exceed the rates set forth in Attachment A, nor shall total compensation exceed ~~\$81,736.25~~ \$120,000. Hourly rates shall not increase during the term of this Agreement.

3. Except as modified by this Second Amendment, the terms and conditions of the May 18, 2020 Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have entered this Second Amendment by affixing their signatures hereafter.

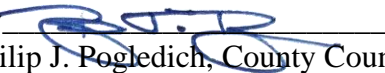
YOLO HABITAT CONSERVANCY

CONSULTANT

By \_\_\_\_\_  
Gary Sandy, Chair  
Yolo Habitat Conservancy Board of Directors

By \_\_\_\_\_  
Jim Estep  
Estep Environmental Consulting

Approved as to Form:

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

**AGREEMENT NO. \_\_\_\_\_**

**Second Amendment to Agreement with ICF Jones & Stokes, Inc. for Consulting Services  
for the Yolo Habitat Conservancy**

THIS SECOND AMENDMENT to the May 18, 2020 Agreement with ICF Jones & Stokes, Inc. is entered into as of the 16th day of May 2022 by and between the Yolo Habitat Conservancy (“the Conservancy”), and ICF Jones & Stokes, Inc. (“Consultant”), who agree as follows:

**AMENDMENT**

1. Paragraph 3 of the Agreement is hereby amended to read as follows (deletions in strikethrough; new language is underlined):

Consultant shall perform said services between July 1, 2020 and ~~June 30, 2022~~ June 30, 2023. Either party may terminate this Agreement for any reason by providing thirty (30) days advance written notice of termination to the other party. In addition, the Conservancy may suspend work under this Agreement at any time by providing written notice to Consultant, who shall cease all work immediately upon receipt thereof until otherwise directed by the Conservancy.

2. Paragraph 3 of the Agreement is hereby amended to read as follows (deletions in strikethrough; new language is underlined):

Total compensation to Consultant shall not exceed the rates set forth in Attachment A, nor shall total compensation exceed ~~\$171,250~~ \$250,000. Hourly rates shall not increase during the term of this Agreement.

3. Attachment A of the Agreement is hereby amended to read as follows (deletions in strikethrough; new language is underlined):

**Rates**

Consultant shall only bill the Conservancy for services provided in fulfillment of executed task orders. Consultant shall be reimbursed based on actual expenses incurred based on the following rates:

Labor Rate:	Ellen Berryman	\$206 per hour
	David Zippin	\$300 per hour
	Kathryn Gaffney	\$201 per hour
	Doug Leslie	\$196 per hour
	Production Staff	\$120 per hour
	<u>Restoration specialist</u>	<u>\$200 per hour</u>
	<u>Technical assistant</u>	<u>\$125 per hour</u>
	<u>Dan Schiff</u>	<u>\$150 per hour</u>

4. Except as modified herein, the terms and conditions of the May 18, 2020 Agreement, as previously amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have entered this Second Amendment by affixing their signatures hereafter.


YOLO HABITAT CONSERVANCY

CONSULTANT

By \_\_\_\_\_  
Gary Sandy, Chair  
Yolo Habitat Conservancy Board of Directors

By \_\_\_\_\_

Approved as to Form:

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

AGREEMENT NO. \_\_\_\_\_  
(Short-Form Agreement)

THIS AGREEMENT is made this \_\_\_\_th day of \_\_\_\_\_ 2022, by and between the Yolo Habitat Conservancy (referred to hereinafter as the “Conservancy”), and Alford Environmental, LLC (“Consultant”), who agree as follows:

**AGREEMENT**

1. Consultant shall perform the services described in **Attachment A** hereto.
2. Consultant shall perform said services between July 1, 2022 and June 30, 2023. Either party may terminate this Agreement for any reason by providing thirty (30) days advance written notice of termination to the other party. In addition, the Conservancy may suspend work under this Agreement at any time by providing written notice to Consultant, who shall cease all work immediately upon receipt thereof until otherwise directed by the Conservancy.
3. Total compensation to Consultant shall not exceed the rates set forth in Attachment A, nor shall total compensation exceed \$150,000. Hourly rates shall not increase during the term of this Agreement.
4. During the term of this Agreement, Consultant shall maintain the insurance described in **Attachment B** hereto at its sole cost and expense.
5. On a monthly basis, Consultant shall submit an invoice detailing the services provided, the amount of time spent providing the service, the rate per hour, and an itemization of the actual expenses for which reimbursement is requested. If requested by the Conservancy, Consultant shall provide any further documentation to verify the compensation and reimbursement sought by Consultant. All services provided by Consultant which may be eligible for grant reimbursement shall be invoiced in a manner (generally, by grant and task) that meets applicable requirements for reimbursement from available grant funds. At the option of the Conservancy, this may include using a billing template for time entries. Within fifteen (15) calendar days of the receipt of Consultant’s detailed invoice, the Conservancy shall either authorize payment for services performed to its reasonable satisfaction or advise Consultant in writing of any concerns that the Conservancy has with the invoice and any need for further documentation. The Conservancy shall use reasonable efforts to ensure that the County Auditor-Controller processes payment of each invoice with forty-five (45) calendar days after the Conservancy approves payment.

There shall be no penalty for late payments.

6. To the greatest extent permitted under California law, Consultant shall defend, indemnify, and hold harmless the Conservancy, including all officers, officials, employees and agents from any and all claims, demands, liability, damages, cost or expenses (including but not limited to attorneys’ fees) in law or equity that may at any time arise or be asserted based in whole or in part upon any negligent or other wrongful act or omission of the Consultant, it’s officers, agents, or employees.
7. Consultant shall comply with all applicable laws and regulations, including but not limited to any that are promulgated to protect the public health, welfare and safety or prevent conflicts of interest. Consultant shall defend the Conservancy and reimburse it for any fines, damages or costs (including attorneys’ fees) that might be incurred or assessed based upon a claim or determination that Consultant has violated any applicable law or regulation.
8. This Agreement is subject to the Conservancy, the State of California and the United States appropriating and approving sufficient funds for the activities required of the Contractor pursuant to this Agreement. If the Conservancy’s adopted budget and/or its receipts from California and the United States do not contain sufficient funds for this Agreement, the Conservancy may terminate this Agreement by giving ten (10) days advance written notice thereof to the Consultant, in which even the Conservancy shall have no obligation to pay the Consultant any further funds or provide other consideration and the Consultant shall have no obligation to provide any further

services under this Agreement.

9. If Consultant fails to perform any part of this Agreement, the Conservancy may notify the Consultant of the default and Consultant shall remedy the default. If Consultant fails to do so, then, in addition to any other remedy that Conservancy may have, Conservancy may terminate this Agreement and withhold any or all payments otherwise owed to Consultant pursuant to this Agreement.

10. Consultant understands that he/she is not an employee of the Conservancy and is not eligible for any employee benefits, including but not limited to unemployment, health/dental insurance, worker’s compensation, vacation or sick leave.

11. All documents and information developed under this Agreement and all work products, reports, and related data and materials shall become the property of the Conservancy. Consultant shall deliver all of the foregoing to the Conservancy upon completion of the services hereunder, or upon earlier termination of this Agreement. In addition, Consultant shall retain all of its own records regarding this Agreement and the services provided hereunder for a period of not less than four (4) years, and shall make them available to the Conservancy for audit and discovery purposes.

12. This Agreement constitutes the entire agreement of the parties, and no other agreements or representations, oral or written, have been made or relied upon by either party. This Agreement may only be amended in writing signed by both parties, and any other purported amendment shall be of no force or effect. This Agreement, including all attachments, shall be subject to disclosure pursuant to the California Public Records Act. In the event of any conflict between the provisions of this Agreement and either of the attachments hereto, the provision requiring the higher level of performance from Consultant shall govern.

13. This Agreement shall be deemed to be executed within the State of California and construed in accordance with and governed by laws of the State of California. Any action or proceeding arising out of this Agreement shall be filed and resolved in a California State Court located in Woodland, California.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first written above by affixing their signatures hereafter.

**Consultant**


**Conservancy**

\_\_\_\_\_  
Consultant’s Signature

\_\_\_\_\_  
Gary Sandy, Chair  
Yolo Habitat Conservancy Board of Directors

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Street Address/PO Box

  
\_\_\_\_\_  
Philip J. Pogledich, County Counsel  
Counsel to the Yolo Habitat Conservancy

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Phone

Attachment A

**SCOPE OF SERVICES**  
**Alford Environmental, LLC**  
**FY 2022/2023**

**Contract Services** – Alford Environmental LLC will perform the services as outlined in this Scope of Work for the Yolo Habitat Conservancy (Conservancy) under the direction of the Executive Director; and provide other assistance/tasks related to the implementation of the Yolo HCP/NCCP as identified by the Executive Director and mutually agreed upon in writing.

**Services**

**Task 1: Management of Yolo HCP/NCCP Reserve System Development**

Coordinate and implement efforts to establish the Yolo HCP/NCCP reserve system. This includes reserve system project management, assistance with easement transactions, conservation easement application review, facilitation of STAC site visits, development and review of easement acquisition documents, maintenance of the Conservancy's reserve system records, and coordination with project and program partners.

*Deliverables*

- Initial site evaluations and staff reports to the board prepared for candidate properties
- Easement acquisition documents for selected sites undergoing HCP/NCCP enrollment, including: management plans, easements, and baseline condition reports

**Task 2: Coordination with wildlife agency staff and partners**

Organize and facilitate regular Yolo HCP/NCCP coordination meetings with USFWS and CDFW and meetings with project partners.

*Deliverables*

- Meeting packets
- Meeting summaries

**Task 3: Grant management and preparation**

**Task 3.a: Grant proposals and opportunities** Identify potential Yolo HCP/NCCP land acquisition, planning, and monitoring projects that can potentially be funded, partially or entirely, with grant funding. Assist in the preparation of grant proposals under the direction of the Executive Director.

**Task 3.b: WCB Grant Coordination** Assist with the preparation of grant application materials, grant agreements, and board resolutions under the direction of the Executive Director as required for funding acquired from, or distributed by, the Wildlife Conservation Board.

**Task 3.c: 2021 LAG** Assist with the preparation of grant deliverables and reports under the direction of the Executive Director.

*Deliverables*

- Grant proposals
- Grant resolutions
- Grant progress reports
- Deliverables as specified in individual grants

**Task 4: General Yolo HCP/NCCP implementation assistance**

Provide general administrative assistance to the Executive Director on an as-needed basis. This may include items such as preparation of staff reports to the board, outreach materials, and other project management services not identified in the tasks above.

*Deliverables*

- Staff reports to the board
- Reports, maps, and other materials as-needed

**Hours and Rates**

Services provided will be reimbursed at an hourly rate of \$140 per hour. Other expenses incurred by Alford Environmental LLC while performing the services described above shall be reimbursed based on actual expenses incurred. Mileage for travel shall be reimbursed at the current U.S. Federal rate.



**Attachment B**  
**STANDARD INSURANCE REQUIREMENTS**

A. During the term of this Agreement, Consultant shall at all times maintain, at its expense, the following coverages and requirements. The comprehensive general liability insurance shall include broad form property damage insurance.

1. Minimum Coverages. Insurance coverage shall be with limits not less than the following:

- a. **Comprehensive General Liability** – \$1,000,000/occurrence and \$2,000,000/aggregate.
- b. **Automobile Liability** – \$1,000,000/occurrence (general) and \$500,000/occurrence (property) (include coverage for Hired and Non-owned vehicles).
- c. **Professional Liability/Malpractice/Errors and Omissions** – \$1,000,000/occurrence and \$2,000,000/aggregate.
- d. **Workers' Compensation – Statutory Limits/Employers' Liability** - \$1,000,000/accident for bodily injury or disease.

The limits of insurance may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of the Yolo Habitat Conservancy before the Yolo Habitat Conservancy's own insurance or self insurance shall be called upon to protect it as a named insured.

2. The Yolo Habitat Conservancy, its officers, agents, employees and volunteers shall be named as additional insured on all but the workers' compensation and professional liability coverages. (Evidence of additional insured may be needed as a separate endorsement due to wording on the certificate negating any additional writing in the description box.) Any available insurance proceeds broader than or in excess of the specified minimum insurance coverage requirements and/or limits shall be available to the additional insured. Further, the requirements for coverage and limits shall be (1) the minimum coverage and limits specified in this Agreement; or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the named insured, whichever is greater. The additional insured coverage under the Consultant's policy shall be primary and non-contributory, and will not seek contribution from the Yolo Habitat Conservancy's insurance or self insurance and shall be at least as broad as CG 20 01 04 13.

3. Said policies shall remain in force through the life of this Agreement and, with the exception of professional liability coverage, shall

be payable on a “per occurrence” basis unless the Yolo Habitat Conservancy Risk Manager specifically consents in writing to a “claims made” basis. For all “claims made” coverage, in the event that the Consultant changes insurance carriers Consultant shall purchase “tail” coverage covering the term of this Agreement and not less than three years thereafter. Proof of such “tail” coverage shall be required at any time that the Consultant changes to a new carrier prior to receipt of any payments due.

4. The Consultant shall declare all aggregate limits on the coverage before commencing performance of this Agreement, and the Yolo Habitat Conservancy’s Risk Manager reserves the right to require higher aggregate limits to ensure that the coverage limits required for this Agreement as set forth above are available throughout the performance of this Agreement.

5. Any deductibles or self-insured retentions must be declared to and are subject to the approval of the Yolo Habitat Conservancy Risk Manager, and shall not reduce the limits of liability. Policies containing any self-insured retention (SIR) provision shall provide or be endorsed to provide that the SIR may be satisfied by either the named insured or the Yolo Habitat Conservancy.

6. Each insurance policy shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days’ prior written notice by certified mail, return receipt requested, has been given to the Director (ten (10) days for delinquent insurance premium payments).

7. Insurance is to be placed with insurers with a current A.M. Best’s rating of no less than A:VII, unless otherwise approved by the Yolo Habitat Conservancy Risk Manager.

8. The policies shall cover all activities of Consultant, its officers, employees, agents and volunteers arising out of or in connection with this Agreement.

9. The Consultant shall waive all rights of subrogation against the Yolo Habitat Conservancy, its officers, employees, agents and volunteers.

**B.** Prior to commencing services pursuant to this Agreement, Consultant shall furnish the Yolo Habitat Conservancy with original endorsements reflecting coverage required by this Agreement. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. All endorsements are to be received by, and are subject to the approval of, the Yolo Habitat Conservancy Risk Manager before work commences. Upon Yolo Habitat

Conservancy's request, Consultant shall provide complete, certified copies of all required insurance policies, including endorsements reflecting the coverage required by these specifications.

**C.** During the term of this Agreement, Consultant shall furnish the Yolo Habitat Conservancy with original endorsements reflecting renewals, changes in insurance companies and any other documents reflecting the maintenance of the required coverage throughout the entire term of this Agreement. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. Upon Yolo Habitat Conservancy's request, Consultant shall provide complete, certified copies of all required insurance policies, including endorsements reflecting the coverage required by these specifications.

AGREEMENT NO. \_\_\_\_\_

**Second Amendment to Memorandum of Understanding Between the County of Yolo and the Yolo Habitat Conservancy Regarding Administrative Services**

THIS SECOND AMENDMENT to the June 2, 2020 Agreement with Count of Yolo (“County”) is entered into as of the \_\_\_\_th day of \_\_\_\_\_ 2022 by and between the Yolo Habitat Conservancy (“the Conservancy”), and County of Yolo (“Consultant”), who agree as follows:

**AMENDMENT**

1. Section 1 of the Agreement is hereby amended to read as follows (deletions in strikethrough; new language is underlined):

For FY ~~21/22~~ 22/23 the CAO will provide 0.25 FTE within a management classification and 0.6 FTE within an analyst or similar classification to complete these tasks in addition to existing consultant support within the FY ~~21/22~~ 22/23 HCP budget.

The anticipated cost of these services in FY 22/23 is:

0.25 FTE Management Classification- \$65,000

0.6 FTE Analyst Classification- \$95,000

Legal: \$20,000

Overhead (HR, IT, etc., but excluding legal): \$15,000

Department of Financial Services- \$30,000

2. Section 4 of the Agreement is hereby amended to read as follows (deletions in strikethrough; new language is underlined):

A. Term. This MOU has an initial term of one year, commencing on ~~July 1, 2021~~ July 1, 2022 and extending through ~~June 30, 2022~~ June 30, 2023. By mutual agreement, the parties may agree to extend this MOU for one or more subsequent years. Any such extended term shall be memorialized in a written amendment to this MOU pursuant to Section 5, below.

B. Termination. Either party may terminate this MOU, with or without cause, by giving thirty days’ prior written notice to the other party.

3. Except as modified by this Second Amendment, the terms and conditions of the June 2, 2020 Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have entered this Second Amendment by affixing their signatures hereafter.

YOLO HABITAT CONSERVANCY

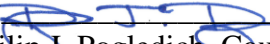
COUNTY OF YOLO

By \_\_\_\_\_  
Gary Sandy, Chair  
Yolo Habitat Conservancy Board of Directors

By \_\_\_\_\_  
Angel Barajas, Chair  
Yolo County Board of Directors

Approved as to Form:

Attest:  
Julie Dachtler, Deputy Clerk  
Board of Supervisors

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

By \_\_\_\_\_  
Deputy (Seal)

Approved as to Form:  
Philip J. Pogledich, County Counsel

By \_\_\_\_\_  
Eric May, Senior Deputy

**Yolo Habitat Conservancy**

**Meeting Date:** 05/16/2022

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**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 I-680C natural gas transmission line excavation project

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**Attachments**

Staff Report

Attachment A. PG&E I-680C Application

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**Form Review**

Form Started By: Charlie Tschudin  
Final Approval Date: 05/11/2022

Started On: 05/10/2022 03:00 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: Gary Sandy, 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 I-680C natural gas transmission line excavation project

Date: May 16, 2022

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## **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 I-680C natural gas transmission line excavation project

## **BACKGROUND:**

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 December of 2021, PG&E contacted Conservancy staff to discuss requesting permit coverage to cover the impact area of a natural gas transmission line excavation project. It was determined that the I-680C natural gas transmission line would require 0.51 acres of temporary impact to the grassland land cover type to mitigate for the impacts to the project area. PG&E intends to utilize the PG&E Multiple Region Operations and Maintenance Habitat Conservation Plan (HCP) to mitigate for the federally covered

species and the Conservancy's Natural Community Conservation Plan (NCCP) to the state mitigation obligations. Conservancy staff verified with the wildlife agencies that this approach is permissible. PG&E has completed the full application package for Yolo HCP/NCCP coverage and will sign a cost recovery agreement that covers the PG&E I-680C natural gas transmission line excavation project. PG&E will also deposit \$10,000 to cover the costs of reviewing the PG&E I-680C natural gas transmission line excavation project application for coverage, in addition to the application fee. In this case because the dollar amount required mitigate for the 0.51-acres of temporary impact is less than the \$1,981 application fee, the application fee is credited towards the mitigation fees and the Conservancy will not collect the additional \$158.82 identified in Attachment A.

Staff recommend approval of expanded permit coverage for the upgrade to the PG&E I-680C natural gas transmission line excavation project as the 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. Application for Coverage







BOX C: PROJECT CONTACT			
1 Property Owner			
1.a Property owner name			
1.b Mailing address			
1.c Phone (home/office)		1.d Phone (Cellular)	
1.e Email			
2 Project Agent/Applicant			
2.a Company/organization			
2.b Name of primary contact			
2.c Mailing address			
2.d Phone (office)		2.e Phone (Cellular)	
2.f Email			
Permissions			
3 Local agency and/or the Conservancy may contact the property owner directly		<input type="checkbox"/> Yes <input type="checkbox"/> No	
4 Local agency and/or the Conservancy may contact the project agent/applicant directly		<input type="checkbox"/> Yes <input type="checkbox"/> No	

BOX D: PROJECT INFORMATION			
1 Project address and location			
2 Assessor parcel number(s) APNs and acreage by parcel (not applicable for linear projects).			
3 Total acreage of parcel(s) (not applicable for linear projects spanning multiple parcels)			
4 Using the GeoMapper's Spatially Defined Planning Unit Map, find your proposed project site. Check the Planning Unit in which your project lies.	<table style="width: 100%; border: none;"> <tr> <td style="vertical-align: top;"> <p><b>Yolo County Planning Units</b></p> <input type="checkbox"/> 1 – Little Blue Ridge  <input type="checkbox"/> 2 – North Blue Ridge  <input type="checkbox"/> 3 – South Blue Ridge  <input type="checkbox"/> 4 – Capay Hills  <input type="checkbox"/> 5 – Dunnigan Hills  <input type="checkbox"/> 6 – Upper Cache Creek  <input type="checkbox"/> 7 – Lower Cache Creek  <input type="checkbox"/> 8 – Upper Putah Creek  <input type="checkbox"/> 9 – Lower Putah Creek  <input type="checkbox"/> 10 – Hungry Hollow Basin  <input type="checkbox"/> 11 – Willow Slough Basin</td> <td style="vertical-align: top; padding-left: 20px;"> <input type="checkbox"/> 12 – Colusa Basin  <input type="checkbox"/> 13 – Colusa Basin Plains  <input type="checkbox"/> 14 – North Yolo Basin  <input type="checkbox"/> 15 – South Yolo Basin  <input type="checkbox"/> 16 – Yolo Basin Plains  <input type="checkbox"/> 17 – North Yolo Bypass  <input type="checkbox"/> 18 – South Yolo Bypass   <p><b>Cities</b></p> <input type="checkbox"/> 19 – City of Woodland  <input type="checkbox"/> 20 – City of Davis  <input type="checkbox"/> 21 – City of West Sacramento  <input type="checkbox"/> 22 – City of Winters</td> </tr> </table>	<p><b>Yolo County Planning Units</b></p> <input type="checkbox"/> 1 – Little Blue Ridge <input type="checkbox"/> 2 – North Blue Ridge <input type="checkbox"/> 3 – South Blue Ridge <input type="checkbox"/> 4 – Capay Hills <input type="checkbox"/> 5 – Dunnigan Hills <input type="checkbox"/> 6 – Upper Cache Creek <input type="checkbox"/> 7 – Lower Cache Creek <input type="checkbox"/> 8 – Upper Putah Creek <input type="checkbox"/> 9 – Lower Putah Creek <input type="checkbox"/> 10 – Hungry Hollow Basin <input type="checkbox"/> 11 – Willow Slough Basin	<input type="checkbox"/> 12 – Colusa Basin <input type="checkbox"/> 13 – Colusa Basin Plains <input type="checkbox"/> 14 – North Yolo Basin <input type="checkbox"/> 15 – South Yolo Basin <input type="checkbox"/> 16 – Yolo Basin Plains <input type="checkbox"/> 17 – North Yolo Bypass <input type="checkbox"/> 18 – South Yolo Bypass  <p><b>Cities</b></p> <input type="checkbox"/> 19 – City of Woodland <input type="checkbox"/> 20 – City of Davis <input type="checkbox"/> 21 – City of West Sacramento <input type="checkbox"/> 22 – City of Winters
<p><b>Yolo County Planning Units</b></p> <input type="checkbox"/> 1 – Little Blue Ridge <input type="checkbox"/> 2 – North Blue Ridge <input type="checkbox"/> 3 – South Blue Ridge <input type="checkbox"/> 4 – Capay Hills <input type="checkbox"/> 5 – Dunnigan Hills <input type="checkbox"/> 6 – Upper Cache Creek <input type="checkbox"/> 7 – Lower Cache Creek <input type="checkbox"/> 8 – Upper Putah Creek <input type="checkbox"/> 9 – Lower Putah Creek <input type="checkbox"/> 10 – Hungry Hollow Basin <input type="checkbox"/> 11 – Willow Slough Basin	<input type="checkbox"/> 12 – Colusa Basin <input type="checkbox"/> 13 – Colusa Basin Plains <input type="checkbox"/> 14 – North Yolo Basin <input type="checkbox"/> 15 – South Yolo Basin <input type="checkbox"/> 16 – Yolo Basin Plains <input type="checkbox"/> 17 – North Yolo Bypass <input type="checkbox"/> 18 – South Yolo Bypass  <p><b>Cities</b></p> <input type="checkbox"/> 19 – City of Woodland <input type="checkbox"/> 20 – City of Davis <input type="checkbox"/> 21 – City of West Sacramento <input type="checkbox"/> 22 – City of Winters		

**BOX D: PROJECT INFORMATION**

- 5  Provide a project description. Please refer to the Permitting Guide for details to include in the project description. Label as **Attachment 1** or indicate in this box the page numbers of the planning level survey where this information can be found.
- 6  Provide a legible vicinity map of the project site and surrounding area (PDF). Refer to the Permitting Guide for more information about details to include on the vicinity map. Label as **Attachment 2**. Rather than a separate PDF, applicant may include the site plan in the planning level survey report.
- If so, provide page number here: \_\_\_\_\_
- 7  Provide a site plan that shows the proposed project site and surrounding area. (PDF and CAD or GIS-compatible). Refer to the Permitting Guide for more information about details to include in the site plan and details regarding the required CAD or GIS-compatible digital information to be attached. Label as **Attachment 3**. Rather than a separate PDF, applicant may include the site plan in the planning level survey report or other report. If so, attach report or excerpt and provide report name and page number here: \_\_\_\_\_

**BOX E: NATURAL COMMUNITY AND LAND COVER IMPACTS AND MITIGATION FEES**

Complete Items 1-26 below, referring to the Permitting Guide for calculation methods.

- Total fee amount for each land cover type will be auto-generated based on acreage amount (and for recurring temporary impacts, number of years out of the 50-year permit term the impact will occur).
- Temporary impact fee formula = land cover fee x area of temporary effect in acres x (F/50) where F = the number of years in which the activity will occur during the rest of the permit term (until 2069).
- Must include required land cover fee buffer area associated with the project. This is generally 10 feet for linear projects (e.g. roads, utility corridors, pipelines) and 50 feet for all other projects. See Chapter 3 of the Permitting Guide.
- Fees will be updated annually, typically in March.
- Wetland fees are in addition to land cover fees. For project proponents transplanting elderberry shrubs from a non-riparian habitat, a per acre maintenance fee of \$19,104 is assessed. The maintenance fee is subject to the annual increase in fees pursuant to existing methodology.

Submit a planning level survey, including a field-verified land cover map and the name and qualifications of the qualified biologist(s) responsible for preparation of the report. Label as **Attachment 4**. Mapped areas shown on the site plan (**Attachment 3** in Box D, Item 7) should be consistent with the acreages entered below. Include photographs of temporary impact areas. Label photos as **Attachment 5**.

Land Cover Types	Land Cover Permanently Impacted by Project (in acres)			Land Cover Temporarily Impacted by Project (in acres)	Years of Recurring Temporary Impact	Fees (Auto Generated)				
	Permanent Impact (acres)	Fee Buffer (acres)	TOTAL			Land Cover Fee (per acre)	Wetland Fee (per acre)	Permanent Impact, Land Cover Fee	Temporary Impact, Land Cover Fee	Wetland Fee
1 <input type="checkbox"/> Developed (including ruderal with no covered species habitat) <sup>a</sup>						\$0	\$0	\$	\$	\$
2 <input type="checkbox"/> Ruderal with covered species habitat <sup>a</sup>						\$15,571	\$0	\$	\$	\$
3 <input type="checkbox"/> Barren, No Covered Species Habitat						\$0	\$0	\$	\$	\$
4 <input type="checkbox"/> Barren, With Covered Species Habitat						\$15,571	\$0	\$	\$	\$
5 <input type="checkbox"/> Vegetated Corridor with Covered Species Habitat						\$15,571	\$0	\$	\$	\$
6 <input type="checkbox"/> Grassland (all types)						\$15,571	\$0	\$	\$	\$
7 <input type="checkbox"/> Alkali Prairie						\$15,571	\$0	\$	\$	\$
8 <input type="checkbox"/> Fresh Emergent Wetland (all types)						\$15,571	\$80,864	\$	\$	\$

<b>BOX E: NATURAL COMMUNITY AND LAND COVER IMPACTS AND MITIGATION FEES</b>											
9	<input type="checkbox"/> Valley Foothill Riparian						\$15,571	\$66,560	\$	\$	\$
10	<input type="checkbox"/> Lacustrine and Riverine						\$15,571	\$64,854	\$	\$	\$
11	<input type="checkbox"/> Cultivated Land (all types)						\$15,571	\$0	\$	\$	\$
12	<input type="checkbox"/> Citrus/Subtropical						\$15,571	\$0	\$	\$	\$
13	<input type="checkbox"/> Deciduous Fruits/Nuts						\$15,571	\$0	\$	\$	\$
14	<input type="checkbox"/> Vineyards						\$15,571	\$0	\$	\$	\$
15	<input type="checkbox"/> Turf Farm						\$15,571	\$0	\$	\$	\$
16	<input type="checkbox"/> Flowers/Nursery/Tree Farms						\$15,571	\$0	\$	\$	\$
17	<input type="checkbox"/> Semiag/Incidental to Agriculture						\$15,571	\$0	\$	\$	\$
18	<input type="checkbox"/> Eucalyptus						\$15,571	\$0	\$	\$	\$
<b>TOTAL</b>											
19	<b>TOTAL LAND COVER IMPACTS AND MITIGATION FEES</b>									\$	
20	<b>APPLICATION FEE</b> (The application fee is credited towards the cost of the mitigation fees if the application fee is paid prior to the submittal of the mitigation fee payment . Application fee as of January 1, 2020: \$1,981)									\$	
21	<b>OTHER CREDITS</b> (Advanced fee payment or in lieu fee credit – must be verified by Conservancy). Add <b>Attachment 6</b>									\$	
22	<b>TOTAL LAND COVER IMPACTS AND MITIGATION FEES DUE</b> (Mitigation fees due are determined at the time of payment unless they were paid in accordance with the Yolo HCP/NCCP Early Payment of Mitigation Fees Policy. See <a href="http://www.yolohabitatconservancy.org">www.yolohabitatconservancy.org</a> for current fee schedule.)									\$	
<small><sup>a</sup> Land cover fees may be applicable if covered species habitat is present.</small>											

**BOX F: CONDITIONS OF APPROVAL: CONDUCT PLANNING LEVEL SURVEYS**

Based on a planning level survey conducted by a qualified biologist using the land cover definitions described in the Permitting Guide in Table 2-1, indicate which sensitive natural communities and covered species are relevant to your project. Indicate below whether suitable covered species habitats are present (Column A) and, where applicable, if there is a need to conduct a more focused survey(s) for covered species (Column B) to confirm presence. Complete species-specific planning level surveys as needed consistent with protocols referenced in Appendix A of the Permitting Guide. Alternatively, covered species presence can be assumed, which would require adherence to applicable AMMs and implementation of avoidance measures or preconstruction surveys. Attach all species-specific planning level surveys as **Attachment 7**. Describe, map, and tabulate impacts the project will have on each natural community and each species for which habitat is present. Impact calculations must correspond to the permanent and temporary impact calculations in Box E. Label as **Attachment 8**. Alternatively, the impact assessment can be incorporated into the planning level survey. **Important: Be aware of the timing requirements for conducting a species-specific planning level survey (Table 6-1 in the Permitting Guide) to avoid project delays.**

	A. Project Site Conditions Requiring Planning Level Survey	B. Species-Specific Planning Level Survey Results	C. Documentation
<b>Sensitive Natural Communities</b>			
1 Alkali prairie and vernal pool complex	Are vernal pools or alkali seasonal wetlands present within 250 feet of project footprint? <input type="checkbox"/> <b>Yes.</b> <i>Design project to avoid vernal pools or alkali seasonal wetlands by 250 feet or lesser buffer if approved by wildlife agencies (see Permitting Guide Table 2-1). Check Box G, AMMs 9 and 10. Go to Column C.</i> <input type="checkbox"/> <b>No</b>	N/A	Map attached? (Attachment 4) <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>  If vernal pools or alkali seasonal wetlands are present on or near the site, provide map showing how project avoids these wetlands.
2 Valley foothill riparian	Is valley foothill riparian present within 100 feet of the project site boundary? <input type="checkbox"/> <b>Yes.</b> <i>Design project to avoid valley foothill riparian by 100 feet or count all portions within 100 feet in the impact acreage (see Permitting Guide Table 2-1). Check Box G, AMMs 9 and 10. Go to Column C and provide map.</i> <input type="checkbox"/> <b>No</b>	N/A	Map attached? (Attachment 4) <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>  Provide map showing the valley foothill riparian in relation to the project footprint.
3 Lacustrine and riverine	Are any streams, rivers, lakes, or ponds within 25 feet of project footprint inside urban planning units, or within 100 feet of project footprint outside urban planning units? <input type="checkbox"/> <b>Yes.</b> <i>Design project to avoid these resources by 25 feet inside urban planning units or 100 feet outside urban planning units, or count all portions within these distances in the impact acreage, unless a variance is allowed. Check Box G, AMMs 9 and 10. Go to Column C and provide map.</i> <input type="checkbox"/> <b>No</b>	N/A	Map attached? (Attachment 4) <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>  Provide map showing any streams, rivers, lakes, or ponds in relation to the project footprint.

<b>BOX F: CONDITIONS OF APPROVAL: CONDUCT PLANNING LEVEL SURVEYS</b>			
	A. Project Site Conditions Requiring Planning Level Survey	B. Species-Specific Planning Level Survey Results	C. Documentation
<b>Sensitive Natural Communities</b>			
4	<p>Fresh emergent wetlands</p> <p>Are there any fresh emergent wetlands within 50 feet of project footprint outside urban planning units?</p> <p><input type="checkbox"/> <b>Yes.</b> <i>Design project to avoid these resources by 50 feet, or count all portions within 50 feet in the impact acreage. Check Box G, AMMs 9 and 10. Go to Column C and provide map).</i> <b>Survey period: May 31–September 30</b></p> <p><input type="checkbox"/> <b>No</b></p>	N/A	<p>Map attached? (Attachment 4)</p> <p><input type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p> <p>Provide map of fresh emergent wetlands in relation to the project footprint.</p>
<b>Plants</b>			
5	<p>Palmate-bracted bird's beak</p> <p>Is suitable habitat present within 250 feet of the project site boundary? (see Permitting Guide Table 2-2)</p> <p><input type="checkbox"/> <b>Yes.</b> <i>Survey for palmate-bracted bird's beak consistent with Permitting Guide Appendix A. Check Box G, AMM 11. Go to Column B. Survey period: May 31–September 30</i></p> <p><input type="checkbox"/> <b>No</b></p>	<p>Is palmate-bracted bird's beak present?</p> <p><input type="checkbox"/> <b>Yes.</b> <i>Design project to avoid occupied habitat as described in AMM 11. Go to Column C.</i></p> <p><input type="checkbox"/> <b>No.</b> <i>Go to Column C.</i></p>	<p>Species-specific planning level survey report attached? (Attachment 7)</p> <p><input type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p> <p><i>Include report of species-specific planning level survey and map of habitat and any plants found in relation to project footprint.</i></p>
<b>Invertebrates</b>			
6	<p>Valley elderberry longhorn beetle</p> <p>Is there presence of elderberry shrubs in the project site or within 100 feet outside of the project site boundary that could be impacted by the project?</p> <p><input type="checkbox"/> <b>Yes.</b> <i>Identify and map all elderberry shrubs in and within 100 feet of project footprint with stems greater than one inch in diameter at ground level. For mapped shrubs that cannot be avoided, quantify the number of stems greater than one inch in diameter at ground level, and identify any such stems with valley elderberry longhorn beetle exit holes. Check Box G, AMM 12. Go to Column C and provide survey report.</i> <b>Survey period: Year-round</b></p> <p><input type="checkbox"/> <b>No</b></p>	N/A	<p>Species-specific planning level survey report attached? (Attachment 7)</p> <p><input type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p>

BOX F: CONDITIONS OF APPROVAL: CONDUCT PLANNING LEVEL SURVEYS			
	A. Project Site Conditions Requiring Planning Level Survey	B. Species-Specific Planning Level Survey Results	C. Documentation
<b>Amphibians</b>			
7 California tiger salamander	<p>Is there presence of California tiger salamander aquatic or upland habitat in the project footprint, or aquatic habitat within 500 feet of the project footprint?</p> <p><input type="checkbox"/> <b>Yes.</b> Check box G, AMM 13. Is the habitat within designated critical habitat for California tiger salamander, as determined using the GeoMapper?</p> <p><input type="checkbox"/> <b>Yes.</b> Design project to avoid designated critical habitat.</p> <p><input type="checkbox"/> <b>No.</b> If aquatic habitat cannot be avoided by 500 feet, either conduct surveys as described in the Permitting Guide Appendix A, or assume species presence. <b>Survey period: After rainfall, November 1 to May 15.</b> Go to Column B.</p> <p><input type="checkbox"/> <b>No</b></p>	<p>Are California tiger salamanders present or assumed to be present in aquatic habitat?</p> <p><input type="checkbox"/> <b>Yes.</b> If the species is present or assumed to be present, the Yolo HCP/NCCP will not allow any loss of occupied aquatic habitat until at least four new occupied breeding pools are discovered or established and protected in the Plan Area. Contact Yolo Habitat Conservancy. Go to Column C.</p> <p><input type="checkbox"/> <b>No</b></p>	<p>Species-specific planning level survey attached? (Attachment 7)</p> <p><input type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p>
<b>Reptiles</b>			
8 Western Pond Turtle	<p>Is western pond turtle habitat present in the project footprint?</p> <p><input type="checkbox"/> <b>Yes.</b> Check Box G, AMM 14. A qualified biologist is required to evaluate whether there is moderate to high likelihood of western pond turtle presence. Go to Columns B and C.</p> <p><input type="checkbox"/> <b>No</b></p>	<p>Moderate to high likelihood of western pond turtle presence?</p> <p><input type="checkbox"/> <b>Yes:</b> Check Box F for western pond turtle preconstruction surveys.</p> <p><input type="checkbox"/> <b>No</b></p>	<p>Habitat evaluation attached? (Attachment 7)</p> <p><input type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p>
9 Giant Garter Snake	<p>Is there any giant garter snake habitat (as defined in the Permitting Guide, Table 2-2) within the project footprint?</p> <p><input type="checkbox"/> <b>Yes.</b> Design project to avoid or minimize impact on giant garter snake habitat to the extent practicable. If habitat cannot be avoided, see AMM 15. Check Box F for giant garter snake Preconstruction surveys, and check Box G, AMM 15.</p> <p><input type="checkbox"/> <b>No</b></p>	N/A	N/A



<b>BOX F: CONDITIONS OF APPROVAL: CONDUCT PLANNING LEVEL SURVEYS</b>			
	A. Project Site Conditions Requiring Planning Level Survey	B. Species-Specific Planning Level Survey Results	C. Documentation
<b>Birds</b>			
10 Swainson's Hawk and White-tailed Kite	Are there suitable Swainson's hawk or white-tailed kite nest trees within 1,320 feet of the project footprint? <input type="checkbox"/> <b>Yes.</b> <i>If nest trees cannot be avoided by 1,320 feet, check Box F for hawk and kite Preconstruction surveys, and Box G, AMM 16.</i> <input type="checkbox"/> <b>No</b>	N/A	N/A
11 Western yellow-billed cuckoo	Is suitable habitat present within 500 feet of the project site boundary? <input type="checkbox"/> <b>Yes.</b> <i>If there are breeding records for the western yellow-billed cuckoo within ¼ mile of the project site from the previous three years (as determined by GeoMapper), then assume species is present. If there are no breeding records with ¼ mile, then either assume species is present or survey consistent with Chapter 6 of the Permitting Guide. See columns B and C. Check Box F for western yellow-billed cuckoo Preconstruction surveys and Check Box G, AMM 17.</i> <b>Survey period: June 1–August 30.</b> <input type="checkbox"/> <b>No</b>	Is western yellow-billed cuckoo present or assumed to be present? <input type="checkbox"/> <b>Yes.</b> <i>If project cannot avoid occupied habitat by 500 feet, avoid take of nesting birds as described in AMM 17.</i> <input type="checkbox"/> <b>No.</b>	Species Survey attached? (Attachment 7) <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>
12 Western Burrowing Owl	Is western burrowing owl habitat present on the project site, or within 500 feet of the project site? <input type="checkbox"/> <b>Yes.</b> <i>Conduct planning level surveys for occupied habitat as described in Permitting Guide Appendix A. Go to Columns B and C. <b>Survey period: February 1–August 31 during the breeding season; September 1–January 31 during nonbreeding season.</b></i> <input type="checkbox"/> <b>No</b>	Are burrowing owls present? <input type="checkbox"/> <b>Yes.</b> <i>Check Box G, AMM18. If burrows cannot be avoided, consistent with Table 2-3 in the Permitting Guide, Check Box F for western burrowing owl preconstruction surveys.</i> <input type="checkbox"/> <b>No</b>	Species-specific planning level survey attached? (Attachment 7) <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>

<b>BOX F: CONDITIONS OF APPROVAL: CONDUCT PLANNING LEVEL SURVEYS</b>			
	A. Project Site Conditions Requiring Planning Level Survey	B. Species-Specific Planning Level Survey Results	C. Documentation
13 Least Bell's Vireo	Is least Bell's vireo habitat present in and within 500 feet of project footprint? <input type="checkbox"/> <b>Yes.</b> Check Box G, AMM 19. Are there nesting records for the species within ¼ mile of the site from the previous three years (determined using the GeoMapper)? <input type="checkbox"/> <b>Yes.</b> Assume species is present. See Column B. <input type="checkbox"/> <b>No.</b> Conduct planning level surveys, as described in Permitting Guide Appendix A. See Columns B and C. <b>Survey period: April 1–July 15</b> <input type="checkbox"/> <b>No</b>	Are least Bell's vireo nests present or assumed to be present? <input type="checkbox"/> <b>Yes.</b> Check Box F for least Bell's vireo preconstruction surveys. Avoid take of birds as described in AMM 19. <input type="checkbox"/> <b>No.</b>	Species Survey attached? (Attachment 7) <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>
14 Bank Swallow	Is bank swallow nesting habitat present on the project site, or within 500 feet of the project site? <input type="checkbox"/> <b>Yes.</b> Check Box G, AMM 20. Conduct planning level surveys as described in Permitting Guide Appendix A. Go to Columns B and C. <b>Survey period: March 1–August 15</b> <input type="checkbox"/> <b>No</b>	Are nesting bank swallows present? <input type="checkbox"/> <b>Yes.</b> Check Box F for bank swallow preconstruction surveys. Avoid take of birds as described in AMM 19. <input type="checkbox"/> <b>No.</b>	Species-specific planning level survey attached? (Attachment 7) <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>
15 Tricolored Blackbird	Is tricolored blackbird nesting habitat present on the project site, or within 1,300 feet of the project site? <input type="checkbox"/> <b>Yes.</b> Conduct planning level surveys as described in Permitting Guide Appendix A. Check Box G, AMM 21. Go to Column C. <b>Survey period: March 1–July 30</b> <input type="checkbox"/> <b>No</b>	N/A	Species-specific planning level survey attached? (Attachment 7) <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>

<b>BOX G: CONDITIONS OF APPROVAL: CONDUCT PRE-CONSTRUCTION SURVEYS</b>	
Indicate which species in <b>Items 1-7</b> are relevant to your project. <b>Important:</b> Refer to Chapter 4 of the Permitting Guide for information about survey purpose, the land cover types and site conditions requiring preconstruction surveys, survey area size, and survey timing.	
<b>Birds</b>	
1 <input type="checkbox"/> Swainson's hawk	4 <input type="checkbox"/> Western burrowing owl
2 <input type="checkbox"/> White-tailed kite	5 <input type="checkbox"/> Least-Bell's vireo
3 <input type="checkbox"/> Western yellow-billed cuckoo	
<b>Reptiles</b>	
6 <input type="checkbox"/> Giant garter snake	7 <input type="checkbox"/> Western pond turtle

<b>BOX H: CONDITIONS OF APPROVAL: AVOIDANCE AND MINIMIZATION MEASURES (AMMs)</b>	
Check the avoidance and minimization measures below that apply to your project. Refer to the Permitting Guide for assistance. Describe how you will fulfill the requirements of each required condition. Plan your construction carefully around the translocation or other dates required by the AMMs. Label as <b>Attachment 9</b> .	
1	<input type="checkbox"/> AMM1: <i>Establish Resource Protection Buffers</i>
2	<input type="checkbox"/> AMM 2: <i>Design Developments to Minimize Indirect Effects at Urban-Habitat Interfaces (this AMM does not apply to new development where it is immediately adjacent to existing developed lands)</i>
3	<input type="checkbox"/> AMM 3: <i>Confine and Delineate Work Area</i>
4	<input type="checkbox"/> AMM 4: <i>Cover Trenches and Holes during Construction and Maintenance</i>
5	<input type="checkbox"/> AMM 5: <i>Control Fugitive Dust</i>
6	<input type="checkbox"/> AMM 6: <i>Conduct Worker Training</i>
7	<input type="checkbox"/> AMM 7: <i>Control Nighttime Lighting of Project Construction Sites</i>
8	<input type="checkbox"/> AMM 8: <i>Avoid and Minimize Effects of Construction Staging Areas and Temporary Work Areas</i>
9	<input type="checkbox"/> AMM 9: <i>Establish Resource Protection Buffers around Sensitive Natural Communities</i>
10	<input type="checkbox"/> AMM 10: <i>Avoid and Minimize Effects on Wetlands and Waters</i>
11	<input type="checkbox"/> AMM 11: <i>Minimize Take and Adverse Effects on Palmate-Bracted Bird's Beak</i>
12	<input type="checkbox"/> AMM 12: <i>Minimize Take and Adverse Effects on Habitat of Valley Elderberry Longhorn Beetle</i>
13	<input type="checkbox"/> AMM 13: <i>Minimize Take and Adverse Effects on Habitat of California Tiger Salamander</i>
14	<input type="checkbox"/> AMM 14: <i>Minimize Take and Adverse Effects on Habitat of Western Pond Turtle</i>
15	<input type="checkbox"/> AMM 15: <i>Minimize Take and Adverse Effects on Habitat of Giant Garter Snake</i>
16	<input type="checkbox"/> AMM 16: <i>Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite</i>
17	<input type="checkbox"/> AMM 17: <i>Minimize Take and Adverse Effects on Habitat of Western Yellow-Billed Cuckoo</i>
18	<input type="checkbox"/> AMM 18: <i>Minimize Take and Adverse Effects on Western Burrowing Owl</i>
19	<input type="checkbox"/> AMM 19: <i>Minimize Take and Adverse Effects on Least Bell's Vireo</i>
20	<input type="checkbox"/> AMM 20: <i>Minimize Take and Adverse Effects on Habitat of Bank Swallow</i>
21	<input type="checkbox"/> AMM 21: <i>Minimize Take and Adverse Effects on Habitat of Tricolored Blackbird</i>

<b>BOX I: ATTACHMENT CHECKLIST</b>	
Indicate which attachments are provided below. <b>Note:</b> <a href="#">Attachments must meet the requirements described in Permitting Guide</a> . If these requirements are not met, your application may be delayed.	
<b>All Projects</b>	
<input type="checkbox"/>	<b>Attachment 1.</b> Project Description (Box C). Attach separately or indicate report page #s here:
<input type="checkbox"/>	<b>Attachment 2.</b> Vicinity map PDF (Box C). Attach separately or indicate report page # here:
<input type="checkbox"/>	<b>Attachment 3.</b> Site Plan (Box C). Attach separately or indicate report page # here: Also include CAD or GIS compatible data.
<b>Projects with Impacts</b>	
<input type="checkbox"/>	<b>Attachment 4.</b> Planning level survey (Box D)
<input type="checkbox"/>	<b>Attachment 5.</b> Photos of temporary impact areas. Attach separately or indicate report page #s here:
<input type="checkbox"/>	<b>Attachment 6.</b> Documentation if land is offered in lieu of fees (Box D, Item 30)
<input type="checkbox"/>	<b>Attachment 7.</b> Species-specific planning level survey(s) (Box E). Attach separately or indicate report page #s here:
<input type="checkbox"/>	<b>Attachment 8.</b> Unavoidable impacts on covered species. Attach separately or indicate report page #s here:

**BOX I: ATTACHMENT CHECKLIST**

**Attachment 9.** Description of compliance with avoidance and minimization measures (Box G). Attach separately or indicate report page #s here:

**BOX J: SIGNATURES**

**By checking the box and signing below I certify all information in the application is true and correct to the best of my knowledge. I also certify I understand the requirements of the AMMs, including dates for elderberry translocation or other dates that may affect construction timing.**

1 Property owner name and contact information	Name		
	Phone		Email
2 Property owner signature			Date
3 Project agent/applicant name and contact information	Name		
	Phone		Email
4 Project agent/applicant signature			Date

**FORM SUBMITTAL INSTRUCTIONS**

Submit this form electronically to the applicable contact below. If the project applicant is seeking HCP/NCCP permit coverage as an SPE, submit the form to the Yolo Habitat Conservancy. The signed Final Application and payment of all other Plan fees is required following project approval and prior to formal Yolo HCP/NCCP approval.

**LOCAL AGENCY PLANNING OFFICE CONTACT INFORMATION**

<p><b>Yolo County</b> Stephanie Cormier Planning Division Department of Community Services 292 West Beamer Street, Woodland (530) 666-8041</p>	<p><b>City of West Sacramento</b> David Tilley Community Development Department 1110 West Capitol Ave., 2<sup>nd</sup> Floor, West Sacramento (916) 617-4645</p>	<p><b>City of Davis</b> Sherri Metzker Community Development &amp; Sustainability 23 Russell Blvd., Suite 2, Davis (530) 757-5610 ext. 7239</p>	<p><b>City of Woodland</b> Cindy Norris Planning Division 300 First Street, Woodland (530) 661-5911</p>	<p><b>City of Winters</b> Kirk Skierski Community Development Department 318 First Street, Winters (530) 794-6714</p>
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**YOLO HABITAT CONSERVANCY CONTACT INFORMATION**

Address: PO Box 2202, Woodland, CA 95776 Phone: 530-666-8150 Email: [info@yolohabitatconservancy.org](mailto:info@yolohabitatconservancy.org)

**FOR STAFF USE ONLY**

Project planner name			Phone number	
Email			Date	
Covered activity type				
HCP/NCCP Application	<input type="checkbox"/> Complete	<input type="checkbox"/> Not complete	<input type="checkbox"/> Special Participating Entity	

## Attachment 1 – Project Description

The I-680C project would consist of mowing a 12,600 square foot area for workspace and staging to excavate an approximately 32" x 14'6" wide and 5'6" deep excavation to expose the top of an existing natural gas transmission line. The excavation would allow for PG&E to update records on the pipe angle and condition and determine the pipeline's readiness for future in-line inspections required by the California Public Utilities Commission. Once the line is exposed and information recorded, the trench would be backfilled with native material back to the original contour and the work area would be reseeded and monitored until it is successfully returned to pre-construction condition. The investigative dig is anticipated to take approximately 1 week.

### Property Ownership:

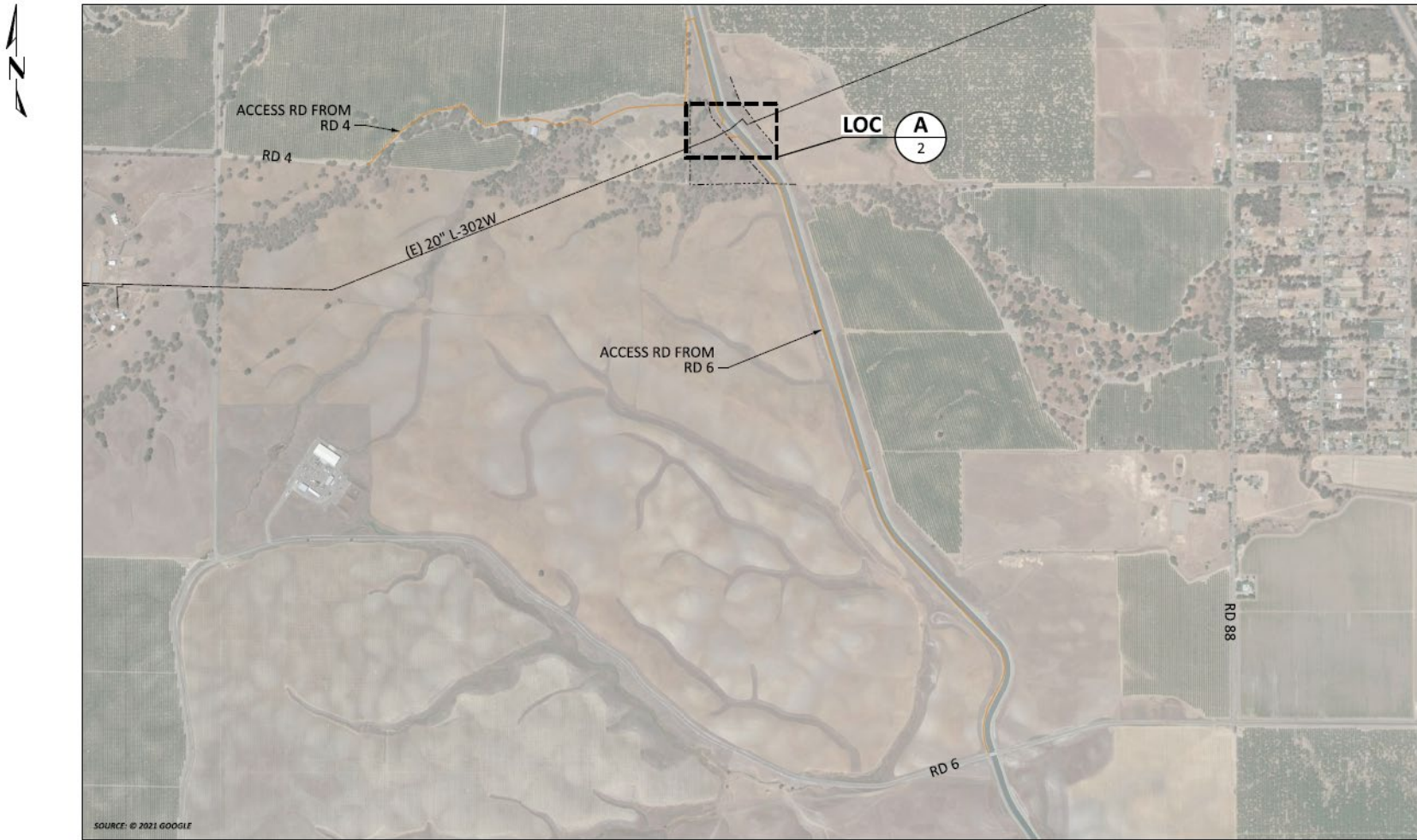
#### Western Parcel

- Owner – Ranjit and Sukhwant Dhillion
- Site Address – 2998 County Road 88, Dunnigan, CA
- APN – 051-140-027


#### Eastern Parcel (Canal)

- Owner – Tehama Colusa Canal Authority
- Site Address – None shown
- Office Address – 5513 HWY 163, Willows, CA 95988
- APN – 051-140-032

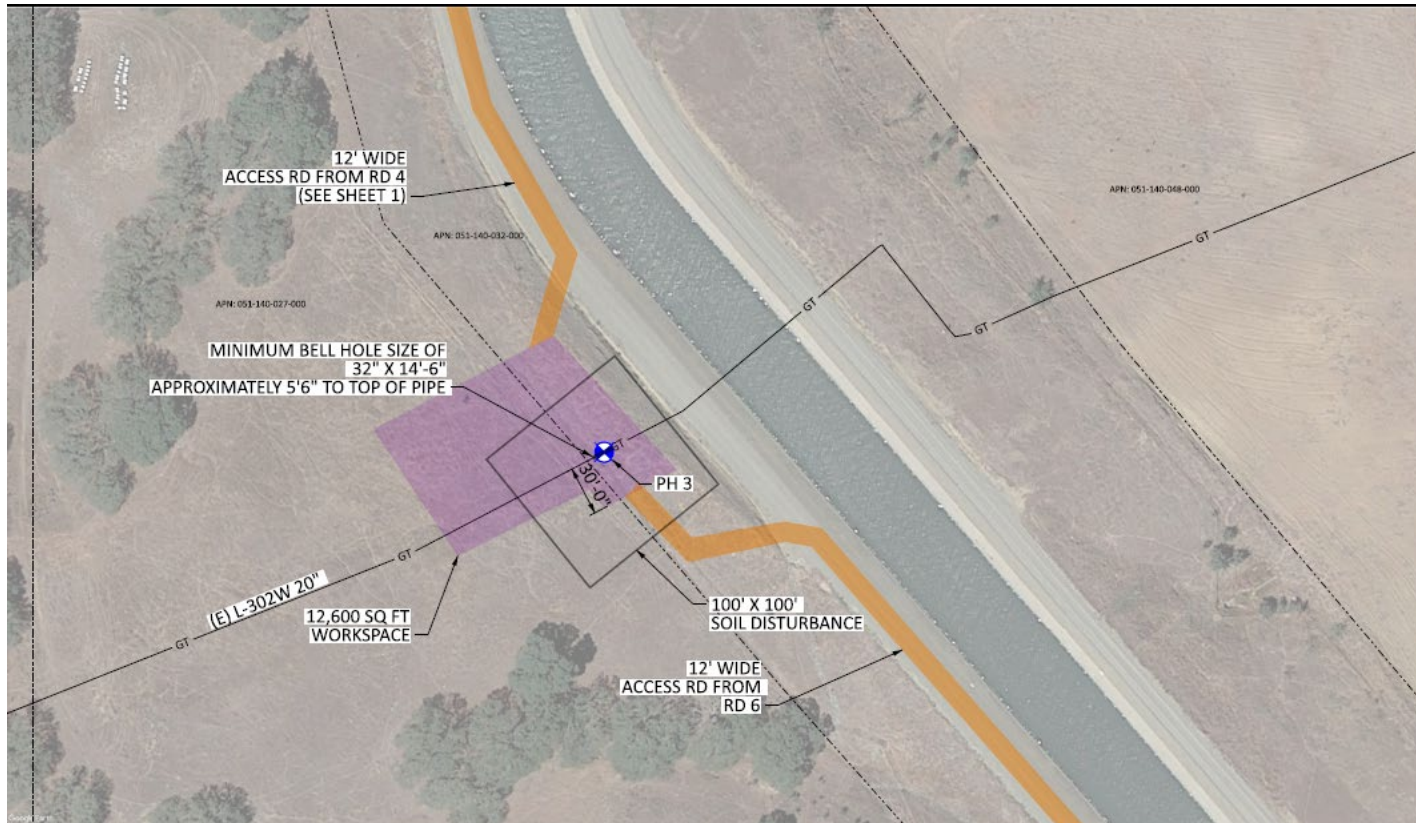
# Attachment 2 – Vicinity Map



SOURCE: © 2021 GOOGLE

-  Site Location
-  Access Road

### Attachment 3 – Site Plan



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

Attachment 4 – Planning Survey Report





Livermore, CA 94551

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**To:** Marjorie Eisert  
Jacobs Engineering Group Inc.

**From:** Cole Paris  
Swaim Biological Incorporated

**Date:** February 4, 2022

**Re:** I-680C Dunnigan – Location A – Planning Level Assessment

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PG&E plans to perform inspections on an existing natural gas transmission line, located in Yolo County, to detect irregularities or components that need replacement. The area of impact associated with the project for which PG&E seeks take coverage under the Yolo Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) consists of roughly 0.51 acres that includes access routes and temporary workspaces. The Yolo Habitat Conservancy (Conservancy) considers this a public utility infrastructure operations and maintenance project, which is an HCP/NCCP covered activity.

This memorandum presents the results of a planning level assessment of the I-680 C Location A workspace. A summary of the existing land cover within a 500-foot and ¼-mile buffer of the proposed project area and known species data within 5-miles of the project area are presented in Figures 1-3. Representative site photographs are presented in Attachment 1. An initial project evaluation has not yet been conducted by the Conservancy.

### **Project Description**

Work for this project will be conducted in an area of natural habitat approximately 1.5 miles west of the town of Dunnigan. The project area includes an approximately 0.45-acre temporary workspace. Access to the project area will be from an existing graveled levee road accessed from Road 4 or Road 6.

Species covered under the HCP/NCCP that could be affected by the project include California tiger salamander (*Ambystoma californiense*; CTS, upland habitat), white-tailed kite (*Elanus leucurus*; WTKI, foraging and nesting habitat), Swainson's hawk (*Buteo swainsoni*; SWHA, foraging and nesting habitat), burrowing owl (*Athene cunicularia*; BUOW, foraging and nesting habitat), and western pond turtle (*Actinemys marmorata*; WPT, nesting and overwintering habitat).

### **Methods**

The survey was conducted by Conservancy-approved biologist Cole Paris/SBI on January

14, 2022 by walking the entirety of the project footprint and adjacent habitat within a 500-foot buffer to evaluate the suitability of habitat for CTS and BUOW. Transects were walked in accordance with California Department of Fish and Wildlife (CDFW) guidelines for Phase II BUOW burrow surveys. Burrows suitable for use by BUOW were recorded by a hand-held GPS. The area was surveyed on foot or scanned with binoculars within a 0.25-mile buffer for potential foraging and nesting habitat suitable for use by SWHA and WTKI. Photos were taken of potential habitat that could support sensitive species (Attachment 1). Special-status species habitat and impact areas are shown in Tables 1 and 2.

## **Results**

### Location A Temporary Workspace

The temporary workspace is located in a natural habitat community west of the town of Dunnigan and adjacent to a United States Bureau of Reclamation (USBR) managed canal. The 0.45 acres of the proposed temporary workspace is in annual grassland and is surrounded by valley oak woodland. The workspace is located within U.S. Fish and Wildlife Service designated critical habitat for CTS (USFWS 2005) and six records of CTS occur within 1.3 miles of the site (CNDDDB 2022) which is the maximum distance CTS have been observed from a breeding site (Orloff 2007; CDFW 2010). The nearest known record is found approximately 650-feet to the southwest and consists of a breeding pond known as Powers Reservoir where CTS breeding was detected as recently as 2005 (CNDDDB 2022). No individuals or eggs were observed during the planning level survey, although the turbidity of the water made it difficult to effectively survey. The next closest records are located approximately 0.75-mile to the south and northwest of the project area (CNDDDB 2022). No direct or indirect impacts to this pond or any other CTS aquatic breeding habitat are anticipated as a result of project activities.

Clusters of burrows suitable for use by BUOW were found and mapped in the wooded area southwest of the work area. No evidence of use by BUOW (feathers, pellets, whitewash, etc.) was observed.

The HCP/NCCP land cover types found at this location would be classified as Grassland – California Annual Grassland Alliance, Valley Oak Woodland – Valley Oak Alliance, Other Agriculture – Deciduous Fruits/Nuts, Lacustrine/Riverine – Open Water, and Barren and Developed – Barren-Anthropogenic. Habitat at this location supports CTS (upland), SWHA (foraging and nesting), WTKI (foraging and nesting), BUOW (foraging and nesting), and WPT (nesting and overwintering). Construction activities will temporarily affect 0.51 acres of Grassland including access roads.

### Location A Access Road

Access to Location A will make use of an existing, graveled levee road adjacent to the USBR Canal. Three sections of egress will have to be graded to allow access from Road 4 and Road 6, totaling 0.06 acres of Grassland. A small strip of annual grassland will have

to be crossed to access the levee road from Road 4 and similarly, two strips of annual grassland will have to be crossed when accessing the workspace from either the north or the south.

Table 1. Special-Status Species Habitat Found Within Project Area

Species (Buffer)	Habitat Type	Total Area within Buffer (Acres)	Total Area of Impacts (Acres)
CTS (500 feet)	Upland	14.60	0.51
SWHA (1/4 mile)	Foraging and nesting	98.90	0.51
WTKI (1/4 mile)	Foraging and nesting	98.90	0.51
BUOW (500 feet)	Foraging and nesting	20.90	0.51
WPT	Nesting and overwintering	0.51	0.51

Table 2. Project Impacts by Land Cover Types

Land Cover Types	Area Within Workspace (Acres)	Area within 500 ft. (Acres)	Area within 0.25 miles (Acres)	Total Area of Impacts (Acres)
Annual Grassland	0.51	14.60	75.10	0.51
Barren	0.00	1.50	3.90	0.00
Lacustrine/Riverine	0.00	1.40	3.70	0.00
Other Agriculture	0.00	0.40	34.40	0.00
Valley Oak Woodland	0.00	6.30	23.80	0.00
Fresh Emergent Wetland	0.00	0.00	0.36	0.00

## Conclusion

Based on the planning level survey, suitable habitat exists for five Covered Species: CTS, SWHA, WTKI, BUOW, and WPT within the project area. Approximately 0.51 acres of Grassland will be temporarily impacted as a result of project implementation.

The following Yolo HCP/NCCP AMMs are proposed for minimizing impacts to these species:

*AMM1, Establish Buffers*

*AMM2, Design Developments to Minimize Indirect Effects at Urban-Habitat Interfaces*

*AMM3, Confine and Delineate Work Area*

*AMM4, Cover Trenches and Holes During Construction and Maintenance*

*AMM5, Control Fugitive Dust*

*AMM6, Conduct Worker Training*

*AMM7, Control Night-Time Lighting of Project Construction Sites*

*AMM8, Avoid and Minimize Effects of Construction Staging Areas and Temporary Work Areas*

*AMM9, Establish Buffers Around Sensitive Natural Communities: lacustrine & riverine*

*AMM13, Minimize Take and Adverse Effects on Habitat of California Tiger Salamander*

*AMM14, Minimize Take and Adverse Effects on Habitat of Western Pond Turtle*

*AMM16, Swainson's hawk and white-tailed kite (This AMM does not apply if the construction period is between September 1 and March 14)*

*AMM18, Minimize Take and Adverse Effects on Western Burrowing Owl*

### **Literature Cited**

California Department of Fish and Wildlife [CDFW]. 2010. A Status Review of the California Tiger Salamander (*Ambystoma californiense*). Report to the Fish and Game Commission.

California Natural Diversity Database. 2022. [CNDDDB] GIS dataset for January 2022.

Orloff, S. 2007. Migratory movements of California tiger salamander in upland habitat – a five-year study (Pittsburg, California). Ibis Environmental, Inc., prepared for Bailey Estates LLC. Dated May.

U.S. Fish and Wildlife Service. 2005. [USFWS]. Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Tiger Salamander, Central Population; Final Rule. 49380-49458.

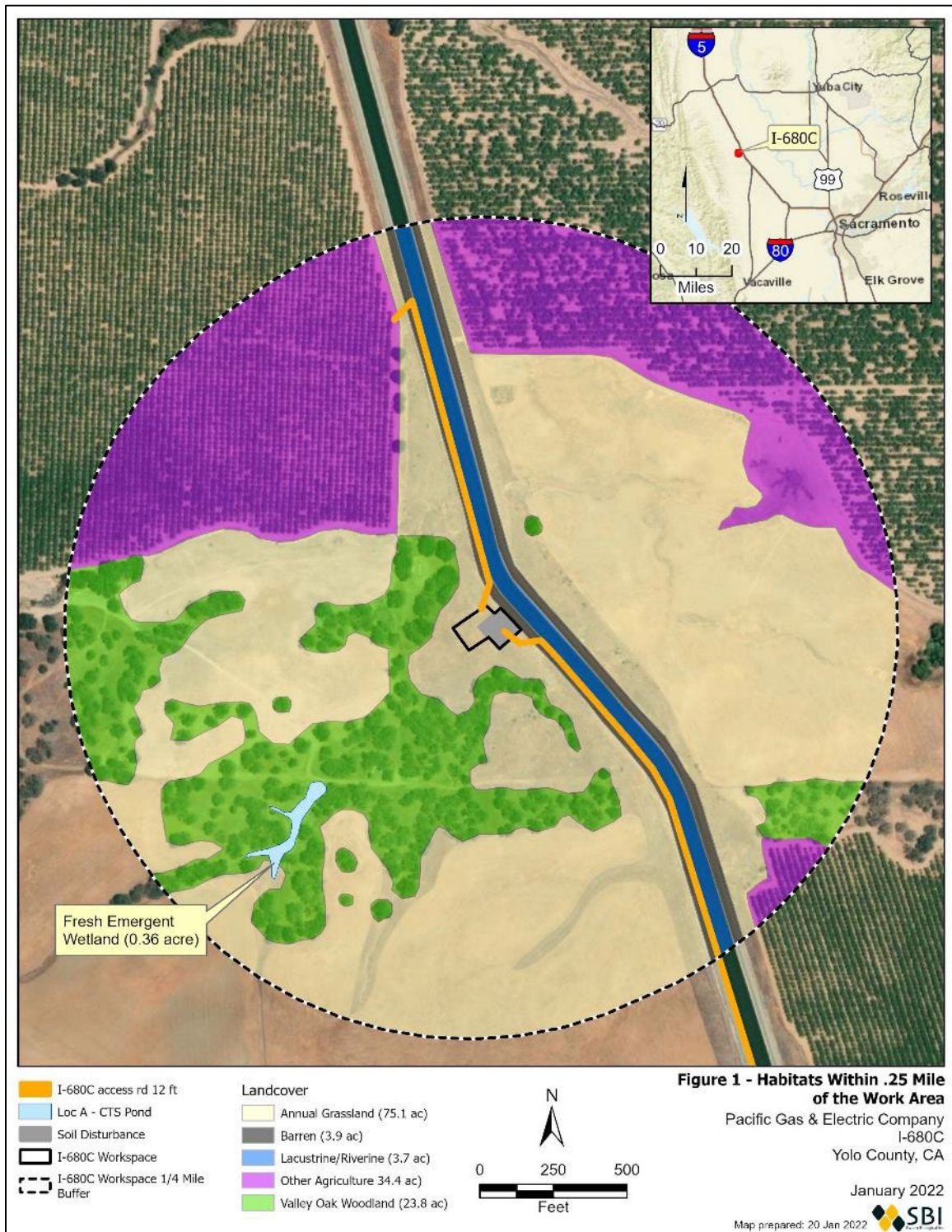


Figure 1. Habitats within 1/4-mile of project footprint

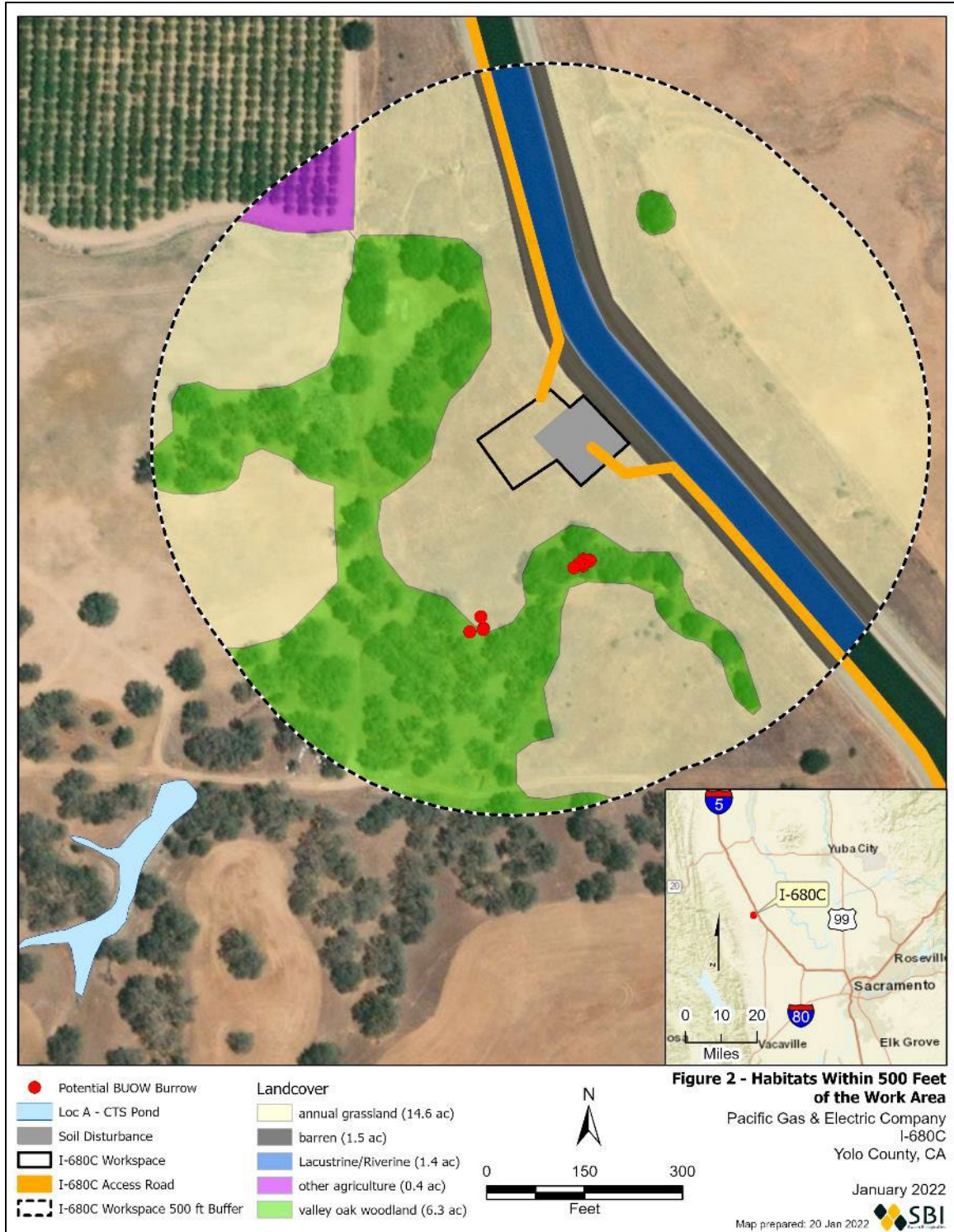


Figure 2. Habitats within 500-feet of project footprint

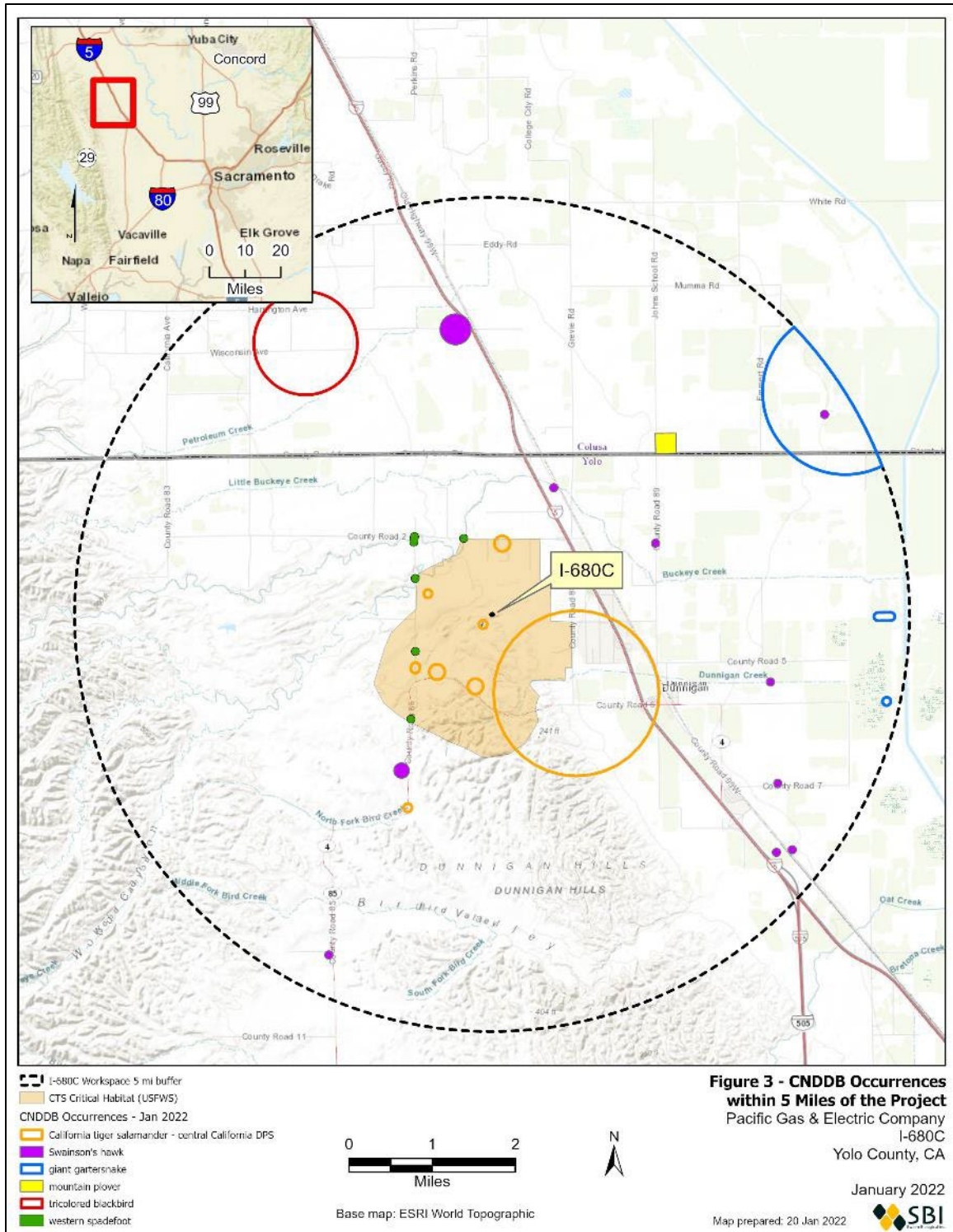


Figure 3. CNDDB Occurrences within 5-mile of project site

## Attachment 1 – Representative Site Photos



**Photo 1:** Section of egress from Road 4 to access along levee road. Taken facing southeast.



**Photo 2:** Location A temporary workspace. Taken facing west.



**Photo 3:** PG&E pipeline alignment at Location A. Taken facing east.



**Photo 4:** Valley oak woodland adjacent to Location A. Taken facing south.



**Photo 5:** Known CTS breeding bond located approximately 650 feet southwest of Location A. Taken facing north.



**Photo 6:** Annual grassland habitat adjacent to and within proposed workspace. Taken facing south.



**Photo 7:** Burrow complexes found within 500 feet of Location A. Taken facing east.



**Photo 8:** Steep drainages along southern access to Location A from Road 6 and canal levee road. Taken facing southeast.



## Attachment 5 – Photographs of Temporary Impact Areas

Please see Attachment 4 (Planning Level Survey Report) for photographs of the project locations and temporary impact areas.

## Attachment 6 – Documentation if Land is Offered in Lieu of Fees

Not applicable to this application.

## Attachment 7 – Covered Species Planning Survey Reports

Species-specific surveys were not conducted, so presence is assumed for California tiger salamander, Swainson's hawk, and white-tailed kite, burrowing owl, and Western pond turtle. Preconstruction surveys to determine presence/absence will be conducted and buffers and timing restrictions will apply to the project per the applicable Yolo HCP/NCCP AMMs.

## Attachment 8 – Unavoidable Impacts on Covered Species

Please see Attachment 4 (Planning Level and Survey Report) for maps and summary of impacts to HCP/NCCP land cover habitats.

## Attachment 9 –Description of Compliance with Avoidance and Minimization Measures

PG&E will incorporate avoidance and minimization measures and compensatory mitigation measures to avoid, minimize, and mitigate impacts to covered species in the Project area. PG&E's overarching strategy is to avoid and minimize impacts to covered species and their suitable habitat to the maximum extent possible by following Yolo County HCP/NCCP avoidance and minimization measures (AMMs), construction site best management practices (BMPs), and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

The following AMMs will apply to the I-680C project:

**AMM1 - Establish Buffers.** PG&E will design projects to avoid and minimize direct and indirect effects of permanent development on the sensitive natural communities and covered species habitat by providing buffers, as stipulated in the relevant sensitive natural community AMMs and covered species AMMs.

**AMM2 – Design Developments to Minimize Indirect Effects at Urban-Habitat Interfaces.** For development projects implemented adjacent to non-agricultural natural communities and covered species habitats, PG&E will incorporate urban-habitat interface elements into project design to minimize the following indirect effects of the development on adjacent habitat areas:

- Noise and visual disturbances that diminish the ability of covered and other native wildlife species to use the habitat.
- Increased numbers of pets (e.g., dogs, cats) that can result in harassment and mortality of covered and other native wildlife species.
- Increased levels of direct habitat disturbances associated with increased human access to habitats (e.g., destruction of vegetation and injury or mortality of wildlife associated with use of off-road vehicles).
- Escape or planting of invasive nonnative plants.

This AMM does not apply to development where it is immediately adjacent to existing developed lands.

PG&E will implement the following urban-habitat interface design elements and activities, as applicable, to each discretionary project:

- Place roads or other non-residential spaces, such as parks or greenbelts, rather than lots at the urban-natural community interface. The benefits of this may include a reduction in the number of incidences of pets entering the natural communities.
- Design roads, bike paths, and trails to discourage entry of humans and pets into adjacent natural communities and promote citizen policing at the natural community periphery.
- Establish barriers that discourage entry of humans and pets into natural community areas.
- Design fences to prevent pets from escaping yards into adjacent natural communities, control entry and dumping of trash into adjacent natural communities, and when appropriate, shield adjacent natural communities from visual disturbances that may interfere with normal wildlife behavioral patterns.
- Fence new public roads associated with developments to prevent unauthorized public access into habitat areas and effectively direct wildlife to specially designed crossing structures.

- Design development drainage systems and implement appropriate best management practices to avoid changes to overland flow and water quality in natural community areas, including streamcourses.
- Design development lighting to avoid projecting light into adjacent natural community areas. For lights at or near the urban-natural community interface, use low-glare lighting to minimize lighting effects on natural communities.

**AMM3 - Confine and Delineate Work Area.** Where natural communities and covered species habitat are present, workers will confine land clearing to the minimum area necessary to facilitate construction activities. Workers will restrict movement of heavy equipment to and from the project site to established roadways to minimize natural community and covered species habitat disturbance. PG&E will clearly identify boundaries of work areas using temporary fencing or equivalent and will identify areas designated as environmentally sensitive. All construction vehicles, other equipment, and personnel will avoid these designated areas.

**AMM5 - Control Fugitive Dust.** Workers will minimize the spread of dust from work sites to natural communities or covered species habitats on adjacent lands.

**AMM6 - Conduct Worker Training.** All construction personnel will participate in a worker environmental training program approved/authorized by the Conservancy and administered by a qualified biologist. The training will provide education regarding sensitive natural communities and covered species and their habitats, the need to avoid adverse effects, state and federal protection, and the legal implications of violating the FESA and NCCPA Permits. A pre-recorded video presentation by a qualified biologist shown to construction personnel may fulfill the training requirement.

**AMM7 - Control Nighttime Lighting of Project Construction Sites.** Workers will direct all lights for nighttime lighting of project construction sites into the project construction area and minimize the lighting of natural habitat areas adjacent to the project construction area.

**AMM8 - Avoid and Minimize Effects of Construction Staging Areas and Temporary Work Areas.** PG&E should locate construction staging and other temporary work areas for covered activities in areas that will ultimately be a part of the permanent project development footprint. If construction staging and other temporary work areas must be located outside of permanent project footprints, they will be located either in areas that do not support habitat for covered species or are easily restored to prior or improved ecological functions (e.g., grassland and agricultural land). Construction staging and other temporary work areas located outside of project footprints will be sited in areas that avoid adverse effects on the following:

- Serpentine, valley oak woodland, alkali prairie, vernal pool complex, valley foothill riparian, and fresh emergent wetland land cover types.
- Occupied western burrowing owl burrows.
- Nest sites for covered bird species and all raptors, including noncovered raptors, during the breeding season.

PG&E will follow specific AMMs for sensitive natural communities and covered species in temporary staging and work areas. For establishment of temporary work areas outside of the project footprint, PG&E will conduct surveys to determine if any of the biological resources listed above are present.

Within one year following removal of land cover, PG&E will restore temporary work and staging areas to a condition equal to or greater than the covered species habitat function of the affected habitat.

Restoration of vegetation in temporary work and staging areas will use clean, native seed mixes approved by the Conservancy that are free of noxious plant species seeds.

**AMM9 - Establish Buffers around Sensitive Natural Communities.** The buffers for each sensitive natural community are as follows:

- Fresh emergent wetland: Fifty feet from the edge of the natural community.

**AMM13- Minimize Take and Adverse Effects on Habitat of California Tiger Salamander.** PG&E will retain a qualified biologist to identify any suitable aquatic and upland habitats for California salamander present in and within 500 feet of the project footprint during planning-level surveys. The qualified biologist will also assess whether critical habitat could be affected by the covered activity.

Except for habitat management and enhancement, all covered activities will provide a 500-foot setback from aquatic California tiger salamander habitat. If a covered activity is outside the Dunnigan Creek Unit of California tiger salamander critical habitat and, as designed, will not avoid aquatic habitat by at least 500 feet, the project proponent will either conduct visual and dip-net surveys, consistent with CDFW protocol, during the period for November 1 to May 15 (California Department of Fish and Game 2003) or assume presence. If the species is present or assumed to be present, the covered activity will not remove aquatic habitat until at least four new occupied breeding pools are discovered or established in the Plan Area and protected in the Plan Area. After the four new occupied breeding pools are protected, and with concurrence of USFWS and CDFW, up to three breeding pools may be affected. The breeding habitat may not be removed if USFWS and CDFW determine that the covered activity would remove a significant occurrence of this species that could be necessary for maintaining the genetic diversity or regional distribution of the species. This AMM applies to California tiger salamander aquatic habitat and surrounding uplands, as defined by reference to the setbacks described above; it does not apply to cultivated agricultural lands (i.e., agricultural lands other than grazing lands) or other low-value upland habitat for California tiger salamander.

**AMM14- Minimize Take and Adverse Effects on Habitat of Western Pond Turtle.** There are no specific design requirements for western pond turtle habitat, however, PG&E must follow design requirements that require a 100-foot (minimum) permanent buffer zone from the canopy drip-line (the farthest edge on the ground where water will drip from the tree canopy, based on the outer boundary of the tree canopy). If modeled upland habitat will be impacted, a qualified biologist must be present and will assess the likelihood of western pond turtle nests occurring in the disturbance area (based on sun exposure, soil conditions, and other species habitat requirements).

If a qualified biologist determines that there is a moderate to high likelihood of western pond turtle nests within the disturbance area, the qualified biologist will monitor all initial ground disturbing activity for nests that may be unearthed during the disturbance and will move out of harm's way any turtles or hatchlings found.

**AMM16 - Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite.** PG&E will retain a qualified biologist to conduct planning-level surveys and identify any nesting habitat present within 1,320 feet of the project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas.

If a construction project cannot avoid potential nest trees (as determined by the qualified biologist) by 1,320 feet, PG&E will retain a qualified biologist to conduct preconstruction surveys for active nests consistent with guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000), between March 15 and August 30, within 15 days prior to the beginning of the construction activity. The results of the survey will be submitted to the Conservancy and CDFW. If active nests are found during preconstruction surveys, a 1,320-foot initial temporary nest disturbance buffer shall be established. If

project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then the qualified biologist will monitor the nest and will, along with PG&E, consult with CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed only to proceed within the temporary nest disturbance buffer if Swainson's hawk or white-tailed kite are not exhibiting agitated behavior, such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, and only with the agreement of CDFW and USFWS. The designated on-site biologist/monitor shall be on-site daily while construction-related activities are taking place within the 1,320-foot buffer and shall have the authority to stop work if raptors are exhibiting agitated behavior.

For covered activities that involve pruning or removal of a potential Swainson's hawk or white-tailed kite nest tree, the PG&E will conduct preconstruction surveys that are consistent with the guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000). If active nests are found during preconstruction surveys, no tree pruning or removal of the nest tree will occur during the period between March 1 and August 30 within 1,320 feet of an active nest, unless a qualified biologist determines that the young have fledged and the nest is no longer active.

**AMM18 - Minimize Take and Adverse Effects on Western Burrowing Owl.** PG&E will retain a qualified biologist to conduct planning-level surveys and identify western burrowing owl habitat (as defined in Appendix A, Covered Species Accounts) within or adjacent to (i.e., within 500 feet of) a covered activity. If habitat for this species is present, additional surveys for the species by a qualified biologist are required, consistent with CDFW guidelines (2012).

If burrowing owls are identified during the planning-level survey, PG&E will minimize activities that will affect occupied habitat as follows. Occupied habitat is considered fully avoided if the project footprint does not impinge on a nondisturbance buffer around the suitable burrow. For occupied burrowing owl nest burrows, this nondisturbance buffer could range from 150 to 1,500 feet (Table 1, Recommended Restricted Activity Dates and Setback Distances by Level of Disturbance for Burrowing Owls), depending on the time of year and the level of disturbance, based on current guidelines (California Department of Fish and Game 2012). The Yolo HCP/NCCP generally defines low, medium, and high levels of disturbances of burrowing owls as follows.

- Low: Typically 71-80 dB, generally characterized by the presence of passenger vehicles, small gas-powered engines (e.g., lawn mowers, small chain saws, portable generators), and high-tension power lines. Includes electric hand tools (except circular saws, impact wrenches and similar). Management and enhancement activities would typically fall under this category. Human activity in the immediate vicinity of burrowing owls would also constitute a low level of disturbance, regardless of the noise levels.
- Moderate: Typically 81-90 dB, and would include medium- and large-sized construction equipment, such as backhoes, front end loaders, large pumps and generators, road graders, dozers, dump trucks, drill rigs, and other moderate to large diesel engines. Also includes power saws, large chainsaws, pneumatic drills and impact wrenches, and large gasoline-powered tools. Construction activities would normally fall under this category.
- High: Typically 91-100 dB, and is generally characterized by impacting devices, jackhammers, compression ("jake") brakes on large trucks, and trains. This category includes both vibratory and impact pile drivers (smaller steel or wood piles) such as used to install piles and guard rails, and large pneumatic tools such as chipping machines. It may also include large diesel and gasoline engines, especially if in concert with other impacting devices. Felling of large trees (defined as dominant or subdominant trees in mature forests), truck horns, yarding tower



whistles, and muffled or underground explosives are also included. Very few covered activities are expected to fall under this category, but some construction activities may result in this level of disturbance.

**Table 1. Recommended Restricted Activity Dates and Setback Distances by Level of Disturbance for Burrowing Owls**

Time of Year	Level of Disturbance (feet) from Occupied Burrows		
	Low	Medium	High
April 1 – August 15	600	1,500	1,500
August 16 – October 15	600	600	1,500
October 16 – March 31	150	300	1,500

If the project does not fully avoid direct and indirect effects on nesting sites (i.e., if the project cannot adhere to the buffers described above), PG&E will retain a qualified biologist to conduct preconstruction surveys and document the presence or absence of western burrowing owls that could be affected by the covered activity. Prior to any ground disturbance related to covered activities, the qualified biologist will conduct the preconstruction surveys within three days prior to ground disturbance in areas identified in the planning-level surveys as having suitable burrowing owl burrows, consistent with CDFW preconstruction survey guidelines. The qualified biologist will conduct the preconstruction surveys three days prior to ground disturbance. Time lapses between ground disturbing activities will trigger subsequent surveys prior to ground disturbance.

If the biologist finds the site to be occupied (occupancy of burrowing owl habitat during preconstruction surveys is confirmed at a site when at least one burrowing owl or sign [fresh whitewash, fresh pellets, feathers, or nest ornamentation] is observed at or near a burrow entrance) by western burrowing owls during the breeding season (February 1 to August 31), PG&E will avoid all nest sites, based on the buffer distances described above, during the remainder of the breeding season or while the nest is occupied by adults or young (occupation includes individuals or family groups that forage on or near the site following fledging). Construction may occur inside of the disturbance buffer during the breeding season if the nest is not disturbed and PG&E develops an AMM plan that is approved by the Conservancy, CDFW, and USFWS prior to project construction, based on the following criteria:

- The Conservancy, CDFW, and USFWS approves the AMM plan provided by PG&E.
- A qualified biologist monitors the owls for at least three days prior to construction to determine baseline nesting and foraging behavior (i.e., behavior without construction).
- The same qualified biologist monitors the owls during construction and finds no change in owl nesting and foraging behavior in response to construction activities.
- If the qualified biologist identifies a change in owl nesting and foraging behavior as a result of construction activities, the qualified biologist will have the authority to stop all construction related activities within the non-disturbance buffers described above. The qualified biologist will report this information to the Conservancy, CDFW, and USFWS within 24 hours, and the Conservancy will require that these activities immediately cease within the non-disturbance buffer. Construction cannot resume within the buffer until the adults and juveniles from the occupied burrows have moved out of the project site, and the Conservancy, CDFW, and USFWS agree.
- If monitoring indicates that the nest is abandoned prior to the end of nesting season and the burrow is no longer in use by owls, PG&E may remove the nondisturbance buffer, only with

concurrency from CDFW and USFWS. If the burrow cannot be avoided by construction activity, the biologist will excavate and collapse the burrow in accordance with CDFW's 2012 guidelines to prevent reoccupation after receiving approval from the wildlife agencies.

If evidence of western burrowing owl is detected outside the breeding season (December 1 to January 31), PG&E will establish a non-disturbance buffer around occupied burrows, consistent with Table 8-1, as determined by a qualified biologist. Construction activities within the disturbance buffer are allowed if the following criteria are met to prevent owls from abandoning important overwintering sites:

- A qualified biologist monitors the owls for at least three days prior to construction to determine baseline foraging behavior (i.e., behavior without construction).
- The same qualified biologist monitors the owls during construction and finds no change in owl foraging behavior in response to construction activities.
- If there is any change in owl roosting and foraging behavior as a result of construction activities, these activities will cease within the buffer.
- If the owls are gone for at least one week, PG&E may request approval from the Conservancy, CDFW, and USFWS for a qualified biologist to excavate and collapse usable burrows to prevent owls from reoccupying the site if the burrow cannot be avoided by construction activities. The qualified biologist will install one-way doors for a 48-hour period prior to collapsing any potentially occupied burrows. After all usable burrows are excavated, the buffer will be removed, and construction may continue.

Monitoring must continue as described above for the nonbreeding season as long as the burrow remains active.

A qualified biologist will monitor the site, consistent with the requirements described above, to ensure that buffers are enforced and owls are not disturbed. Passive relocation (i.e., exclusion) of owls has been used in the past in the Plan Area to remove and exclude owls from active burrows during the nonbreeding season (Trulio 1995). Exclusion and burrow closure will not be conducted during the breeding season for any occupied burrow. If the Conservancy determines that passive relocation is necessary, PG&E will develop a burrowing owl exclusion plan in consultation with CDFW biologists. The methods will be designed as described in the species monitoring guidelines (California Department of Fish and Game 2012) and consistent with the most up-to-date checklist of passive relocation techniques. This may include the installation of one-way doors in burrow entrances by a qualified biologist during the nonbreeding season. These doors will be in place for 48 hours and monitored twice daily to ensure that the owls have left the burrow, after which time the biologist will collapse the burrow to prevent reoccupation. Burrows will be excavated using hand tools. During excavation, an escape route will be maintained at all times. This may include inserting an artificial structure, such as piping, into the burrow to prevent collapsing until the entire burrow can be excavated and it can be determined that no owls are trapped inside the burrow. The Conservancy may allow other methods of passive or active relocation, based on best available science, if approved by the wildlife agencies. Artificial burrows will be constructed prior to exclusion and will be created less than 300 feet from the existing burrows on lands that are protected as part of the reserve system.

**AMM21 - Minimize Take and Adverse Effects on Tricolored Blackbird.** PG&E will retain a qualified biologist to identify and quantify (in acres) tricolored blackbird nesting and foraging habitat within 1,300 feet of the footprint of the covered activity. If a 1,300-foot buffer from nesting habitat cannot be maintained, the qualified biologist will check records maintained by the Conservancy (which will include CNDDDB data, and data from the tricolored blackbird portal) to determine if tricolored blackbird nesting colonies have been active in or within 1,300 feet of the project footprint during the previous five years.

If there are no records of nesting tricolored blackbirds on the site, the qualified biologist will conduct visual surveys to determine if an active colony is present, during the period from March 1 to July 30, consistent with protocol described by Kelsey (2008).

Operations and maintenance activities or other temporary activities that do not remove nesting habitat and occur outside the nesting season (March 1 to July 30) do not need to conduct planning or construction surveys or implement any additional avoidance measures.

If an active tricolored blackbird colony is present or has been present within the last five years within the planning-level survey area, the project proponent will design the project to avoid adverse effects within 1,300 feet of the colony site(s), unless a shorter distance is approved by the Conservancy, USFWS, and CDFW. If a shorter distance is approved, the project proponent will still maintain a 1,300-foot buffer around active nesting colonies during the nesting season but may apply the approved lesser distance outside the nesting season. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas.

**Yolo Habitat Conservancy**

**Meeting Date:** 05/16/2022

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**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 R-1692 natural gas transmission line pressurization project

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**Attachments**

Staff Report

Attachment A. PG&E R-1692 Application

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**Form Review**

Form Started By: Charlie Tschudin  
Final Approval Date: 05/11/2022

Started On: 05/10/2022 04:16 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: Gary Sandy, 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 R-1692 natural gas transmission line pressurization project

Date: May 16, 2022

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## **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 R-1692 natural gas transmission line pressurization project

## **BACKGROUND:**

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 December of 2021, PG&E contacted Conservancy staff to discuss requesting permit coverage to cover the impact area of a natural gas transmission line excavation project. The excavation would allow for PG&E to replace this section of pipe to address gas pressurization in the line as well meet the criteria for pipe operating in a Class 1 public road crossing. Once the pipeline segment is replaced, the trench would be backfilled with native material back to the original contour and the work area would be reseeded and

monitored until it is successfully returned to pre-construction condition. It was determined that the R-1692 natural gas transmission line excavation would require 0.8 acres of temporary impact to the cultivated lands (non-rice) land cover type and 0.2 acres of grassland (all types) to mitigate for the impacts to the project area. The project results in impacts an additional 0.2-acres of land cover impacts, but the impacts occur to land cover types that do not have maximum allowable loss acreages in Yolo HCP/NCCP Table 5-1. PG&E intends to utilize the PG&E Multiple Region Operations and Maintenance Habitat Conservation Plan (HCP) to mitigate for the federally covered species and the Conservancy's Natural Community Conservation Plan (NCCP) to the state mitigation obligations. Conservancy staff verified with the wildlife agencies that this approach is permissible.

PG&E has completed the full application package for Yolo HCP/NCCP coverage and will sign a cost recovery agreement that covers the PG&E R-1692 natural gas transmission line excavation project. PG&E will also deposit \$10,000 to cover the costs of reviewing the PG&E R-1692 natural gas transmission line excavation project application for coverage, in addition to the application fee. In this case because the dollar amount required mitigate for the 1.2-acres of temporary impact is less than the \$1,981 application fee, the application fee is credited towards the mitigation fees and the Conservancy will not collect the additional \$361.25 identified in Attachment A.

Staff recommend approval of expanded permit coverage for the upgrade to the PG&E R-1692 natural gas transmission line excavation project as the impacts of the proposed project only occur on a small amount of the cultivated lands (non-rice) and grassland land cover types 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. Application for Coverage





<b>BOX C: PROJECT CONTACT</b>			
<b>1 Property Owner</b>			
1.a Property owner name			
1.b Mailing address			
1.c Phone (home/office)		1.d Phone (Cellular)	
1.e Email			
<b>2 Project Agent/Applicant</b>			
2.a Company/organization			
2.b Name of primary contact			
2.c Mailing address			
2.d Phone (office)		2.e Phone (Cellular)	
2.f Email			
<b>Permissions</b>			
3 Local agency and/or the Conservancy may contact the property owner directly		<input type="checkbox"/> Yes <input type="checkbox"/> No	
4 Local agency and/or the Conservancy may contact the project agent/applicant directly		<input type="checkbox"/> Yes <input type="checkbox"/> No	

<b>BOX D: PROJECT INFORMATION</b>					
1 Project address and location					
2 Assessor parcel number(s) APNs and acreage by parcel (not applicable for linear projects).					
3 Total acreage of parcel(s) (not applicable for linear projects spanning multiple parcels)					
4 Using the GeoMapper's Spatially Defined Planning Unit Map, find your proposed project site. Check the Planning Unit in which your project lies.		<table style="width: 100%; border: none;"> <tr> <td style="vertical-align: top;"> <p><b>Yolo County Planning Units</b></p> <p><input type="checkbox"/> 1 – Little Blue Ridge</p> <p><input type="checkbox"/> 2 – North Blue Ridge</p> <p><input type="checkbox"/> 3 – South Blue Ridge</p> <p><input type="checkbox"/> 4 – Capay Hills</p> <p><input type="checkbox"/> 5 – Dunnigan Hills</p> <p><input type="checkbox"/> 6 – Upper Cache Creek</p> <p><input type="checkbox"/> 7 – Lower Cache Creek</p> <p><input type="checkbox"/> 8 – Upper Putah Creek</p> <p><input type="checkbox"/> 9 – Lower Putah Creek</p> <p><input type="checkbox"/> 10 – Hungry Hollow Basin</p> <p><input type="checkbox"/> 11 – Willow Slough Basin</p> </td> <td style="vertical-align: top;"> <p><input type="checkbox"/> 12 – Colusa Basin</p> <p><input type="checkbox"/> 13 – Colusa Basin Plains</p> <p><input type="checkbox"/> 14 – North Yolo Basin</p> <p><input type="checkbox"/> 15 – South Yolo Basin</p> <p><input type="checkbox"/> 16 – Yolo Basin Plains</p> <p><input type="checkbox"/> 17 – North Yolo Bypass</p> <p><input type="checkbox"/> 18 – South Yolo Bypass</p> <p><b>Cities</b></p> <p><input type="checkbox"/> 19 – City of Woodland</p> <p><input type="checkbox"/> 20 – City of Davis</p> <p><input type="checkbox"/> 21 – City of West Sacramento</p> <p><input type="checkbox"/> 22 – City of Winters</p> </td> </tr> </table>		<p><b>Yolo County Planning Units</b></p> <p><input type="checkbox"/> 1 – Little Blue Ridge</p> <p><input type="checkbox"/> 2 – North Blue Ridge</p> <p><input type="checkbox"/> 3 – South Blue Ridge</p> <p><input type="checkbox"/> 4 – Capay Hills</p> <p><input type="checkbox"/> 5 – Dunnigan Hills</p> <p><input type="checkbox"/> 6 – Upper Cache Creek</p> <p><input type="checkbox"/> 7 – Lower Cache Creek</p> <p><input type="checkbox"/> 8 – Upper Putah Creek</p> <p><input type="checkbox"/> 9 – Lower Putah Creek</p> <p><input type="checkbox"/> 10 – Hungry Hollow Basin</p> <p><input type="checkbox"/> 11 – Willow Slough Basin</p>	<p><input type="checkbox"/> 12 – Colusa Basin</p> <p><input type="checkbox"/> 13 – Colusa Basin Plains</p> <p><input type="checkbox"/> 14 – North Yolo Basin</p> <p><input type="checkbox"/> 15 – South Yolo Basin</p> <p><input type="checkbox"/> 16 – Yolo Basin Plains</p> <p><input type="checkbox"/> 17 – North Yolo Bypass</p> <p><input type="checkbox"/> 18 – South Yolo Bypass</p> <p><b>Cities</b></p> <p><input type="checkbox"/> 19 – City of Woodland</p> <p><input type="checkbox"/> 20 – City of Davis</p> <p><input type="checkbox"/> 21 – City of West Sacramento</p> <p><input type="checkbox"/> 22 – City of Winters</p>
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**BOX D: PROJECT INFORMATION**

- 5  Provide a project description. Please refer to the Permitting Guide for details to include in the project description. Label as **Attachment 1** or indicate in this box the page numbers of the planning level survey where this information can be found.
- 6  Provide a legible vicinity map of the project site and surrounding area (PDF). Refer to the Permitting Guide for more information about details to include on the vicinity map. Label as **Attachment 2**. Rather than a separate PDF, applicant may include the site plan in the planning level survey report.
- If so, provide page number here: \_\_\_\_\_
- 7  Provide a site plan that shows the proposed project site and surrounding area. (PDF and CAD or GIS-compatible). Refer to the Permitting Guide for more information about details to include in the site plan and details regarding the required CAD or GIS-compatible digital information to be attached. Label as **Attachment 3**. Rather than a separate PDF, applicant may include the site plan in the planning level survey report or other report. If so, attach report or excerpt and provide report name and page number here: \_\_\_\_\_

**BOX E: NATURAL COMMUNITY AND LAND COVER IMPACTS AND MITIGATION FEES**

Complete Items 1-26 below, referring to the Permitting Guide for calculation methods.

- Total fee amount for each land cover type will be auto-generated based on acreage amount (and for recurring temporary impacts, number of years out of the 50-year permit term the impact will occur).
- Temporary impact fee formula = land cover fee x area of temporary effect in acres x (F/50) where F = the number of years in which the activity will occur during the rest of the permit term (until 2069).
- Must include required land cover fee buffer area associated with the project. This is generally 10 feet for linear projects (e.g. roads, utility corridors, pipelines) and 50 feet for all other projects. See Chapter 3 of the Permitting Guide.
- Fees will be updated annually, typically in March.
- Wetland fees are in addition to land cover fees. For project proponents transplanting elderberry shrubs from a non-riparian habitat, a per acre maintenance fee of \$19,104 is assessed. The maintenance fee is subject to the annual increase in fees pursuant to existing methodology.

Submit a planning level survey, including a field-verified land cover map and the name and qualifications of the qualified biologist(s) responsible for preparation of the report. Label as **Attachment 4**. Mapped areas shown on the site plan (**Attachment 3** in Box D, Item 7) should be consistent with the acreages entered below. Include photographs of temporary impact areas. Label photos as **Attachment 5**.

Land Cover Types	Land Cover Permanently Impacted by Project (in acres)			Land Cover Temporarily Impacted by Project (in acres)	Years of Recurring Temporary Impact	Fees (Auto Generated)				
	Permanent Impact (acres)	Fee Buffer (acres)	TOTAL			Land Cover Fee (per acre)	Wetland Fee (per acre)	Permanent Impact, Land Cover Fee	Temporary Impact, Land Cover Fee	Wetland Fee
1 <input type="checkbox"/> Developed (including ruderal with no covered species habitat) <sup>a</sup>						\$0	\$0	\$	\$	\$
2 <input type="checkbox"/> Ruderal with covered species habitat <sup>a</sup>						\$15,571	\$0	\$	\$	\$
3 <input type="checkbox"/> Barren, No Covered Species Habitat						\$0	\$0	\$	\$	\$
4 <input type="checkbox"/> Barren, With Covered Species Habitat						\$15,571	\$0	\$	\$	\$
5 <input type="checkbox"/> Vegetated Corridor with Covered Species Habitat						\$15,571	\$0	\$	\$	\$
6 <input type="checkbox"/> Grassland (all types)						\$15,571	\$0	\$	\$	\$
7 <input type="checkbox"/> Alkali Prairie						\$15,571	\$0	\$	\$	\$
8 <input type="checkbox"/> Fresh Emergent Wetland (all types)						\$15,571	\$80,864	\$	\$	\$

<b>BOX E: NATURAL COMMUNITY AND LAND COVER IMPACTS AND MITIGATION FEES</b>											
9	<input type="checkbox"/> Valley Foothill Riparian						\$15,571	\$66,560	\$	\$	\$
10	<input type="checkbox"/> Lacustrine and Riverine						\$15,571	\$64,854	\$	\$	\$
11	<input type="checkbox"/> Cultivated Land (all types)						\$15,571	\$0	\$	\$	\$
12	<input type="checkbox"/> Citrus/Subtropical						\$15,571	\$0	\$	\$	\$
13	<input type="checkbox"/> Deciduous Fruits/Nuts						\$15,571	\$0	\$	\$	\$
14	<input type="checkbox"/> Vineyards						\$15,571	\$0	\$	\$	\$
15	<input type="checkbox"/> Turf Farm						\$15,571	\$0	\$	\$	\$
16	<input type="checkbox"/> Flowers/Nursery/Tree Farms						\$15,571	\$0	\$	\$	\$
17	<input type="checkbox"/> Semiag/Incidental to Agriculture						\$15,571	\$0	\$	\$	\$
18	<input type="checkbox"/> Eucalyptus						\$15,571	\$0	\$	\$	\$
<b>TOTAL</b>											
19	<b>TOTAL LAND COVER IMPACTS AND MITIGATION FEES</b>									\$	
20	<b>APPLICATION FEE</b> (The application fee is credited towards the cost of the mitigation fees if the application fee is paid prior to the submittal of the mitigation fee payment . Application fee as of January 1, 2020: \$1,981)									\$	
21	<b>OTHER CREDITS</b> (Advanced fee payment or in lieu fee credit – must be verified by Conservancy). Add <b>Attachment 6</b>									\$	
22	<b>TOTAL LAND COVER IMPACTS AND MITIGATION FEES DUE</b> (Mitigation fees due are determined at the time of payment unless they were paid in accordance with the Yolo HCP/NCCP Early Payment of Mitigation Fees Policy. See <a href="http://www.yolohabitatconservancy.org">www.yolohabitatconservancy.org</a> for current fee schedule.)									\$	
<sup>a</sup> Land cover fees may be applicable if covered species habitat is present.											

**BOX F: CONDITIONS OF APPROVAL: CONDUCT PLANNING LEVEL SURVEYS**

Based on a planning level survey conducted by a qualified biologist using the land cover definitions described in the Permitting Guide in Table 2-1, indicate which sensitive natural communities and covered species are relevant to your project. Indicate below whether suitable covered species habitats are present (Column A) and, where applicable, if there is a need to conduct a more focused survey(s) for covered species (Column B) to confirm presence. Complete species-specific planning level surveys as needed consistent with protocols referenced in Appendix A of the Permitting Guide. Alternatively, covered species presence can be assumed, which would require adherence to applicable AMMs and implementation of avoidance measures or preconstruction surveys. Attach all species-specific planning level surveys as **Attachment 7**. Describe, map, and tabulate impacts the project will have on each natural community and each species for which habitat is present. Impact calculations must correspond to the permanent and temporary impact calculations in Box E. Label as **Attachment 8**. Alternatively, the impact assessment can be incorporated into the planning level survey. **Important:** Be aware of the timing requirements for conducting a species-specific planning level survey (Table 6-1 in the Permitting Guide) to avoid project delays.

	A. Project Site Conditions Requiring Planning Level Survey	B. Species-Specific Planning Level Survey Results	C. Documentation
<b>Sensitive Natural Communities</b>			
1 Alkali prairie and vernal pool complex	<p>Are vernal pools or alkali seasonal wetlands present within 250 feet of project footprint?</p> <p><input type="checkbox"/> <b>Yes.</b> <i>Design project to avoid vernal pools or alkali seasonal wetlands by 250 feet or lesser buffer if approved by wildlife agencies (see Permitting Guide Table 2-1). Check Box G, AMMs 9 and 10. Go to Column C.</i></p> <p><input type="checkbox"/> <b>No</b></p>	N/A	<p>Map attached? (Attachment 4)</p> <p><input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b></p> <p>If vernal pools or alkali seasonal wetlands are present on or near the site, provide map showing how project avoids these wetlands.</p>
2 Valley foothill riparian	<p>Is valley foothill riparian present within 100 feet of the project site boundary?</p> <p><input type="checkbox"/> <b>Yes.</b> <i>Design project to avoid valley foothill riparian by 100 feet or count all portions within 100 feet in the impact acreage (see Permitting Guide Table 2-1). Check Box G, AMMs 9 and 10. Go to Column C and provide map.</i></p> <p><input type="checkbox"/> <b>No</b></p>	N/A	<p>Map attached? (Attachment 4)</p> <p><input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b></p> <p>Provide map showing the valley foothill riparian in relation to the project footprint.</p>
3 Lacustrine and riverine	<p>Are any streams, rivers, lakes, or ponds within 25 feet of project footprint inside urban planning units, or within 100 feet of project footprint outside urban planning units?</p> <p><input type="checkbox"/> <b>Yes.</b> <i>Design project to avoid these resources by 25 feet inside urban planning units or 100 feet outside urban planning units, or count all portions within these distances in the impact acreage, unless a variance is allowed. Check Box G, AMMs 9 and 10. Go to Column C and provide map.</i></p> <p><input type="checkbox"/> <b>No</b></p>	N/A	<p>Map attached? (Attachment 4)</p> <p><input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b></p> <p>Provide map showing any streams, rivers, lakes, or ponds in relation to the project footprint.</p>

<b>BOX F: CONDITIONS OF APPROVAL: CONDUCT PLANNING LEVEL SURVEYS</b>			
	A. Project Site Conditions Requiring Planning Level Survey	B. Species-Specific Planning Level Survey Results	C. Documentation
<b>Sensitive Natural Communities</b>			
4	<p>Fresh emergent wetlands</p> <p>Are there any fresh emergent wetlands within 50 feet of project footprint outside urban planning units?</p> <p><input type="checkbox"/> <b>Yes.</b> <i>Design project to avoid these resources by 50 feet, or count all portions within 50 feet in the impact acreage. Check Box G, AMMs 9 and 10. Go to Column C and provide map).</i> <b>Survey period: May 31–September 30</b></p> <p><input type="checkbox"/> <b>No</b></p>	N/A	<p>Map attached? (Attachment 4)</p> <p><input type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p> <p>Provide map of fresh emergent wetlands in relation to the project footprint.</p>
<b>Plants</b>			
5	<p>Palmate-bracted bird's beak</p> <p>Is suitable habitat present within 250 feet of the project site boundary? (see Permitting Guide Table 2-2)</p> <p><input type="checkbox"/> <b>Yes.</b> <i>Survey for palmate-bracted bird's beak consistent with Permitting Guide Appendix A. Check Box G, AMM 11. Go to Column B. Survey period: May 31–September 30</i></p> <p><input type="checkbox"/> <b>No</b></p>	<p>Is palmate-bracted bird's beak present?</p> <p><input type="checkbox"/> <b>Yes.</b> <i>Design project to avoid occupied habitat as described in AMM 11. Go to Column C.</i></p> <p><input type="checkbox"/> <b>No.</b> <i>Go to Column C.</i></p>	<p>Species-specific planning level survey report attached? (Attachment 7)</p> <p><input type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p> <p><i>Include report of species-specific planning level survey and map of habitat and any plants found in relation to project footprint.</i></p>
<b>Invertebrates</b>			
6	<p>Valley elderberry longhorn beetle</p> <p>Is there presence of elderberry shrubs in the project site or within 100 feet outside of the project site boundary that could be impacted by the project?</p> <p><input type="checkbox"/> <b>Yes.</b> <i>Identify and map all elderberry shrubs in and within 100 feet of project footprint with stems greater than one inch in diameter at ground level. For mapped shrubs that cannot be avoided, quantify the number of stems greater than one inch in diameter at ground level, and identify any such stems with valley elderberry longhorn beetle exit holes. Check Box G, AMM 12. Go to Column C and provide survey report.</i> <b>Survey period: Year-round</b></p> <p><input type="checkbox"/> <b>No</b></p>	N/A	<p>Species-specific planning level survey report attached? (Attachment 7)</p> <p><input type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p>

<b>BOX F: CONDITIONS OF APPROVAL: CONDUCT PLANNING LEVEL SURVEYS</b>			
	A. Project Site Conditions Requiring Planning Level Survey	B. Species-Specific Planning Level Survey Results	C. Documentation
<b>Amphibians</b>			
7 California tiger salamander	<p>Is there presence of California tiger salamander aquatic or upland habitat in the project footprint, or aquatic habitat within 500 feet of the project footprint?</p> <p><input type="checkbox"/> <b>Yes.</b> Check box G, AMM 13. Is the habitat within designated critical habitat for California tiger salamander, as determined using the GeoMapper?</p> <p><input type="checkbox"/> <b>Yes.</b> Design project to avoid designated critical habitat.</p> <p><input type="checkbox"/> <b>No.</b> If aquatic habitat cannot be avoided by 500 feet, either conduct surveys as described in the Permitting Guide Appendix A, or assume species presence. <b>Survey period: After rainfall, November 1 to May 15.</b> Go to Column B.</p> <p><input type="checkbox"/> <b>No</b></p>	<p>Are California tiger salamanders present or assumed to be present in aquatic habitat?</p> <p><input type="checkbox"/> <b>Yes.</b> If the species is present or assumed to be present, the Yolo HCP/NCCP will not allow any loss of occupied aquatic habitat until at least four new occupied breeding pools are discovered or established and protected in the Plan Area. Contact Yolo Habitat Conservancy. Go to Column C.</p> <p><input type="checkbox"/> <b>No</b></p>	<p>Species-specific planning level survey attached? (Attachment 7)</p> <p><input type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p>
<b>Reptiles</b>			
8 Western Pond Turtle	<p>Is western pond turtle habitat present in the project footprint?</p> <p><input type="checkbox"/> <b>Yes.</b> Check Box G, AMM 14. A qualified biologist is required to evaluate whether there is moderate to high likelihood of western pond turtle presence. Go to Columns B and C.</p> <p><input type="checkbox"/> <b>No</b></p>	<p>Moderate to high likelihood of western pond turtle presence?</p> <p><input type="checkbox"/> <b>Yes:</b> Check Box F for western pond turtle preconstruction surveys.</p> <p><input type="checkbox"/> <b>No</b></p>	<p>Habitat evaluation attached? (Attachment 7)</p> <p><input type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p>
9 Giant Garter Snake	<p>Is there any giant garter snake habitat (as defined in the Permitting Guide, Table 2-2) within the project footprint?</p> <p><input type="checkbox"/> <b>Yes.</b> Design project to avoid or minimize impact on giant garter snake habitat to the extent practicable. If habitat cannot be avoided, see AMM 15. Check Box F for giant garter snake Preconstruction surveys, and check Box G, AMM 15.</p> <p><input type="checkbox"/> <b>No</b></p>	N/A	N/A

BOX F: CONDITIONS OF APPROVAL: CONDUCT PLANNING LEVEL SURVEYS			
	A. Project Site Conditions Requiring Planning Level Survey	B. Species-Specific Planning Level Survey Results	C. Documentation
Birds			
10 Swainson's Hawk and White-tailed Kite	<p>Are there suitable Swainson's hawk or white-tailed kite nest trees within 1,320 feet of the project footprint?</p> <p><input type="checkbox"/> <b>Yes.</b> <i>If nest trees cannot be avoided by 1,320 feet, check Box F for hawk and kite Preconstruction surveys, and Box G, AMM 16.</i></p> <p><input type="checkbox"/> <b>No</b></p>	N/A	N/A
11 Western yellow-billed cuckoo	<p>Is suitable habitat present within 500 feet of the project site boundary?</p> <p><input type="checkbox"/> <b>Yes.</b> <i>If there are breeding records for the western yellow-billed cuckoo within ¼ mile of the project site from the previous three years (as determined by GeoMapper), then assume species is present. If there are no breeding records with ¼ mile, then either assume species is present or survey consistent with Chapter 6 of the Permitting Guide. See columns B and C. Check Box F for western yellow-billed cuckoo Preconstruction surveys and Check Box G, AMM 17.</i></p> <p><b>Survey period: June 1–August 30.</b></p> <p><input type="checkbox"/> <b>No</b></p>	<p>Is western yellow-billed cuckoo present or assumed to be present?</p> <p><input type="checkbox"/> <b>Yes.</b> <i>If project cannot avoid occupied habitat by 500 feet, avoid take of nesting birds as described in AMM 17.</i></p> <p><input type="checkbox"/> <b>No.</b></p>	<p>Species Survey attached? (Attachment 7)</p> <p><input type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p>
12 Western Burrowing Owl	<p>Is western burrowing owl habitat present on the project site, or within 500 feet of the project site?</p> <p><input type="checkbox"/> <b>Yes.</b> <i>Conduct planning level surveys for occupied habitat as described in Permitting Guide Appendix A. Go to Columns B and C. <b>Survey period: February 1–August 31 during the breeding season; September 1–January 31 during nonbreeding season.</b></i></p> <p><input type="checkbox"/> <b>No</b></p>	<p>Are burrowing owls present?</p> <p><input type="checkbox"/> <b>Yes.</b> <i>Check Box G, AMM18. If burrows cannot be avoided, consistent with Table 2-3 in the Permitting Guide, Check Box F for western burrowing owl preconstruction surveys.</i></p> <p><input type="checkbox"/> <b>No</b></p>	<p>Species-specific planning level survey attached? (Attachment 7)</p> <p><input type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p>

<b>BOX F: CONDITIONS OF APPROVAL: CONDUCT PLANNING LEVEL SURVEYS</b>			
	A. Project Site Conditions Requiring Planning Level Survey	B. Species-Specific Planning Level Survey Results	C. Documentation
13 Least Bell's Vireo	<p>Is least Bell's vireo habitat present in and within 500 feet of project footprint?</p> <p><input type="checkbox"/> <b>Yes.</b> Check Box G, AMM 19. Are there nesting records for the species within ¼ mile of the site from the previous three years (determined using the GeoMapper)?</p> <p><input type="checkbox"/> <b>Yes.</b> Assume species is present. See Column B.</p> <p><input type="checkbox"/> <b>No.</b> Conduct planning level surveys, as described in Permitting Guide Appendix A. See Columns B and C. <b>Survey period: April 1–July 15</b></p> <p><input type="checkbox"/> <b>No</b></p>	<p>Are least Bell's vireo nests present or assumed to be present?</p> <p><input type="checkbox"/> <b>Yes.</b> Check Box F for least Bell's vireo preconstruction surveys. Avoid take of birds as described in AMM 19.</p> <p><input type="checkbox"/> <b>No.</b></p>	<p>Species Survey attached? (Attachment 7)</p> <p><input type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p>
14 Bank Swallow	<p>Is bank swallow nesting habitat present on the project site, or within 500 feet of the project site?</p> <p><input type="checkbox"/> <b>Yes.</b> Check Box G, AMM 20. Conduct planning level surveys as described in Permitting Guide Appendix A. Go to Columns B and C. <b>Survey period: March 1–August 15</b></p> <p><input type="checkbox"/> <b>No</b></p>	<p>Are nesting bank swallows present?</p> <p><input type="checkbox"/> <b>Yes.</b> Check Box F for bank swallow preconstruction surveys. Avoid take of birds as described in AMM 19.</p> <p><input type="checkbox"/> <b>No.</b></p>	<p>Species-specific planning level survey attached? (Attachment 7)</p> <p><input type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p>
15 Tricolored Blackbird	<p>Is tricolored blackbird nesting habitat present on the project site, or within 1,300 feet of the project site?</p> <p><input type="checkbox"/> <b>Yes.</b> Conduct planning level surveys as described in Permitting Guide Appendix A. Check Box G, AMM 21. Go to Column C. <b>Survey period: March 1–July 30</b></p> <p><input type="checkbox"/> <b>No</b></p>	N/A	<p>Species-specific planning level survey attached? (Attachment 7)</p> <p><input type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p>

<b>BOX G: CONDITIONS OF APPROVAL: CONDUCT PRE-CONSTRUCTION SURVEYS</b>	
<p>Indicate which species in <b>Items 1-7</b> are relevant to your project. <b>Important:</b> Refer to Chapter 4 of the Permitting Guide for information about survey purpose, the land cover types and site conditions requiring preconstruction surveys, survey area size, and survey timing.</p>	
<b>Birds</b>	
1 <input type="checkbox"/> Swainson's hawk	4 <input type="checkbox"/> Western burrowing owl
2 <input type="checkbox"/> White-tailed kite	5 <input type="checkbox"/> Least-Bell's vireo
3 <input type="checkbox"/> Western yellow-billed cuckoo	
<b>Reptiles</b>	
6 <input type="checkbox"/> Giant garter snake	7 <input type="checkbox"/> Western pond turtle



<b>BOX H: CONDITIONS OF APPROVAL: AVOIDANCE AND MINIMIZATION MEASURES (AMMs)</b>	
Check the avoidance and minimization measures below that apply to your project. Refer to the Permitting Guide for assistance. Describe how you will fulfill the requirements of each required condition. Plan your construction carefully around the translocation or other dates required by the AMMs. Label as <b>Attachment 9</b> .	
1	<input type="checkbox"/> AMM1: <i>Establish Resource Protection Buffers</i>
2	<input type="checkbox"/> AMM 2: <i>Design Developments to Minimize Indirect Effects at Urban-Habitat Interfaces (this AMM does not apply to new development where it is immediately adjacent to existing developed lands)</i>
3	<input type="checkbox"/> AMM 3: <i>Confine and Delineate Work Area</i>
4	<input type="checkbox"/> AMM 4: <i>Cover Trenches and Holes during Construction and Maintenance</i>
5	<input type="checkbox"/> AMM 5: <i>Control Fugitive Dust</i>
6	<input type="checkbox"/> AMM 6: <i>Conduct Worker Training</i>
7	<input type="checkbox"/> AMM 7: <i>Control Nighttime Lighting of Project Construction Sites</i>
8	<input type="checkbox"/> AMM 8: <i>Avoid and Minimize Effects of Construction Staging Areas and Temporary Work Areas</i>
9	<input type="checkbox"/> AMM 9: <i>Establish Resource Protection Buffers around Sensitive Natural Communities</i>
10	<input type="checkbox"/> AMM 10: <i>Avoid and Minimize Effects on Wetlands and Waters</i>
11	<input type="checkbox"/> AMM 11: <i>Minimize Take and Adverse Effects on Palmate-Bracted Bird's Beak</i>
12	<input type="checkbox"/> AMM 12: <i>Minimize Take and Adverse Effects on Habitat of Valley Elderberry Longhorn Beetle</i>
13	<input type="checkbox"/> AMM 13: <i>Minimize Take and Adverse Effects on Habitat of California Tiger Salamander</i>
14	<input type="checkbox"/> AMM 14: <i>Minimize Take and Adverse Effects on Habitat of Western Pond Turtle</i>
15	<input type="checkbox"/> AMM 15: <i>Minimize Take and Adverse Effects on Habitat of Giant Garter Snake</i>
16	<input type="checkbox"/> AMM 16: <i>Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite</i>
17	<input type="checkbox"/> AMM 17: <i>Minimize Take and Adverse Effects on Habitat of Western Yellow-Billed Cuckoo</i>
18	<input type="checkbox"/> AMM 18: <i>Minimize Take and Adverse Effects on Western Burrowing Owl</i>
19	<input type="checkbox"/> AMM 19: <i>Minimize Take and Adverse Effects on Least Bell's Vireo</i>
20	<input type="checkbox"/> AMM 20: <i>Minimize Take and Adverse Effects on Habitat of Bank Swallow</i>
21	<input type="checkbox"/> AMM 21: <i>Minimize Take and Adverse Effects on Habitat of Tricolored Blackbird</i>

<b>BOX I: ATTACHMENT CHECKLIST</b>	
Indicate which attachments are provided below. <b>Note:</b> <a href="#">Attachments must meet the requirements described in Permitting Guide</a> . If these requirements are not met, your application may be delayed.	
<b>All Projects</b>	
<input type="checkbox"/>	<b>Attachment 1.</b> Project Description (Box C). Attach separately or indicate report page #s here:
<input type="checkbox"/>	<b>Attachment 2.</b> Vicinity map PDF (Box C). Attach separately or indicate report page # here:
<input type="checkbox"/>	<b>Attachment 3.</b> Site Plan (Box C). Attach separately or indicate report page # here: Also include CAD or GIS compatible data.
<b>Projects with Impacts</b>	
<input type="checkbox"/>	<b>Attachment 4.</b> Planning level survey (Box D)
<input type="checkbox"/>	<b>Attachment 5.</b> Photos of temporary impact areas. Attach separately or indicate report page #s here:
<input type="checkbox"/>	<b>Attachment 6.</b> Documentation if land is offered in lieu of fees (Box D, Item 30)
<input type="checkbox"/>	<b>Attachment 7.</b> Species-specific planning level survey(s) (Box E). Attach separately or indicate report page #s here:
<input type="checkbox"/>	<b>Attachment 8.</b> Unavoidable impacts on covered species. Attach separately or indicate report page #s here:

**BOX I: ATTACHMENT CHECKLIST**

**Attachment 9.** Description of compliance with avoidance and minimization measures (Box G). Attach separately or indicate report page #s here:

**BOX J: SIGNATURES**

**By checking the box and signing below I certify all information in the application is true and correct to the best of my knowledge. I also certify I understand the requirements of the AMMs, including dates for elderberry translocation or other dates that may affect construction timing.**

1 Property owner name and contact information	Name		
	Phone		Email
2 Property owner signature			Date
3 Project agent/applicant name and contact information	Name		
	Phone		Email
4 Project agent/applicant signature			Date

**FORM SUBMITTAL INSTRUCTIONS**

Submit this form electronically to the applicable contact below. If the project applicant is seeking HCP/NCCP permit coverage as an SPE, submit the form to the Yolo Habitat Conservancy. The signed Final Application and payment of all other Plan fees is required following project approval and prior to formal Yolo HCP/NCCP approval.

**LOCAL AGENCY PLANNING OFFICE CONTACT INFORMATION**

<p><b>Yolo County</b> Stephanie Cormier Planning Division Department of Community Services 292 West Beamer Street, Woodland (530) 666-8041</p>	<p><b>City of West Sacramento</b> David Tilley Community Development Department 1110 West Capitol Ave., 2<sup>nd</sup> Floor, West Sacramento (916) 617-4645</p>	<p><b>City of Davis</b> Sherri Metzker Community Development &amp; Sustainability 23 Russell Blvd., Suite 2, Davis (530) 757-5610 ext. 7239</p>	<p><b>City of Woodland</b> Cindy Norris Planning Division 300 First Street, Woodland (530) 661-5911</p>	<p><b>City of Winters</b> Kirk Skierski Community Development Department 318 First Street, Winters (530) 794-6714</p>
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**YOLO HABITAT CONSERVANCY CONTACT INFORMATION**

Address: PO Box 2202, Woodland, CA 95776 Phone: 530-666-8150 Email: [info@yolohabitatconservancy.org](mailto:info@yolohabitatconservancy.org)

**FOR STAFF USE ONLY**

Project planner name			Phone number	
Email			Date	
Covered activity type				
HCP/NCCP Application	<input type="checkbox"/> Complete	<input type="checkbox"/> Not complete	<input type="checkbox"/> Special Participating Entity	

## Attachment 1 – Project Description

The R-1692 project would consist of mowing a 42,500 square foot area for workspace and staging to excavate an approximately 88' x 4' wide trench to a depth of up to 12' 5" deep to expose a section of an existing natural gas transmission line. The excavation would allow for PG&E to replace this section of pipe to address gas pressurization in the line as well meet the criteria for pipe operating in a Class 1 public road crossing. Once the pipeline segment is replaced, the trench would be backfilled with native material back to the original contour and the work area would be reseeded and monitored until it is successfully returned to pre-construction condition. The pipeline replacement is anticipated to take approximately 2-3 months.

### Property Ownership:

#### APN 062-070-015 NW

- Owner – Rodney D Campos
- Site Address – 3151 County Road 86, Dunnigan, CA

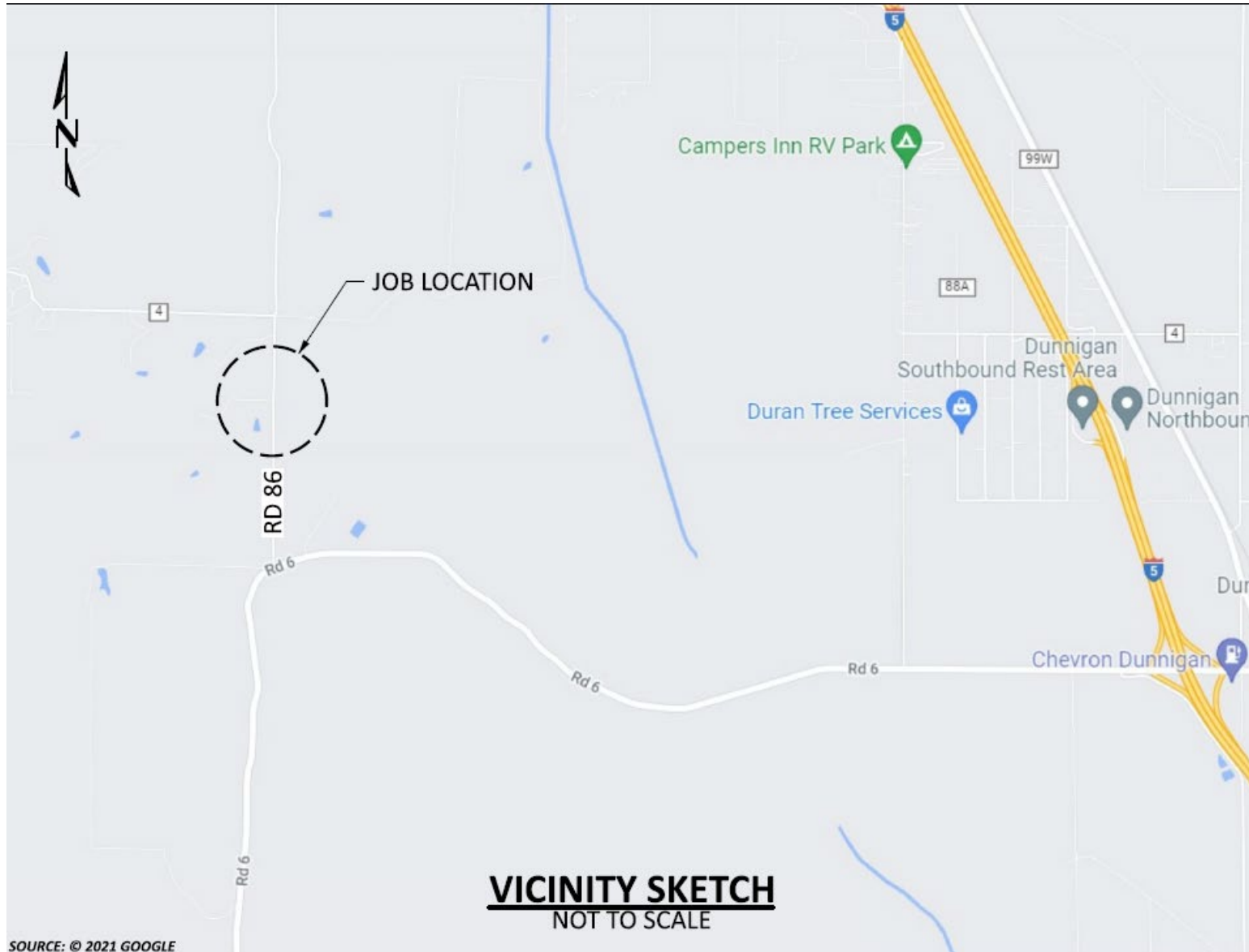
#### APN 051-150-023 NE

- Owner – Cong Zhu
- Site Address – County Road 86, Dunnigan, CA

#### APN 062-070-011 SW

- Owner –Gooch
- Site Address – 3260-64 County Road 86, Dunnigan, CA

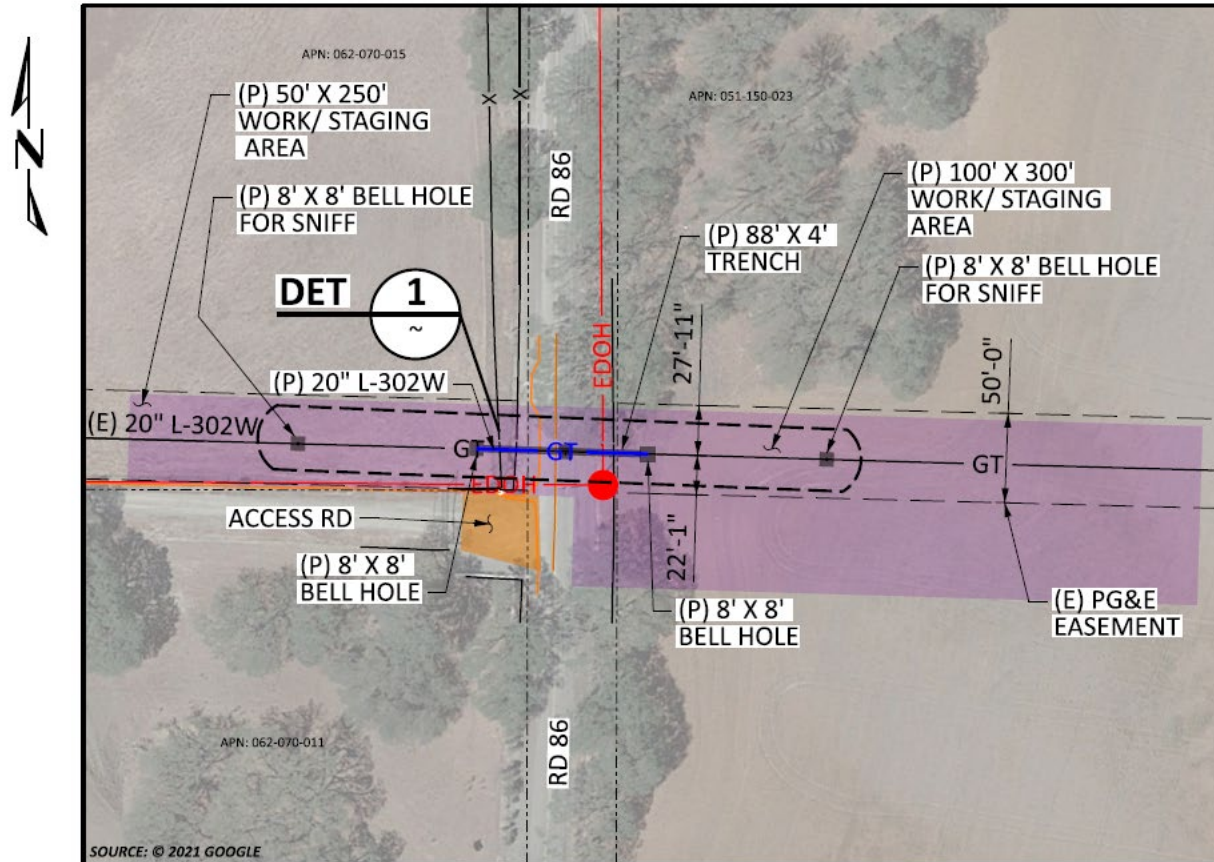
Attachment 2 – Vicinity Map



Attachment 3 – Site Plan

**LOCATION A**

RD 86, LAT: 38.893450 , LONG: -122.024691  
WALL MAP - COL2331; PLAT - C1; L -302W; MP - 2.61  
(SCALE: 1" = 80')



Attachment 4 – Planning Survey Report



Swaim Biological Incorporated  
4435 First Street  
Livermore, CA 94551

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**To:** Marjorie Eisert  
Jacobs Engineering Group Inc.

**From:** Cole Paris  
Swaim Biological Incorporated

**Date:** February 18, 2022 (revised April 27, 2022)

**Re:** R-1692 Dunnigan – Planning Level Assessment

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PG&E plans to replace a section of existing natural gas transmission line that runs under a county road located in Yolo County. The area of impact associated with the project for which PG&E seeks take coverage under the Yolo Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) consists of roughly 1.16 acre that includes access routes and temporary workspaces. The Yolo Habitat Conservancy (Conservancy) considers this a public utility infrastructure operations and maintenance project, which is an HCP/NCCP covered activity.

This memorandum presents the results of a planning level assessment of the R-1692 workspace. A summary of the existing land cover within a 500-foot and ¼-mile buffer of the proposed project area and known species data from the California Natural Diversity Database (CNDDDB) within 5-miles of the project area are presented in Figures 1-3. Representative site photographs are presented in Attachment 1. An initial project evaluation has not yet been conducted by the Conservancy.

### **Project Description**

Work for this project will be conducted along Road 86, approximately 2 miles west of the town of Dunnigan. The project area includes an approximately 1.16-acre temporary workspace. Access to the project area will be from Road 86, which is a paved county road.

Species covered under the HCP/NCCP that could be affected by the project include California tiger salamander (*Ambystoma californiense*; CTS, upland habitat), white-tailed kite (*Elanus leucurus*; WTKI, foraging and nesting habitat), Swainson's hawk (*Buteo swainsoni*; SWHA, foraging and nesting habitat), burrowing owl (*Athene cunicularia*; BUOW, foraging and nesting habitat), and western pond turtle (*Actinemys marmorata*; WPT, nesting and overwintering habitat).

### **Methods**

The survey was conducted by Conservancy-approved biologist Cole Paris/SBI on January 14, 2022 by walking the entirety of the project footprint and adjacent habitat within a 500-foot buffer to evaluate the suitability of habitat for CTS and BUOW. Transects were

walked in accordance with California Department of Fish and Wildlife (CDFW) guidelines for Phase II BUOW burrow surveys. Burrows suitable for use by BUOW were recorded by a hand-held GPS. The area was surveyed on foot or scanned with binoculars within a 0.25-mile buffer for potential foraging and nesting habitat suitable for use by SWHA and WTKI. Photos were taken of potential habitat that could support sensitive species (Attachment 1). Special-status species habitat and impact areas are shown in Tables 1 and 2.

## **Results**

### R-1692 Temporary Workspace

The temporary workspace is located along Road 86 approximately two miles west of the town of Dunnigan. The 1.16-acre proposed temporary workspace crosses Road 86 and encompasses annual grassland west of the road and cultivated grassland to the east. The entirety of the proposed workspace may be used for construction, site laydown or staging. The properties on the west side of the work area were heavily grazed by cattle while the property on the east side was overgrown predominantly with annual grasses and had been disked earlier in the season to plant winter wheat. The workspace is located within U.S. Fish and Wildlife Service designated critical habitat for CTS (USFWS 2005) and five records of CTS occur within 1.3 miles of the site (CNDDDB 2022) which is the maximum distance CTS have been observed from a breeding site (Orloff 2007; CDFW 2010). Ponds with recorded CTS breeding observations are present approximately 0.5-mile to the north (Occurrence #719, Fenner Ranch Pond), 0.75-mile to the northeast (Occurrence #720, Powers Reservoir), and 0.5-mile to the southeast (Occurrence #324). A fourth breeding record, described in the CNDDDB (2022) as “Shaffer Study Site 1” from 1990, is located approximately 0.85-mile to the southeast along Road 6, however the record references “Road E4” and no likely breeding pond was observed on aerial imagery at the location. Individual CTS have also been observed in burrows along Road 86 (Occurrence #1085), approximately 0.25-mile south of the project area (CNDDDB 2022).

A stock pond located approximately 250 feet to the southwest is the only potentially suitable aquatic breeding habitat for CTS within 500 feet of the project area, but it is unclear whether the pond currently holds water long enough to provide suitable CTS breeding habitat. No individuals or eggs were observed during the planning survey and based on a conversation with the adjacent property owner (K. Campos, personal communication, January 14, 2022), heavy rain events in December 2021 caused the earthen dam to fail which reduced its current capacity to retain water (Photo 8). An examination of past aerial imagery indicated that it retained water until early to mid-spring during most years with May being the latest month that pooled water was present (Google Earth 2022). A large, more permanent stock pond approximately 1,000 feet west of the project area may be suitable to support CTS and the property owner stated that she has observed individuals swimming in the water (K. Campos, personal communication, January 14, 2022). It is unknown whether focused surveys for CTS eggs or larvae have been conducted at the pond, and the CNDDDB (2022) did not contain any records from the site.



Both properties west of the Road 86 use chemical bait to suppress ground squirrel activity so burrows suitable for use by BUOW were very limited in numbers. Small clusters of burrows suitable for use by BUOW were found mainly along a fence line and across Road 86. Most of the suitable burrows mapped were concentrated in the wooded area adjacent to the stock pond berm, south of the project area (Figure 2). No evidence of use by BUOW (feathers, pellets, whitewash, etc.) was observed.

Two stick nests suitable for use by raptors were observed in two valley oak trees on the property west of Road 86 (Figure 1). These nests are located approximately 450 feet southwest and 550 feet south-southwest from the project area. Both nests are potentially suitable for use by SWHA, but no nesting records occur within 0.25 miles of the project area. The nearest nest record is located approximately 1.5 miles to the south (Occurrence #2099) and all nesting records within 5 miles of the project area are associated with row crop or orchards immediately adjacent to the nest site (CNDDDB 2022).

The HCP/NCCP land cover types found at this location consist of Grassland – California Annual Grassland Alliance, Valley Oak Woodland – Valley Oak Alliance, Cultivated Lands Seminal Community – Grain/Hay Crops, Fresh Emergent Wetland – Undetermined Alliance/Managed, Other Agriculture – Deciduous Fruit/Nuts, and Barren and Developed – Barren-Anthropogenic. Habitat at this location supports CTS (upland and aquatic), SWHA (foraging and nesting), WTKI (foraging and nesting), BUOW (foraging and nesting), and WPT (nesting and overwintering). Construction activities will temporarily affect 0.23 acres of Grassland, 0.09 acres of Valley Oak Woodland, and 0.79 acres of Cultivated Land Seminal Community. An additional 0.05 acre consists of Barren land cover associated with existing roads.

R-1692 Access Road

Access to the R-1692 workspace will make use of Road 86, which is an existing, paved county road. No impacts to habitat for Covered Species are anticipated to facilitate project access.

Table 1. Special-Status Species Habitat Found Within Project Area

Species (Buffer)	Habitat Type	Total Area within Buffer (Acres)	Total Area of Impacts (Acres)
CTS (500 feet)	Aquatic	0.23	0.00
	Upland	34.55	1.16
SWHA (1/4 mile)	Foraging and nesting	163.04	1.16
WTKI (1/4 mile)	Foraging and nesting	163.04	1.16
BUOW (500 feet)	Foraging and nesting	34.55	1.16
WPT	Nesting and overwintering	1.16	1.16

Table 2. Project Impacts by Land Cover Types

Land Cover Types	Area Within Workspace (Acres)	Area within 500 ft. (Acres)	Area within 0.25 miles (Acres)	Total Area of Impacts (Acres)
Annual Grassland	0.23	12.29	64.62	0.23
Barren	0.05	1.09	4.13	0.05
Fresh Emergent Wetland	0.00	0.23	0.67	0.00
Other Agriculture	0.00	0.00	1.49	0.00
Valley Oak Woodland	0.09	5.67	21.70	0.09
Cultivated Land Seminatural Community	0.79	15.00	75.22	0.79

**Conclusion**

Based on the planning level survey, suitable habitat exists for five Covered Species: California tiger salamander, Swainson’s hawk, white-tailed kite, burrowing owl, and western pond turtle within the project area. Approximately 0.23 acres of Grassland, 0.09 acres of Valley Oak Woodland, and 0.79 acres of Cultivated Land Seminatural Community will be temporarily impacted as a result of project implementation.

**Literature Cited**

CDFW. 2010. California Department of Fish and Wildlife, State of California. A Status Review of the California Tiger Salamander (*Ambystoma californiense*). Report to the Fish and Game Commission.

California Natural Diversity Database. 2022. [CNDDDB] GIS dataset for January 2022.

Google Earth. 2022. 38°53.33"N, 122°01.33"W. Historical Imagery data layer. [Online] Available at: <http://www.google.com/earth/index.html> [Accessed February 17, 2022].

Orloff, S. 2007. Migratory movements of California tiger salamander in upland habitat – a five-year study (Pittsburg, California). Ibis Environmental, Inc., prepared for Bailey Estates LLC. Dated May.

U.S. Fish and Wildlife Service. 2005. [USFWS]. Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Tiger Salamander, Central Population; Final Rule. 49380-49458.

The following Yolo HCP/NCCP AMMs are proposed for minimizing impacts to these species:

*AMM1, Establish Buffers*

*AMM2, Design Developments to Minimize Indirect Effects at Urban-Habitat Interfaces*

*AMM3, Confine and Delineate Work Area*

*AMM4, Cover Trenches and Holes During Construction and Maintenance*

*AMM5, Control Fugitive Dust*

*AMM6, Conduct Worker Training*

*AMM7, Control Night-Time Lighting of Project Construction Sites*

*AMM8, Avoid and Minimize Effects of Construction Staging Areas and Temporary Work Areas*

*AMM9, Establish Buffers Around Sensitive Natural Communities: lacustrine & riverine*

*AMM13, Minimize Take and Adverse Effects on Habitat of California Tiger Salamander*

*AMM14, Minimize Take and Adverse Effects on Habitat of Western Pond Turtle*

*AMM16, Swainson's hawk and white-tailed kite (This AMM does not apply if the construction period is between September 1 and March 14)*

*AMM18, Minimize Take and Adverse Effects on Western Burrowing Owl*

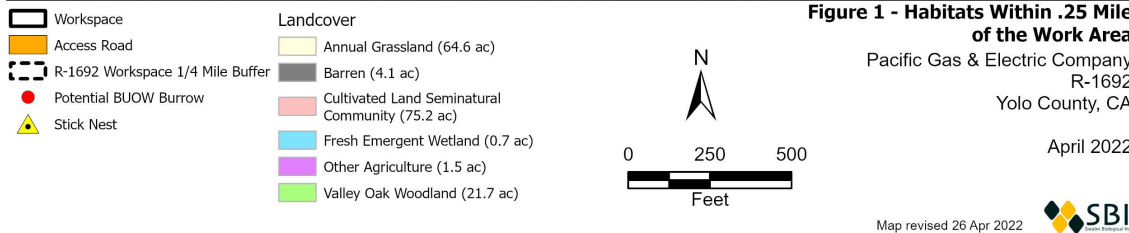
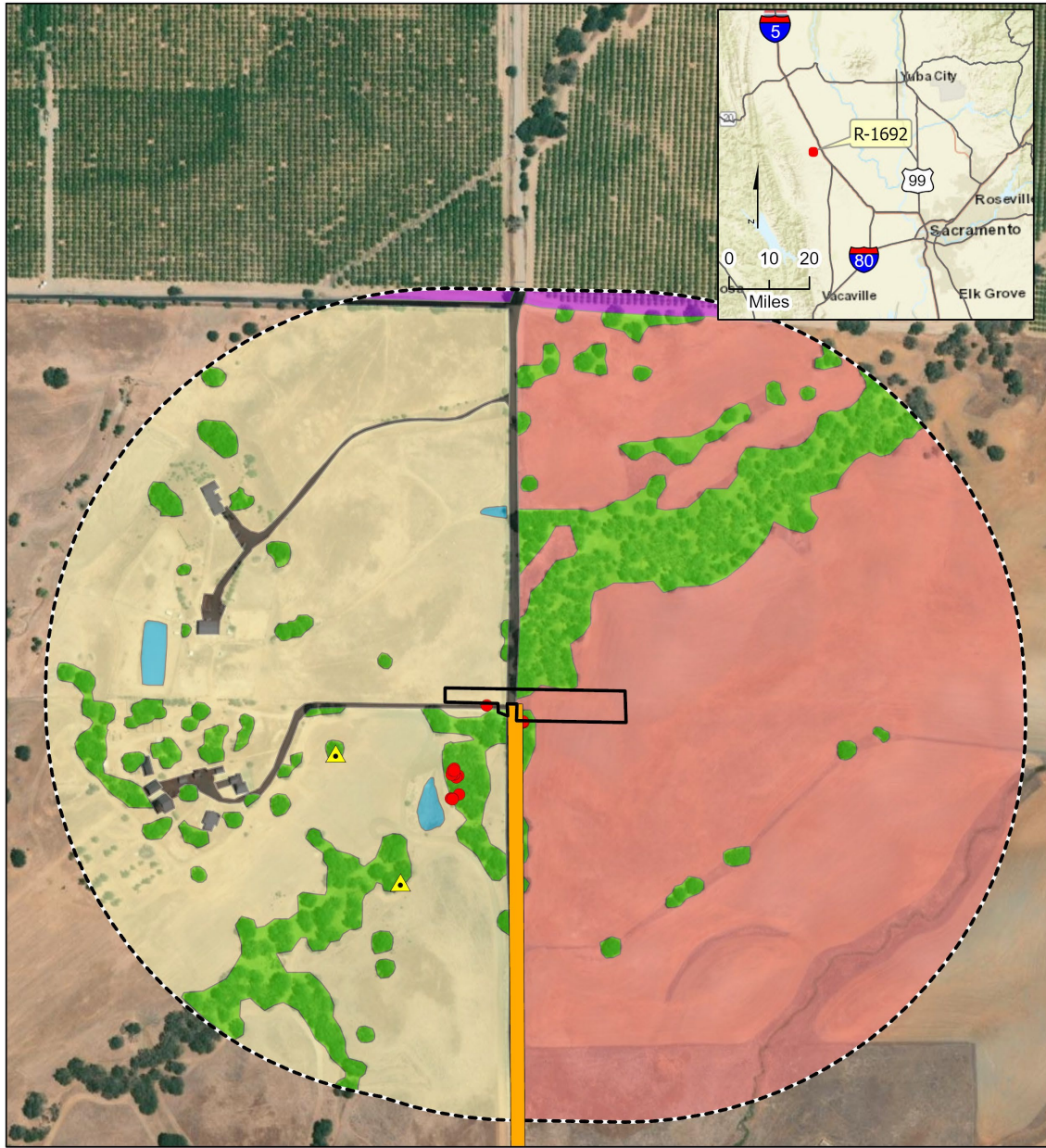
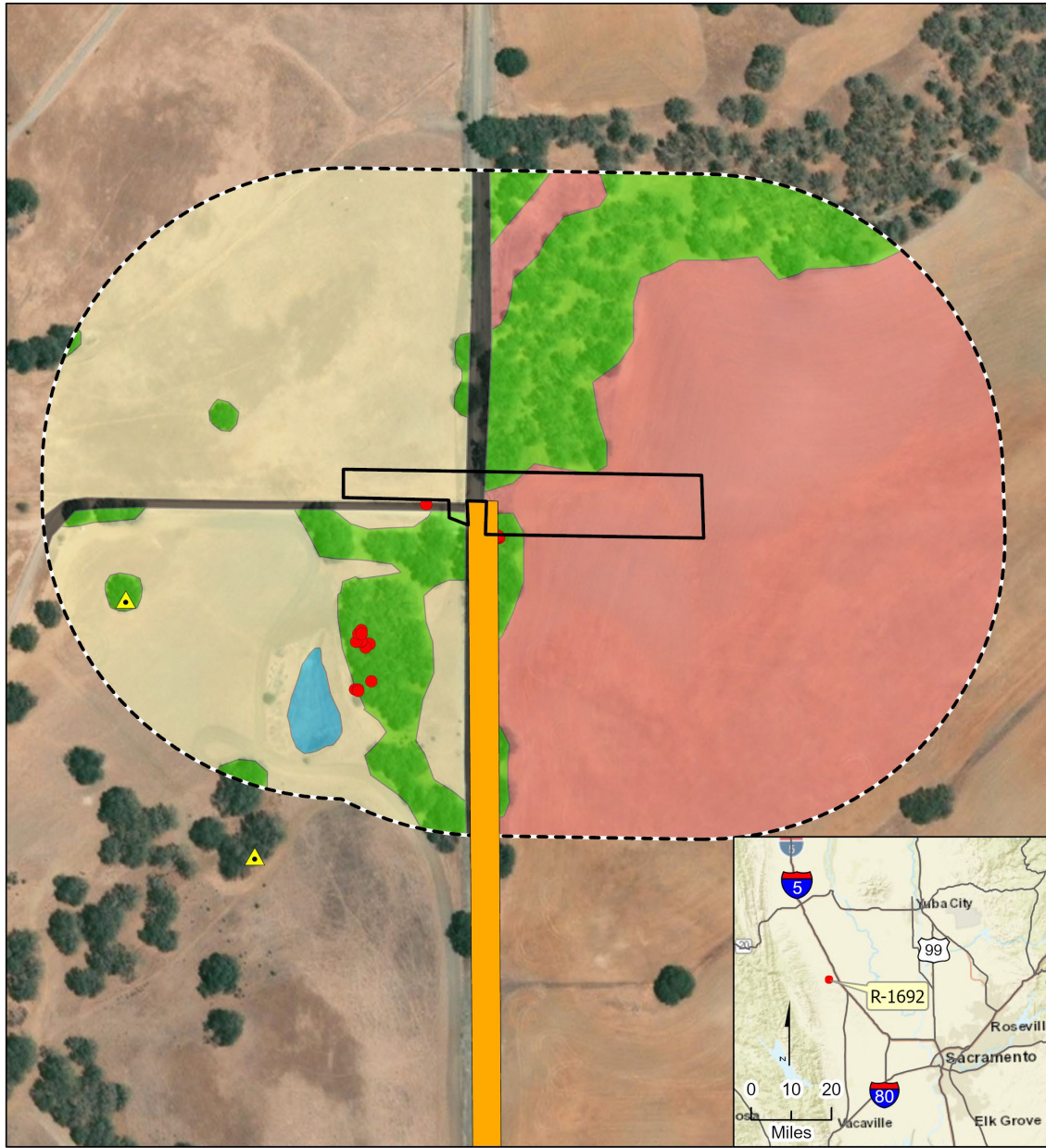
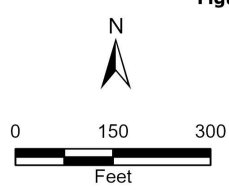


Figure 1. Habitats within 1/4-mile of project footprint



- Workspace
- Access Road
- R-1692 Workspace 500 ft buffer
- Potential BUOW Burrow
- Stick Nest

- Landcover**
- Annual Grassland (12.3 ac)
- Barren (1.0 ac)
- Cultivated Land Seminal Community (15.5 ac)
- Fresh Emergent Wetland (0.2 ac)
- Valley Oak Woodland (5.7 ac)



**Figure 2 - Habitats Within 500 Feet of the Work Area**  
 Pacific Gas & Electric Company  
 R-1692  
 Yolo County, CA  
 April 2022

Map revised 26 Apr 2022 SBI

Figure 2. Habitats within 500-feet of project footprint

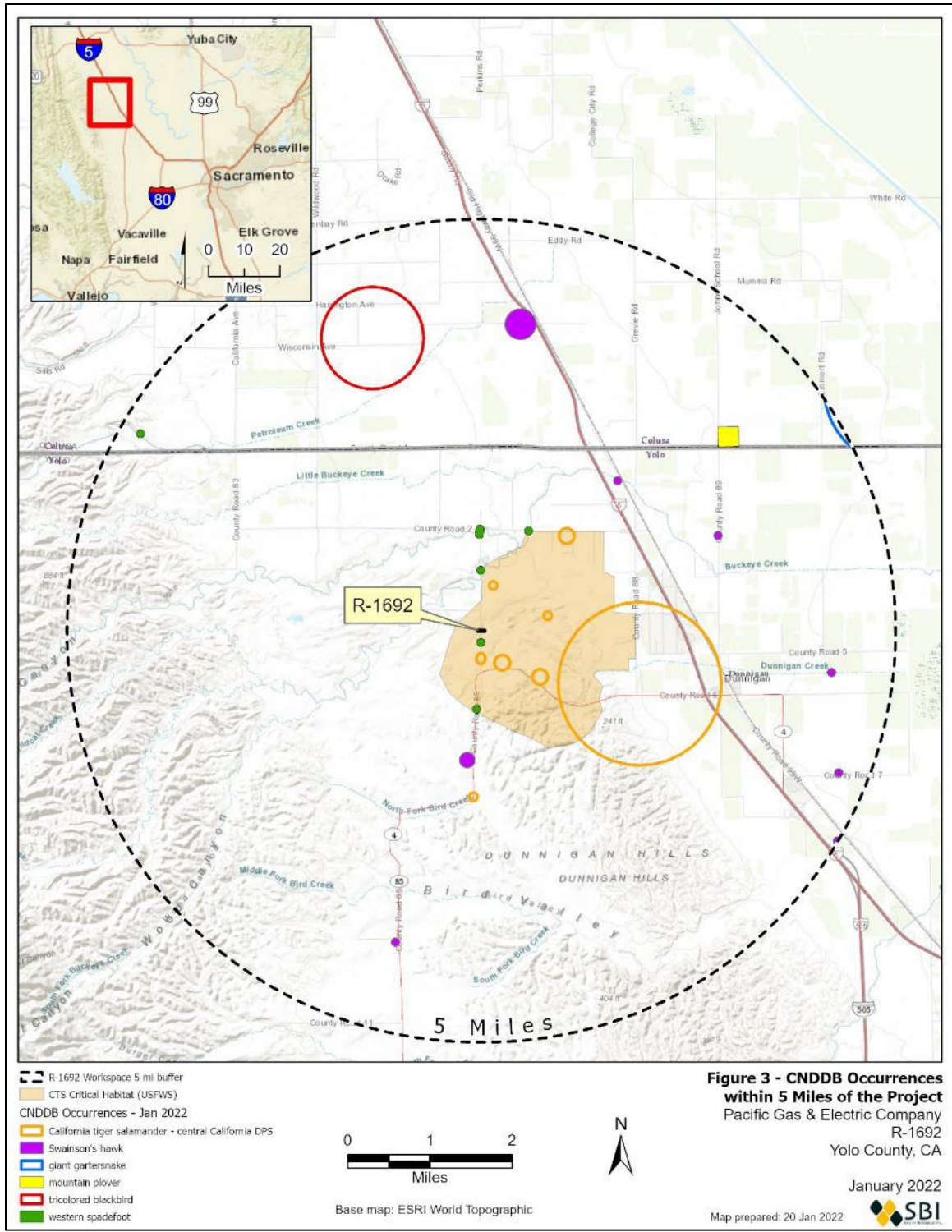


Figure 3. CNDDDB Occurrences within 5-mile of project

## Attachment 1 – Representative Site Photos



**Photo 1: Natural gas pipeline crossing at Road 86. Taken facing east.**



**Photo 2: Annual grassland habitat west of Road 86. Taken facing west.**



**Photo 3: Fresh emergent wetland and potential CTS aquatic habitat adjacent to project area. Taken facing south.**



**Photo 4: Valley oak tree containing old stick nest suitable for use by SWHA. Taken facing west.**



**Photo 5: Burrow cluster adjacent to Road 86. Taken facing southeast.**



**Photo 6: Cluster of valley oaks with an old stick nest suitable for use by SWHA. Taken facing west.**



**Photo 7: East side of workspace within cultivated grassland and valley oak woodland. Taken facing west.**



**Photo 8: Earthen dam failure at stock pond adjacent to project area. Taken facing southwest.**

## Attachment 5 – Photographs of Temporary Impact Areas

Please see Attachment 4 (Planning Level Survey Report) for photographs of the project locations and temporary impact areas.



## Attachment 6 – Documentation if Land is Offered in Lieu of Fees

Not applicable to this application.

## Attachment 7 – Covered Species Planning Survey Reports

Species-specific surveys were not conducted, so presence is assumed for California tiger salamander, Swainson's hawk, white-tailed kite, burrowing owl, and Western pond turtle. The planning level survey encompassed the entirety of the project footprint and adjacent habitat within a 500-foot buffer to evaluate the suitability of habitat for California tiger salamander and burrowing owl. Transects were walked in accordance with California Department of Fish and Wildlife (CDFW) guidelines for Phase II burrowing owl surveys. The area was surveyed on foot or scanned with binoculars within a 0.25-mile buffer for potential foraging and nesting habitat suitable for use by Swainson's hawk and white-tailed kite.

Surveys, buffers, and timing restrictions for California tiger salamander, Swainson's hawk, white-tailed kite, burrowing owl, and Western pond turtle will apply to the project per the applicable Yolo HCP/NCCP AMMs (AMMs 13, 14, 16, and 18).

## Attachment 8 – Unavoidable Impacts on Covered Species

Please see Attachment 4 (Planning Level and Survey Report) for maps and summary of impacts to HCP/NCCP land cover habitats.

## Attachment 9 –Description of Compliance with Avoidance and Minimization Measures

PG&E will incorporate avoidance and minimization measures and compensatory mitigation measures to avoid, minimize, and mitigate impacts to covered species in the Project area. PG&E's overarching strategy is to avoid and minimize impacts to covered species and their suitable habitat to the maximum extent possible by following Yolo County HCP/NCCP avoidance and minimization measures (AMMs), construction site best management practices (BMPs), and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

The following AMMs will apply to the R-1692 project:

**AMM1 - Establish Buffers.** PG&E will design projects to avoid and minimize direct and indirect effects of permanent development on the sensitive natural communities and covered species habitat by providing buffers, as stipulated in the relevant sensitive natural community AMMs and covered species AMMs.

**AMM3 - Confine and Delineate Work Area.** Where natural communities and covered species habitat are present, workers will confine land clearing to the minimum area necessary to facilitate construction activities. Workers will restrict movement of heavy equipment to and from the project site to established roadways to minimize natural community and covered species habitat disturbance. PG&E will clearly identify boundaries of work areas using temporary fencing or equivalent and will identify areas designated as environmentally sensitive. All construction vehicles, other equipment, and personnel will avoid these designated areas.

**AMM4 – Cover Trenches and Holes during Construction and Maintenance.** To prevent injury and mortality of giant garter snake, western pond turtle, and California tiger salamander, workers will cover open trenches and holes associated with implementation of covered activities that affect habitat for these species or design the trenches and holes with escape ramps that can be used during non-working hours. The construction contractor will inspect open trenches and holes prior to filling and contact a qualified biologist to remove or release any trapped wildlife found in the trenches or holes.

**AMM5 - Control Fugitive Dust.** Workers will minimize the spread of dust from work sites to natural communities or covered species habitats on adjacent lands.

**AMM6 - Conduct Worker Training.** All construction personnel will participate in a worker environmental training program approved/authorized by the Conservancy and administered by a qualified biologist. The training will provide education regarding sensitive natural communities and covered species and their habitats, the need to avoid adverse effects, state and federal protection, and the legal implications of violating the FESA and NCCPA Permits. A pre-recorded video presentation by a qualified biologist shown to construction personnel may fulfill the training requirement.

**AMM7 - Control Nighttime Lighting of Project Construction Sites.** Workers will direct all lights for nighttime lighting of project construction sites into the project construction area and minimize the lighting of natural habitat areas adjacent to the project construction area.

**AMM8 - Avoid and Minimize Effects of Construction Staging Areas and Temporary Work Areas.** PG&E should locate construction staging and other temporary work areas for covered activities in areas that will ultimately be a part of the permanent project development footprint. If construction staging and other temporary work areas must be located outside of permanent project footprints, they will be located either in areas that do not support habitat for covered species or are easily restored to prior or

improved ecological functions (e.g., grassland and agricultural land). Construction staging and other temporary work areas located outside of project footprints will be sited in areas that avoid adverse effects on the following:

- Serpentine, valley oak woodland, alkali prairie, vernal pool complex, valley foothill riparian, and fresh emergent wetland land cover types.
- Occupied western burrowing owl burrows.
- Nest sites for covered bird species and all raptors, including noncovered raptors, during the breeding season.

PG&E will follow specific AMMs for sensitive natural communities and covered species in temporary staging and work areas. For establishment of temporary work areas outside of the project footprint, PG&E will conduct surveys to determine if any of the biological resources listed above are present.

Within one year following removal of land cover, PG&E will restore temporary work and staging areas to a condition equal to or greater than the covered species habitat function of the affected habitat. Restoration of vegetation in temporary work and staging areas will use clean, native seed mixes approved by the Conservancy that are free of noxious plant species seeds.

**AMM9 - Establish Buffers around Sensitive Natural Communities.** The buffers for each sensitive natural community are as follows:

- Fresh emergent wetland: Fifty feet from the edge of the natural community.

**AMM13- Minimize Take and Adverse Effects on Habitat of California Tiger Salamander.** PG&E will retain a qualified biologist to identify any suitable aquatic and upland habitats for California salamander present in and within 500 feet of the project footprint during planning-level surveys. The qualified biologist will also assess whether critical habitat could be affected by the covered activity.

Except for habitat management and enhancement, all covered activities will provide a 500-foot setback from aquatic California tiger salamander habitat. If a covered activity is outside the Dunnigan Creek Unit of California tiger salamander critical habitat and, as designed, will not avoid aquatic habitat by at least 500 feet, the project proponent will either conduct visual and dip-net surveys, consistent with CDFW protocol, during the period for November 1 to May 15 (California Department of Fish and Game 2003) or assume presence. If the species is present or assumed to be present, the covered activity will not remove aquatic habitat until at least four new occupied breeding pools are discovered or established in the Plan Area and protected in the Plan Area. After the four new occupied breeding pools are protected, and with concurrence of USFWS and CDFW, up to three breeding pools may be affected. The breeding habitat may not be removed if USFWS and CDFW determine that the covered activity would remove a significant occurrence of this species that could be necessary for maintaining the genetic diversity or regional distribution of the species. This AMM applies to California tiger salamander aquatic habitat and surrounding uplands, as defined by reference to the setbacks described above; it does not apply to cultivated agricultural lands (i.e., agricultural lands other than grazing lands) or other low-value upland habitat for California tiger salamander.

- **Supplemental Measures to Minimize Take and Adverse Effects on Habitat of California Tiger Salamander When Working within 500 feet of Suitable Aquatic Habitat.** The following measures were identified by the Yolo Habitat Conservancy to address work within 500 feet of suitable California Tiger Salamander aquatic habitat.

1. **Temporary impact and restoration.** Once construction is completed, the work site will be returned back to the original contour and reseeded and monitored until it is successfully returned to pre-construction condition.
2. **Seasonal work window.** Work will occur between June 1 and October 31 (outside the breeding and dispersal season).
3. **Construction timing.** Work will only be conducted during daylight hours.
4. **Cover trenches.** As mentioned in AMM4, trenches will be covered at night and inspected each day before work.
5. **Biological monitoring.** A qualified biologist possessing a valid permit to handle California Tiger Salamander will monitor construction activities and have the authority to stop work if the species is observed within the work area.
6. **Minimize construction footprint.** Work areas will be contained within disturbed, cultivated lands and roads to the maximum extent possible.

**AMM14- Minimize Take and Adverse Effects on Habitat of Western Pond Turtle.** There are no specific design requirements for western pond turtle habitat, however, PG&E must follow design requirements that require a 100-foot (minimum) permanent buffer zone from the canopy drip-line (the farthest edge on the ground where water will drip from the tree canopy, based on the outer boundary of the tree canopy). If modeled upland habitat will be impacted, a qualified biologist must be present and will assess the likelihood of western pond turtle nests occurring in the disturbance area (based on sun exposure, soil conditions, and other species habitat requirements).

If a qualified biologist determines that there is a moderate to high likelihood of western pond turtle nests within the disturbance area, the qualified biologist will monitor all initial ground disturbing activity for nests that may be unearthed during the disturbance and will move out of harm's way any turtles or hatchlings found.

**AMM16 - Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite.** PG&E will retain a qualified biologist to conduct planning-level surveys and identify any nesting habitat present within 1,320 feet of the project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas.

If a construction project cannot avoid potential nest trees (as determined by the qualified biologist) by 1,320 feet, PG&E will retain a qualified biologist to conduct preconstruction surveys for active nests consistent with guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000), between March 15 and August 30, within 15 days prior to the beginning of the construction activity. The results of the survey will be submitted to the Conservancy and CDFW. If active nests are found during preconstruction surveys, a 1,320-foot initial temporary nest disturbance buffer shall be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then the qualified biologist will monitor the nest and will, along with PG&E, consult with CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed only to proceed within the temporary nest disturbance buffer if Swainson's hawk or white-tailed kite are not exhibiting agitated behavior, such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, and only with the agreement of CDFW and USFWS. The designated on-site biologist/monitor shall be on-site daily while construction-related activities are taking place within the 1,320-foot buffer and shall have the authority to stop work if raptors are exhibiting agitated behavior.

For covered activities that involve pruning or removal of a potential Swainson’s hawk or white-tailed kite nest tree, the PG&E will conduct preconstruction surveys that are consistent with the guidelines provided by the Swainson’s Hawk Technical Advisory Committee (2000). If active nests are found during preconstruction surveys, no tree pruning or removal of the nest tree will occur during the period between March 1 and August 30 within 1,320 feet of an active nest, unless a qualified biologist determines that the young have fledged and the nest is no longer active.

**AMM18 - Minimize Take and Adverse Effects on Western Burrowing Owl.** PG&E will retain a qualified biologist to conduct planning-level surveys and identify western burrowing owl habitat (as defined in Appendix A, Covered Species Accounts) within or adjacent to (i.e., within 500 feet of) a covered activity. If habitat for this species is present, additional surveys for the species by a qualified biologist are required, consistent with CDFW guidelines (2012).

If burrowing owls are identified during the planning-level survey, PG&E will minimize activities that will affect occupied habitat as follows. Occupied habitat is considered fully avoided if the project footprint does not impinge on a nondisturbance buffer around the suitable burrow. For occupied burrowing owl nest burrows, this nondisturbance buffer could range from 150 to 1,500 feet (Table 1, Recommended Restricted Activity Dates and Setback Distances by Level of Disturbance for Burrowing Owls), depending on the time of year and the level of disturbance, based on current guidelines (California Department of Fish and Game 2012). The Yolo HCP/NCCP generally defines low, medium, and high levels of disturbances of burrowing owls as follows.

- Low: Typically 71-80 dB, generally characterized by the presence of passenger vehicles, small gas-powered engines (e.g., lawn mowers, small chain saws, portable generators), and high-tension power lines. Includes electric hand tools (except circular saws, impact wrenches and similar). Management and enhancement activities would typically fall under this category. Human activity in the immediate vicinity of burrowing owls would also constitute a low level of disturbance, regardless of the noise levels.
- Moderate: Typically 81-90 dB, and would include medium- and large-sized construction equipment, such as backhoes, front end loaders, large pumps and generators, road graders, dozers, dump trucks, drill rigs, and other moderate to large diesel engines. Also includes power saws, large chainsaws, pneumatic drills and impact wrenches, and large gasoline-powered tools. Construction activities would normally fall under this category.
- High: Typically 91-100 dB, and is generally characterized by impacting devices, jackhammers, compression (“jake”) brakes on large trucks, and trains. This category includes both vibratory and impact pile drivers (smaller steel or wood piles) such as used to install piles and guard rails, and large pneumatic tools such as chipping machines. It may also include large diesel and gasoline engines, especially if in concert with other impacting devices. Felling of large trees (defined as dominant or subdominant trees in mature forests), truck horns, yarding tower whistles, and muffled or underground explosives are also included. Very few covered activities are expected to fall under this category, but some construction activities may result in this level of disturbance.

**Table 1. Recommended Restricted Activity Dates and Setback Distances by Level of Disturbance for Burrowing Owls**

Time of Year	Level of Disturbance (feet) from Occupied Burrows		
	Low	Medium	High
April 1 – August 15	600	1,500	1,500
August 16 – October 15	600	600	1,500

October 16 – March 31	150	300	1,500
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If the project does not fully avoid direct and indirect effects on nesting sites (i.e., if the project cannot adhere to the buffers described above), PG&E will retain a qualified biologist to conduct preconstruction surveys and document the presence or absence of western burrowing owls that could be affected by the covered activity. Prior to any ground disturbance related to covered activities, the qualified biologist will conduct the preconstruction surveys within three days prior to ground disturbance in areas identified in the planning-level surveys as having suitable burrowing owl burrows, consistent with CDFW preconstruction survey guidelines. The qualified biologist will conduct the preconstruction surveys three days prior to ground disturbance. Time lapses between ground disturbing activities will trigger subsequent surveys prior to ground disturbance.

If the biologist finds the site to be occupied (occupancy of burrowing owl habitat during preconstruction surveys is confirmed at a site when at least one burrowing owl or sign [fresh whitewash, fresh pellets, feathers, or nest ornamentation] is observed at or near a burrow entrance) by western burrowing owls during the breeding season (February 1 to August 31), PG&E will avoid all nest sites, based on the buffer distances described above, during the remainder of the breeding season or while the nest is occupied by adults or young (occupation includes individuals or family groups that forage on or near the site following fledging). Construction may occur inside of the disturbance buffer during the breeding season if the nest is not disturbed and PG&E develops an AMM plan that is approved by the Conservancy, CDFW, and USFWS prior to project construction, based on the following criteria:

- The Conservancy, CDFW, and USFWS approves the AMM plan provided by PG&E.
- A qualified biologist monitors the owls for at least three days prior to construction to determine baseline nesting and foraging behavior (i.e., behavior without construction).
- The same qualified biologist monitors the owls during construction and finds no change in owl nesting and foraging behavior in response to construction activities.
- If the qualified biologist identifies a change in owl nesting and foraging behavior as a result of construction activities, the qualified biologist will have the authority to stop all construction related activities within the non-disturbance buffers described above. The qualified biologist will report this information to the Conservancy, CDFW, and USFWS within 24 hours, and the Conservancy will require that these activities immediately cease within the non-disturbance buffer. Construction cannot resume within the buffer until the adults and juveniles from the occupied burrows have moved out of the project site, and the Conservancy, CDFW, and USFWS agree.
- If monitoring indicates that the nest is abandoned prior to the end of nesting season and the burrow is no longer in use by owls, PG&E may remove the nondisturbance buffer, only with concurrence from CDFW and USFWS. If the burrow cannot be avoided by construction activity, the biologist will excavate and collapse the burrow in accordance with CDFW’s 2012 guidelines to prevent reoccupation after receiving approval from the wildlife agencies.

If evidence of western burrowing owl is detected outside the breeding season (December 1 to January 31), PG&E will establish a non-disturbance buffer around occupied burrows, consistent with Table 8-1, as determined by a qualified biologist. Construction activities within the disturbance buffer are allowed if the following criteria are met to prevent owls from abandoning important overwintering sites:

- A qualified biologist monitors the owls for at least three days prior to construction to determine baseline foraging behavior (i.e., behavior without construction).



- The same qualified biologist monitors the owls during construction and finds no change in owl foraging behavior in response to construction activities.
- If there is any change in owl roosting and foraging behavior as a result of construction activities, these activities will cease within the buffer.
- If the owls are gone for at least one week, PG&E may request approval from the Conservancy, CDFW, and USFWS for a qualified biologist to excavate and collapse usable burrows to prevent owls from reoccupying the site if the burrow cannot be avoided by construction activities. The qualified biologist will install one-way doors for a 48-hour period prior to collapsing any potentially occupied burrows. After all usable burrows are excavated, the buffer will be removed, and construction may continue.

Monitoring must continue as described above for the nonbreeding season as long as the burrow remains active.

A qualified biologist will monitor the site, consistent with the requirements described above, to ensure that buffers are enforced, and owls are not disturbed. Passive relocation (i.e., exclusion) of owls has been used in the past in the Plan Area to remove and exclude owls from active burrows during the nonbreeding season (Trulio 1995). Exclusion and burrow closure will not be conducted during the breeding season for any occupied burrow. If the Conservancy determines that passive relocation is necessary, PG&E will develop a burrowing owl exclusion plan in consultation with CDFW biologists. The methods will be designed as described in the species monitoring guidelines (California Department of Fish and Game 2012) and consistent with the most up-to-date checklist of passive relocation techniques. This may include the installation of one-way doors in burrow entrances by a qualified biologist during the nonbreeding season. These doors will be in place for 48 hours and monitored twice daily to ensure that the owls have left the burrow, after which time the biologist will collapse the burrow to prevent reoccupation. Burrows will be excavated using hand tools. During excavation, an escape route will be maintained at all times. This may include inserting an artificial structure, such as piping, into the burrow to prevent collapsing until the entire burrow can be excavated and it can be determined that no owls are trapped inside the burrow. The Conservancy may allow other methods of passive or active relocation, based on best available science, if approved by the wildlife agencies. Artificial burrows will be constructed prior to exclusion and will be created less than 300 feet from the existing burrows on lands that are protected as part of the reserve system.

**Yolo Habitat Conservancy**

**Meeting Date:** 05/16/2022

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**Information**

**SUBJECT**

Executive Director's Report

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**Attachments**

*No file(s) attached.*

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**Form Review**

Form Started By: Alexander Tengolics  
Final Approval Date: 05/10/2022

Started On: 05/06/2022 02:37 PM