



SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE PLAN HABITAT TECHNICAL ADVISORY COMMITTEE MEETING

San Joaquin Council of Governments
Regional Center Building
555 E. Weber Avenue
Stockton, CA 95202

Participation in the meeting may be available for Committee Members attending the HTAC meeting by Zoom / Conference Call and members of the public, pursuant to California Government Code Section 54953(b), at any of the following locations. **Please contact Steven Mayo at (209) 235-0585 or mayo@sjcog.org prior to the meeting for more information.**

City of Lodi 305 W Pine St Lodi CA 95240	City of Ripon 259 Wilma Ave Ripon CA 95366	City of Escalon 2060 McHenry Ave Escalon CA 95320	City of Tracy 333 Civic Center Pl Tracy CA 95376	City of Manteca 1215 W Center St Manteca CA 95337	City of Lathrop 390 Towne Center Dr Lathrop CA 95330	UC Coop Extension 2101 Earhart Ave. Stockton CA 95209
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Zoom Meeting: <https://sjcog.zoom.us/j/89001854448>

Teleconference Number: 669-444-9171 / Meeting ID: 8900185448#

**Wednesday, January 14, 2026
9:30 A.M.**

**Third Floor – Cornerstone Conference Room
AGENDA**

1. Call to Order / Introductions
2. Minutes: Approve Minutes of November 12, 2025, HTAC Meeting **Action**
3. Public Comments

All technical items are available for action by the committee. The right column is recommendations by staff.

4. Consent Calendar: **Action**
 - a. Approve Recommendation of the Hwy 4 Telecommunications Tower Project, Plan Participation and Habitat Classification Change
 - b. Approve Recommendation of the Chinese Cemetery Expansion Project, Plan Participation
5. Approval of the Bacchetti MacArthur Rd. Preserve Acquisition & Preserve Management Plan **Action**
6. Other Matters of Business: **Information/Discussion**
 - a. RD 348 and Van Loben Sels/Burchell Easement
 - b. 2026 SJMSCP Development Fee
 - c. 2025 Quarterly Reports & Annual Report
7. Summary and Adjournment of HTAC Meeting

There is parking available at Public Parking Lot K, located on American Street, just south of Weber Avenue. Additional meter parking on Weber Avenue.

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San Joaquin Multi-Species Habitat Conservation and Open Space Plan
Habitat Technical Advisory Committee
San Joaquin Council of Governments
November 12, 2025

MINUTES

I. Call to Order/Introductions:

Mr. Beckman call the meeting to order at 9:33 am introductions were made.

Committee Members Present or Conference Call:

Scott Speer	City of Stockton
Alisa Goulart	San Joaquin County
James Michaels	City of Lathrop
Cynthia Marsh	City of Lodi
Sol Jobrack	City of Manteca
Michael Winters	City of Ripon
Craig Hoffman	City of Tracy
Diana Trejo	City of Escalon
John Beckman	BIA
Mia Bianchi	CDFW, Region 3
James Jones	EBMUD
Dan Gifford	Conservation

Others Present:

Savannah Hudon	City of Mountain House
Frederick Tornatore	Project Proponent, TSS Consultants
Joseph Prescott	Project Proponent, KSN, Inc.
Diane Moore	Project Proponent, Moore Biological

SJCOG Staff/Consultants Present:

Steve Mayo	Program Manager
Laurel Boyd	Associate Habitat Planner
Andy Pinasco	Neumiller & Beardslee
Tooba Naveed	Neumiller & Beardslee
Doug Leslie	ICF
Winston Zheng	Civics Spark

II. Minutes of October 8, 2025

Mr. Speer stated there was a correction to the minutes. In the October 8, 2025, minutes where it states, Mr. Lihosit asks if the bridge rehabilitation project exists, it should state, Mr. Lihosit asked if the bridges were existing.

It was moved/seconded (**Jobrack/Speer**) to approve the October 8, 2025, Minutes. Motion passed 12/0.

III. Consent Calendar:

- a. Approve Recommendation of the Brady Road Dairy Digester Project, Plan Participation and Habitat Classification Change
- b. Approve Recommendation of the Harney Lane Power Safety Project, Plan Participation
- c. Approve Recommendation of the Bishop Tract Pipe Replacement Project, Plan Participation and Buffer Reduction

It was moved/seconded (**Speer/Jobrack**) to approve the consent calendar. Motion passed 12/0.

IV. Public Hearing for the Bacchetti MacArthur Road Properties Preserve Acquisition

Mr. Beckman opened the Public Hearing for the Bacchetti MacArthur Road Properties Preserve Acquisition.

Mr. Mayo stated the landowner and SJCOG, Inc. staff are looking to acquire an easement on approximately 100 acres in the Sugar Cut and Tom Paine Slough area just north of the City of Tracy in the Central Zone. This is the first public hearing required within a 30-day public comment period.

Mr. Mayo continued to state the three parcels of the Bacchetti MacArthur Road Properties Preserve total 105 acres, of which 100 acres will be considered under an easement. If acquired, SJCOG, Inc. staff intends to create a Preserve Management Plan (PMP) to reflect the existing PMPs in the area for economy of scale as row and field crop habitat for species under the SJMSCP. There will be minor restoration planned on the properties. The price is not to exceed \$14,000 per acre.

Mr. Beckman closed the Public Hearing for the Bacchetti MacArthur Road Properties Preserve Acquisition.

V. Other Matters of Business:

a. 2026 SJMSCP Development Fee Adoption:

Mr. Mayo stated the only jurisdictions remaining that should take the 2026 SJMSCP Development Fee to council are the City of Lodi and the City of Stockton. Please let staff know if staff can be made available.

b. Quarterly Reports:

Mr. Mayo stated currently we are in the 4th quarter and as a reminder, early next year, please get the 4th quarterly reports into staff so we can piece together the Annual Report in a timely manner.

c. SJMSCP Category B Fee Component – Enhancement Funds Potential:

Mr. Mayo stated SJCOG, Inc. staff has the potential to acquire vineyards, which are dropping in price to a reasonable price point for acquisition. Additionally, Category B funds will be used to rip out the vines and return the lands into either row and field crop or irrigated pasture and if applicable, riparian type habitat. The HCP does not typically purchase vineyards and Category B funds are typically used as enhancement dollars, however, returning the land to agricultural habitat is an enhancement under the SJMSCP.

Mr. Mayo continued to state this is for discussion only and staff are looking for any opposition or discussion on the matter.

Mr. Beckman asked what the required percentage of enhancements under the Plan is. Mr. Mayo stated 10% of enhancements of preserve land is required under the SJMSCP.

Mr. Jobrack asked if the landowners are required to farm the row crop. Mr. Mayo stated yes. The habitat easement would require it. Also, row crops in this economy are more profitable for the farmers.

Mr. Gifford asked if 10% of enhancements is the maximum. Mr. Mayo stated 10% is the minimum requirement of enhancements on preserves and it is cumulative.

Mr. Mayo stated in 2026, staff will bring maybe 1-2 properties through for public hearing and approval of the conservation easement and preserve management plan. The use of Category B Enhancement dollars for the

removal of vines will become another tool in the toolbox, like the buy/ease/sell model.

d. HTAC Meetings

Mr. Mayo stated there will not be a HTAC meeting in the month of December 2025 due to the holiday meeting schedule. HTAC will resume in January 2026. Staff will send out a list of meeting dates for 2026.

This item was for information/discussion only, no action was taken.

VI. **Summary and Adjournment:** At 9:50 am the meeting was adjourned until January 14, 2026.

STAFF REPORT

SUBJECT: Approval of Highway 4
Telecommunications Facility Project,
Plan Participation and Habitat
Classification Change

RECOMMENDED ACTION: Motion to Approve Recommendation
to SJCOG, Inc. to 1) Allow the
Highway 4 Telecommunications
Facility Project to Participate in the
SJMSCP; and 2) Allow an
Alteration to the Habitat Type
Coverage from Agriculture (C34) to
Multi-Purpose Open Space (C5) and
Agriculture (C34) Habitat Land

DISCUSSION:

SUMMARY:



The project applicant, 51 Wireless, is requesting coverage under the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP or Plan) through the San Joaquin County Community Development Department because the project is in an unmapped area of the Plan. Concurrently, the project applicant is requesting that the habitat type be reclassified. Portions of the project were not classified correctly at the inception of the SJMSCP when mapping the habitat classifications for the entirety of

San Joaquin County. The project can come to the Habitat Technical Advisory Committee (HTAC) to request a change in the habitat classification using Geographical Information Systems (GIS) from the inception of the Plan (2001-2002) to reclassify or correct the project's habitat classification. The project site is located on the southeast corner of West State Route 4 and South Roberts Road, southwest of the City of Stockton in the Central Zone (attachments 1 & 2).

RECOMMENDATION:

SJCOG, Inc. staff recommends the Habitat Technical Advisory Committee (HTAC) recommend to the SJCOG, Inc. Board to:

- 1) Allow the Highway 4 Telecommunications Facility Project to participate in the SJMSCP to provide biological coverage for the project impacts to the habitat types under the federal and state permits; and
- 2) Allow an alteration to the habitat type coverage from Agriculture (C34) to Multi-Purpose Open Space (C5) and Agriculture (C34) habitat land.

FISCAL IMPACT:

If this project is approved, including the habitat type coverage alteration, SJCOG, Inc. will be provided mitigation for the project impacts as required under the SJMSCP for approximately 0.98 acres. The impacts for this project would consist of 0.89 acres of Multi-Purpose Open Space (C5) and 0.09 acres of Agricultural (C34) habitat impacts. Should the project mitigate for project impacts by paying the 2026 fee, the project would be responsible for mitigating the following fee calculation:

Original Habitat Classification:

Habitat Type	Total Acres	2026 Fee/Acre	2026 Total Fee
Agriculture (C34)	0.98	\$17,868	\$17,510.64
Total:	0.98		\$17,510.64

Recommended Habitat Classification Change:

Habitat Type	Total Acres	2026 Fee/Acre	2026 Total Fee
Multi-Purpose Open Space (C5)	0.89	\$8,935	\$7,952.15
Agriculture (C34)	0.09	\$17,868	\$1,608.12
Total:	0.98		\$9,560.27

Should the project impacts occur in a later calendar year, the fee in place at the time of the impact would apply.

BACKGROUND:

This project consists of an Administrative Use Permit application for an AT&T telecommunication facility. The facility will consist of the installation of nine panel antennas, nine remote radio heads, three tower mounted DC-9 surge suppressors, a GPS unit, an outdoor cabinet mounted on a raised steel platform, a 200A dedicated service meter, an AT&T Ciena and Hoffman box mounted to an H-Frame, 30 KW generator with 150 gallon diesel fuel tanks on a raised steel platform, 400 square foot raised steel platform, a new 150 foot monopole, and 40 foot by 8 foot chain link fence with a two foot wide chain link gates (attachment 3).



In accordance with the SJMSCP Planned Land Use Map, the project site is located in the “unmapped” land use area of the plan. Because it is not located on a SJMSCP compensation map, the project can request an alteration to the SJMSCP vegetation map habitat classification on a case-by-case review.

The project is seeking an alteration to the habitat classification on the SJMSCP vegetation map. Per the SJMSCP’s Section 8.8.2.1, a project can seek an alteration to the habitat classification by providing aerial photography imagery dated prior to SJMSCP permit issuance in 2001. Each project will be reviewed by the HTAC for recommendation to the SJCOG, Inc. Board for approval on a case-by-case basis. The original SJMSCP GIS vegetation map portrays the project site was classified as:

- Agricultural (C34) habitat land, where it should be Multi-Purpose Open Space (C5) and Agriculture (C34) consisting of ingress/egress to an existing homesite, related farm operations, and roadways.

The 2001 aerial (attachment 4), which shows a broader review of the habitat types in San Joaquin County, shows portions of the land within the project footprint as Multi-Purpose Open Space (C5) habitat consisting of ingress/egress to a homesite and farm operation on a portion of a parcel. The original SJMSCP habitat classification for this specific area would be re-classified from 0.98 acres of Agriculture (C34) habitat land to 0.89 acres of Multi-Purpose Open Space (C5) and 0.09 acres of Agriculture (C34) habitat land.

Original Classification	Original Acres	Reclassified Acres
Agriculture (C34)	0.98	0.09
Multi-Purpose Open Space (C5)	0.00	0.89
Total		0.98

NEXT STEPS:

Should the staff recommendation be approved by the SJCOG, Inc. Board at the January 22nd SJCOG, Inc. Board meeting, the project will proceed forward under the plan.

ATTACHMENTS:

1. General Location Map
2. Project Site Map
3. Project Site Map
4. 2001-02 Aerial Imagery



Highway 4 Telecommunications Project

Legend

 Highway 4 Telecommunications Project

StocktonCompMap_JS_Oct07

Land_Type

-  Agriculture
-  Multi-Purpose Open Space
-  Natural
-  Prior Agreement
-  Urban





Highway 4 Telecommunications Project

Legend

-  Highway 4 Telecommunications Project
-  Project Location
-  Habitat Classification





Highway 4 Telecommunications Project

Legend

-  Highway 4 Telecommunications Project
-  Project Location
-  Habitat Classification



STAFF REPORT

SUBJECT: Approval the Chinese Cemetery Expansion Project Plan Participation

RECOMMENDED ACTION: Motion to Approve Recommendation to SJCOG, Inc. to Allow the Chinese Cemetery Expansion Project to Participate in the SJMSCP

DISCUSSION:

SUMMARY:



The project applicant, the Confucius Church of Stockton, is requesting coverage under the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP or Plan) through the San Joaquin County Community Development Department because the project is in an unmapped area of the Plan. The project site is located on the south side of W. Mathews Road, 515 feet west of S. Manthey Road, southwest of the City of Stockton in the Central Zone (attachments 1 & 2).

RECOMMENDATION:

SJCOG, Inc. staff recommends the Habitat Technical Advisory Committee (HTAC) recommend to the SJCOG, Inc. Board to allow the Chinese Cemetery Expansion Project to participate in the SJMSCP to provide biological coverage for the project impacts to the habitat types under the federal and state permits.

FISCAL IMPACT:

If this project is approved, SJCOG, Inc. will be provided mitigation for the project impacts as required under the SJMSCP for approximately 3.90 acres. The impacts for this project would consist of 3.90 acres of Urban (U) habitat impacts. There are no fees for Urban (U) habitat impacts.

Habitat Classification:

Habitat Type	Total Acres	2026 Fee/Acre	2026 Total Fee
Urban (U)	3.90	\$0.00	\$0.00
Total:	3.90		\$0.00

BACKGROUND:



This project consists of a Conditional Use permit application to expand an existing 5.93-acre cemetery onto the adjacent 3.9-acre parcel to include more gravesites, 28 additional parking spaces, and a 147 square foot restroom. Access is from W. Mathews Road. A private, onsite well and septic system will service the site. Storm water drainage is natural (attachment 3).

The SJMSCP Geographic Information System (GIS) vegetation map portrays the project site as Urban (U) habitat land.

If allowed to participate in the SJMSCP, the total disturbed area will consist of 3.90 acres of Urban (U) impacts. The project applicant will be responsible for mitigating habitat impacts that are consumed by this project by either paying the appropriate fees at the time of ground disturbance or dedicating land in lieu of a fee at the appropriate SJMSCP ratio.



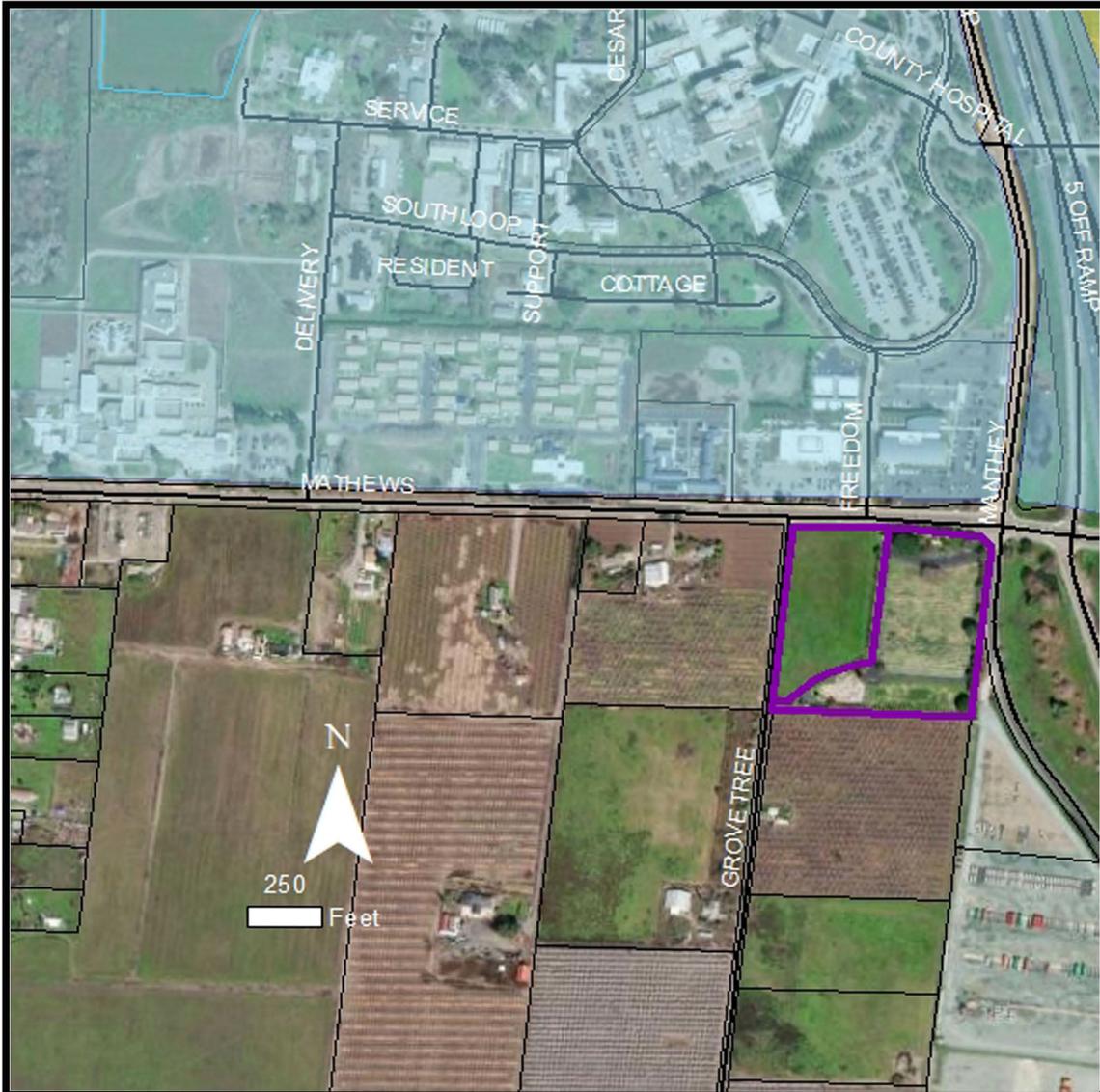
NEXT STEPS:

Should the staff recommendation be approved by the SJCOG, Inc. Board at the January 22nd SJCOG, Inc. Board meeting, the project will proceed forward under the plan.

ATTACHMENTS:

1. General Location Map
2. Project Site Map
3. Project Site Map

Prepared by: Laurel Boyd, Associate Habitat Planner



Chinese Cemetery Expansion Project

Legend

 Chinese Cemetery Expansion Project

StocktonCompMap_JS_Oct07

Land_Type

-  Agriculture
-  Multi-Purpose Open Space
-  Natural
-  Prior Agreement
-  Urban





Chinese Cemetery Expansion Project

Legend

-  Chinese Cemetery Expansion Project
-  Project Location
-  Habitat Classification



STAFF REPORT

SUBJECT: Approval of the Bacchetti MacArthur Road Preserve Acquisition and Preserve Management Plan

RECOMMENDED ACTION: Approve Recommendation to SJCOG, Inc. Board 1) Approve the Acquisition and 2) Approve the Preserve Management Plan (PMP) for the Preserve Site

DISCUSSION:

SUMMARY:

The Bacchetti MacArthur Road properties under consideration are a total of 105 +/- acres. The landowner and SJCOG, Inc. are collaborating on an easement of 100 +/- acres under the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP or habitat plan). The location of the properties is along MacArthur Road near Sugar Cut/Tom Paine Slough to the north of the City of Tracy in the Central Zone. The potential preserve is adjacent to existing SJCOG, Inc. preserves shown in attachments 1 and 2.



With the acquisition, SJCOG, Inc. staff has written the draft Preserve Management Plan (PMP) to reflect the existing preserve management plans of row and field crop preserves for economy of scale for species under the SJMSCP and support other species of the area. There are minor enhancements planned for the properties as well.

RECOMMENDATION:

Approve recommendation to SJCOG, Inc. Board 1) approve the acquisition and 2) approve the preserve management plan.

FISCAL IMPACT:

SJCOG, Inc. will be acquiring an overall easement on approximately 100 +/- acres of active row crop habitat under the SJMSCP. The cost of the easement is valued at \$14,000 per acre with a total acquisition cost of approximately **\$1,400,000** plus the applicable closing costs.

Also, SJCOG, Inc. will be providing land management/enhancement funds, as required under the SJMSCP permits, to be set aside for the preserve in the amount of roughly **\$618,500** (100 +/- acres x \$6,185 per acre for 2026).

BACKGROUND:

The approximate 100 +/- acre conservation easement will cover the row and field crop area. The habitat easement will serve as mitigation for prior development impacts under the SJMSCP to agricultural habitat for the betterment of species covered under the SJMSCP.



The drafted PMP (attachment 3) by consultant ICF reflects the existing preserve management plans of row and field crop preserves in the Central Zones for economy of scale for species under the SJMSCP. The planned enhancements are noted in the PMP and displayed in Table 1.

Table 1 – Enhancements for Row and Field Crop Preserves

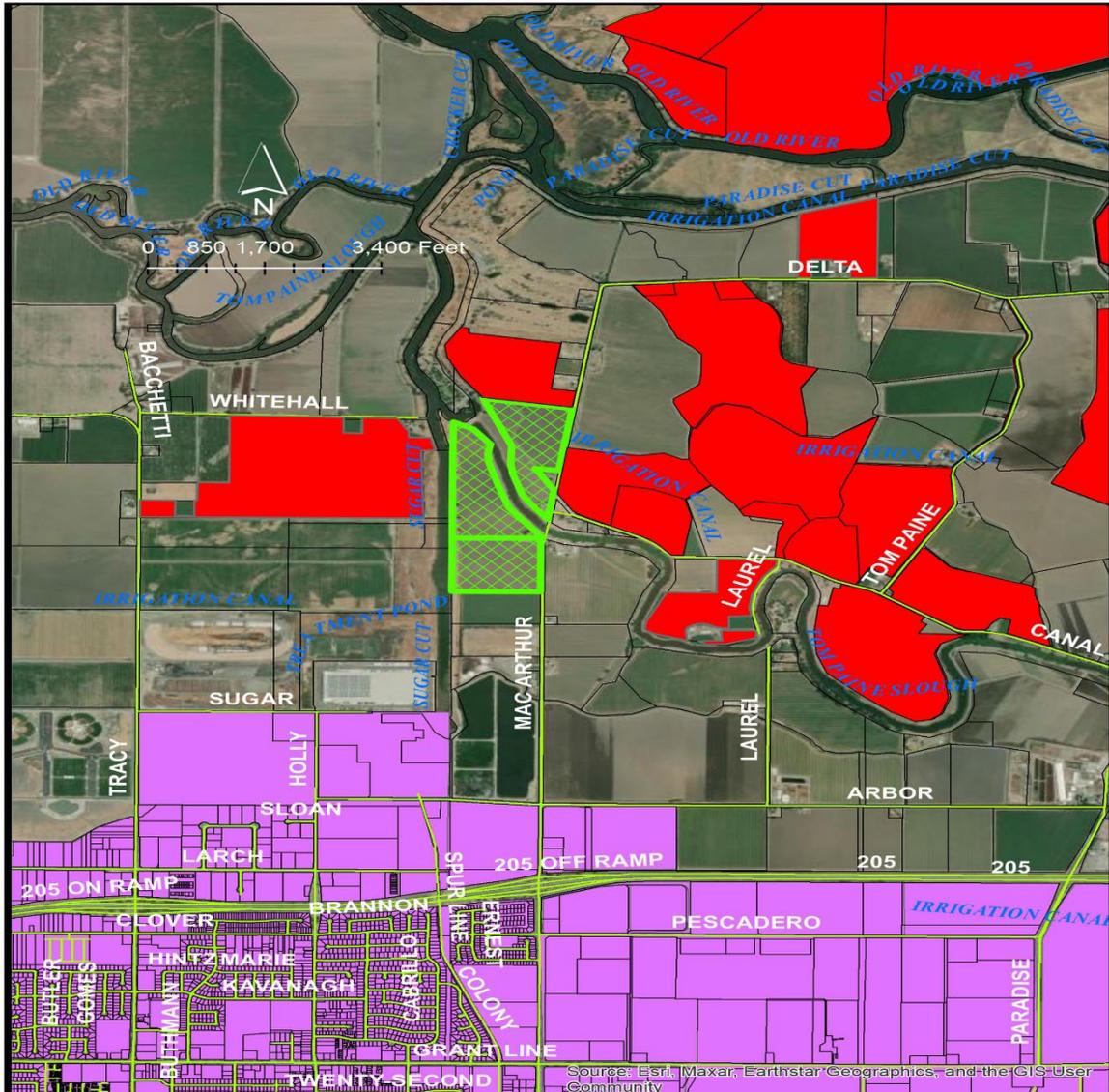
Enhancement Potential Under SJMSCP	Y	N	N/A
Use of Herbicides, pesticides and/or rodenticide in accordance with Sect. 5.4.5(M) & 5.4.7.1	X		
Create, expand or restore riparian area to enhance nesting		X	
Plant elderberry plants for VELB		X	
Enhance foraging habitat using native grass and forb species (Appendix N)		X	
Install roosting or nest sites and platforms		X	
Fencing of riparian areas		X	
Install bat boxes			X
Maintain water quality within creeks and wetlands (e.g. red-legged frog habitat)		X	
Create burrowing owl burrows		X	
Eliminate invasive and undesirable species	X		
Plant vegetation (e.g. tules, blackberry thickets & cattails for tricolor blackbird/GGS)		X	

NEXT STEPS:

Should the staff recommendation be approved by the SJCOG, Inc. Board at the January 22nd Board meeting, the acquisition will proceed forward with escrow.

ATTACHMENTS:

1. Overview Preserve Location Map – Bacchetti MacArthur Properties
2. Preserve Location Map – Bacchetti MacArthur Properties
3. Preserve Management Plan – Bacchetti MacArthur Properties



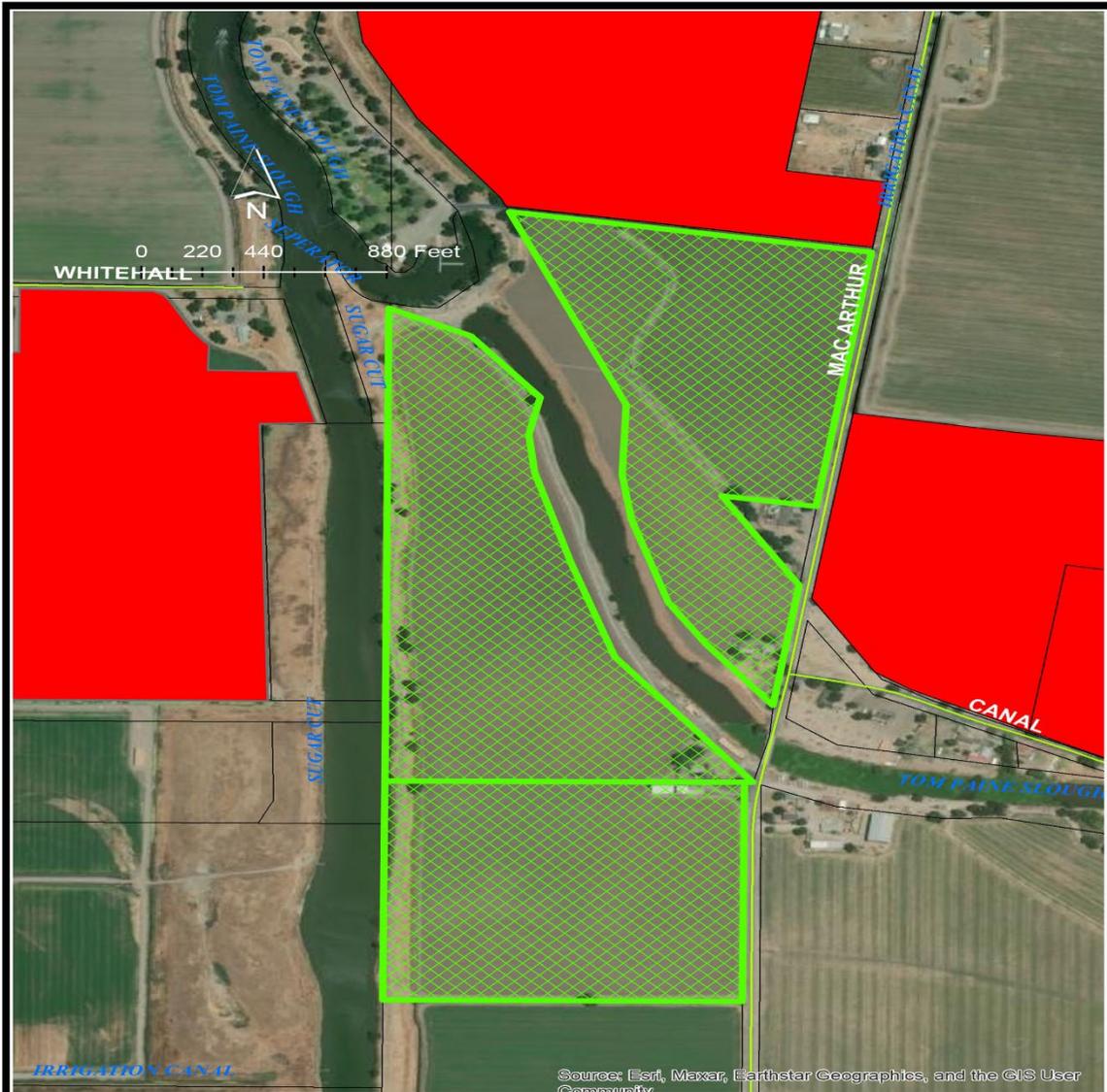
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Joe Bacchetti MacArthur Rd Property

Legend

- SJCOG_Preserves
- Bacchetti Joe MacArthur_213-030-01 040-01 02_Cent
- TracyCompMap





Joe Bacchetti MacArthur Rd Property

Legend

-  SJCOG_Preserves
-  Bacchetti Joe MacArthur_213-030-01 040-01 02_Cent
-  TracyCompMap



ATTACHMENT 3

DRAFT PRESERVE MANAGEMENT PLAN FOR THE BACCHETTI MACARTHUR ROAD PRESERVE

PREPARED FOR:

SJCOG, Inc.
555 East Weber Street
Stockton, CA 95202
Contact: Steve Mayo
209.235.0600

PREPARED BY:

ICF International
630 K Street, Suite 400
Sacramento, CA 95814
Contact: Doug Leslie
916.737.3000

December 15, 2025



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Figure 2	Bacchetti MacArthur Road Preserve and Other Conservation Easements in the Vicinity
Figure 3	Bacchetti MacArthur Road Preserve
Figure 4a	Habitats Present on the Bacchetti MacArthur Road Preserve
Figure 4b	Habitats Present on the Bacchetti MacArthur Road Preserve
Figure 5	Documented Occurrences of SJMSCP-Covered Species within 2 Miles of Bacchetti MacArthur Road Preserve

Acronyms and Abbreviations

CNDDDB	California Natural Diversity Database
GIS	geographic information systems
HTAC	Habitat Technical Advisory Committee
BMRP	Bacchetti MacArthur Road Preserve
SJCOG	SJCOG, Inc.
SJMSCP	San Joaquin County Multi-Species Habitat Conservation and Open Space Plan
USGS	U.S. Geological Survey

SJCOG, Inc., (SJCOG) is currently implementing the *San Joaquin County Multi-Species Habitat Conservation and Open Space Plan* (SJMSCP)¹ (San Joaquin Council of Governments 2001). The principal biological goal of the SJMSCP (the Plan) is to maintain habitat of sufficient quality and quantity to conserve populations of all fish, wildlife, and plant species covered by the Plan. As part of this Plan, lands within the SJMSCP Plan Area are acquired as preserves from willing landowners through either conservation easements or fee title purchase.

This document is the Preserve Management Plan (PMP) for the Bacchetti MacArthur Road Preserve (BMRP). The property addressed in this PMP is approximately 105 acres of farmland on which a conservation easement of approximately 100 acres is being placed by SJCOG. The preserve will be incorporated into the preserve system as a row and field crop preserve.

The BMRP is intended to offset impacts resulting from the conversion of agricultural lands primarily within the Central Zone, as allowed in Section 5.1.2.6 of the Plan.

1.1 Purpose of the Preserve Management Plan

The PMP sets forth specific guidelines regarding land management and monitoring activities to ensure the landowner(s) and SJCOG agree on the conditions of the conservation easement and the manner in which preserve lands will be managed and monitored.

The PMP describes the baseline biological conditions of the property; states the goals and objectives of management; and describes the ongoing land management activities, including permitted and prohibited uses of the property and any affirmative obligations of the landowner(s).

The PMP also sets forth guidelines for adaptive management as required under the SJMSCP. Adaptive management is a systematic process for continually improving management policies and practices by learning from the outcomes of operational programs.

1.2 Preserve Location

The BMRP is in the Central Zone approximately 1.15 miles north of Interstate 205 on the west side of MacArthur Road near the City of Tracy CA (Figure 1). Information pertaining to the property is provided in Table 1.

¹ San Joaquin County Council of Governments. 2001. *San Joaquin County Multi-Species Habitat Conservation & Open Space Plan*. Stockton, CA. Available: < <https://www.sjcog.org/DocumentCenter/View/5/Habitat-Planpdf?bidId=> >. Accessed August 8, 2025.

Table 1. Bacchetti MacArthur Road Preserve Information

Assessor's Parcel Number	213-030-01; 213-040-01; 213-040-02
Acreage	105
SJMSCP Index Zone	Central Zone
USGS 7.5-minute quadrangle	Union Island
Township	Unsurveyed
Range	Unsurveyed
Section	Unsurveyed
SJMSCP = <i>San Joaquin County Multi-Species Habitat Conservation and Open Space Plan</i> ;	
USGS = U.S. Geological Survey	

The BMRP is bordered by the Fagundes Preserve to the north, Pellegrini Farms Preserves to the east, the Gaia Legacy Farms Preserve to the west, and is in close proximity to a large number of properties already under easement, adding to reserve consolidation in the area (Figure 2).

1.3 Land Ownership and Management

The parties responsible for managing BMRP lands in accordance with the PMP are listed below.

Landowner

Contact: Joe Bacchetti
 19455 S MacArthur Drive
 Tracy, CA 95304
 Phone: 209/481-7427

Conservation easement holder

SJCOG
 555 East Weber Street
 Stockton, CA 95202
 Contact: Steven Mayo
 Phone: 209.235.0600

Land manager

ICF International
 630 K Street, Suite 400
 Sacramento, CA 95814
 Contact: Doug Leslie
 Phone: 916.737.3000

Baseline Preserve Characteristics, Goals and Objectives

As noted above, the BMRP is an approximately 105-acre property adjacent to several other properties already under a conservation easement purchased by SJCOG. The property is bordered by MacArthur Road on the east side and Sugar Cut on the west side. Tom Paine Slough bisects the property into a north and south half (Figure 3).

Habitats on the parcel are comprised primarily of row and field crop agriculture. There are two main fields on the north side of Tom Paine Slough and one field to the south. The northern fields are irrigated from a cement lined ditch that bisects the two fields. Several large, mature valley oaks (*Quercus lobata*) occur in the northwest corner adjacent to Sugar Cut with a few scattered individual trees along the eastern bank of Tom Paine Slough (Figure 4a). Wooden power poles run east/west along the northern border and north south along the eastern border, but pole along the eastern border are on the opposite side of the street (Figure 3 and 4a).

The southern field is irrigated from standpipes along the eastern border of the field. Large, mature valley oaks and some cottonwoods (*Populus fremontii*) are scattered along the eastern levee of Sugar Cut and the western bank of Tom Paine Slough (Figure 3 and 4). The southern field is bordered on the south side by a large earthen drainage ditch that drains the field to the south and currently supports abundant emergent vegetation (Figure 4b).

Tom Paine Slough is almost completely choked with Water hyacinth (*Eichornia crassipes*) (Figure 4b).

The property has historically been used to grow a wide variety of row and grain crops but has been consistently used to grow alfalfa for the last several years. Surrounding fields are comprised primarily of row and field crops (Figure 2).

The SJMSCP geographic information systems (GIS) database and the California Natural Diversity Database (CNDDDB) were searched to identify records of SJMSCP-covered species within approximately 2 miles of the BMRP. There are 87 records for Swainson's hawk (*Buteo swainsonii*), the primary species benefiting from this easement. There are also 23 records of Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), 81 records for northwestern pond turtle (*Actinemys marmorata*), and 2 records of Song sparrow (*Melospiza melodia*), within two miles of the property, mostly distributed along the various channels of Old River to the north. Additional records include 9 records of burrowing owl (*Athene cunicularia*), mostly in the recently developed areas of Tracy to the south, 9 records of Tricolored blackbird (*Agelaius tricolor*), 3 of which occur in Tom Paine Slough upstream of the property, 4 records for riparian brush rabbit (*Sylvilagus bachmani riparius*), and 2 records each for Giant garter snake (*Thamnophes gigas*), American badger (*Taxidea taxus*), and Crotch's bumblebee (*Bombus crotchii*). There are also records for two covered plant species, the Big tatarplant (*Blepharizonia plumosa*, 2 records) and Caper-fruited tropidocarpum (*Tropidocarpum capparideum*, 2 records), both of which are grassland species highly unlikely to occur in the area (Figure 5).

2.1 Wildlife Habitat Associations Identified in the SJMSCP

The habitats and preserve elements described in the SJMSCP and currently present on the BMRP are listed below.

- Row and field crops.
- Ditches.
- Presence of rodents.
- Presence of pigeons or mice.
- Presence of small reptiles and/or amphibians in shallow waters.
- Presence of tall perching sites (i.e., vegetative perches higher than surrounding vegetation which permit the species to survey the surrounding area) normally with adjacent agricultural fields or grasslands.

These habitats and preserve elements, according to the SJMSCP, provide habitat for the SJMSCP-covered species listed below.

- Swainson's hawk
- Northern harrier (*Circus cyaneus*)
- White-tailed kite (*Elanus leucurus*)
- Merlin (*Falco columbarius*)
- Great egret (*Ardea alba*)
- Great blue heron (*Ardea herodias*)
- Loggerhead shrike (*Lanus ludovicianus*)
- Northwestern pond turtle

The agricultural and ditch habitats on the preserve also benefit several other common bird species, including killdeer (*Charadrius vociferus*), House finch (*Haemorhous mexicanus*), and northern mockingbirds (*Mimus polyglottos*), as well as habitat for jackrabbits (*Lepus californicus*), raccoons (*Procyon lotor*), opossums (*Didelphis virginiana*), and gopher snakes (*Pituophis catenifer*).

2.2 Goal and Objectives of the Management Plan

The BMRP will be managed as a Row and Field Crop Preserve as described in Section 5.4.4.4 of the SJMSCP. The goal of this preserve type is to maintain and enhance the *habitat values* extant on the site for the benefit of Swainson's hawk, Loggerhead shrike, Tricolored blackbird, and other species covered by the SJMSCP that depend to varying degrees on habitat values provided by row and field crop agriculture and associated ditch and woodland habitats. **Habitat Values** are defined herein as the resources on the landscape that provide benefits for covered species, such as abundant and accessible prey or forage, cover, perch sites, nest sites, water, or other resources necessary for survival and reproduction. Habitat values decrease with increasing disturbance, pesticide and

herbicide use, and increasing habitat uniformity. Because the BMRP is devoted to agricultural production, the primary goal of the preserve is to provide nesting and foraging habitat for SJMSCP-covered species like Swainson's hawk that depend on agricultural habitats for some portion of their life cycle.

Chapter 3

Land Management Activities

This chapter discusses the land management activities that will be implemented under the conservation easement. The desired agricultural practices as well as permitted and prohibited land uses are discussed.

The BMRP will be managed according to the guidelines for Row and Field Crop Preserves outlined in the SJMSCP. These guidelines state that the priority crops to be grown include alfalfa, hay, irrigated pasture, tomatoes, beans, and cereal grains. The key management goal is to grow only those crops having a canopy structure and other attributes that do not mechanically prevent foraging by raptors or other species covered under the SJMSCP.

3.1 Agricultural Practices

Land management practices on the BMRP have historically provided benefits for Swainson's hawk, and other SJMSCP-covered species. The property is currently being used to grow alfalfa and has historically been used to grow a variety of row and grain crops such as alfalfa, grass hay, tomatoes, beans, and cucumbers. Vineyards, orchards, blueberries, and other permanent or semi-permanent crops are prohibited.

3.2 Prohibited Uses and Activities

This section identifies prohibited uses of the preserve under the BMRP Conservation Easement. *Landowner* refers to Joe Bacchetti. *SJCOG* refers to all agencies, organizations, or individuals affiliated with or that represent SJCOG during implementation of actions described in this preserve management plan.

3.2.1 Access and Trespass/Illegal Uses/Signage

Access to the general public is prohibited. At the landowner's discretion, signage can be installed that identifies the property as being part of the San Joaquin County Open Space System, or *No Trespassing* signs can be installed. Signage should be installed on the BMRP within 120 days following approval of the conservation easement. The signs should be installed along public roadways and rights-of-way and should clearly state that public access is prohibited. The signs will be provided by SJCOG and installed by the landowner.

3.2.2 Agricultural Conversion

The conversion of the preserve from production of row and field crops (e.g., tomatoes, corn, beans, cucumbers, or other vegetables; wheat, oats, or other grains; alfalfa or other hay crops) or irrigated pasture to agricultural uses that are not compatible with providing foraging habitat for Swainson's hawk and other covered species (e.g., conversion to orchards, vineyards, blueberries, or other permanent or semi-permanent crop types) is prohibited.

3.2.3 Alteration of Watercourses

The alteration or manipulation of any natural watercourse, wetland, or body of water and activities or uses that are detrimental to water quality, including, but not limited to, degradation, pollution, or fill, are prohibited. This prohibition does not include irrigation of crops, drainage of agricultural fields, routine maintenance of irrigation water conveyance features, or installation of preserve enhancements approved by the Habitat Technical Advisory Committee (HTAC).

3.2.4 Chemicals

Except for those pesticides, herbicides, fungicides, or fertilizers used in ongoing row and field crop production in strict compliance with application and labeling instructions, no chemicals will be used on the preserve unless they are used for the specific purpose of controlling exotic weed or pest species that may threaten habitat values. All chemicals will be used, stored, and disposed of in strict compliance with labeling instructions and applicable laws.

3.2.5 Dumping

The dumping, storage, or other disposal of refuse, trash, sewer sludge, and toxic or hazardous materials or chemicals are not permitted on the preserve. This prohibition includes the storage or disassembly of inoperable automobiles, trucks, farm equipment, or other machinery for the purpose of sale or storage.

3.2.6 Hunting and Fishing

Commercial fishing, hunting and trapping are prohibited. No recreational hunting or fishing that could result in take (as defined in the federal or state endangered species acts) is permitted.

3.2.7 Vegetation Removal or Destruction

The removal of any natural vegetation (such as riparian habitats or remnant native oak trees) or vegetation installed as part of a preserve enhancement project is prohibited without prior approval by the HTAC.

3.2.8 Natural Resource Development

The filling, dumping, excavating, draining, dredging, mining, drilling, removing, exploring, or extracting of or for minerals, soils, sands, gravels, rocks, or other material on or below the surface of the preserve is prohibited.

3.2.9 Pest Management

Pest management is an ongoing activity associated with agricultural production. However, chemical rodent control should be minimized to the maximum extent possible to maximize habitat values for covered species. The implementation of pest management is restricted in accordance with the parameters listed below to ensure that agricultural activities are consistent with the goals and objectives of the SJMSCP.

- All vertebrate pest control measures will be conducted in accordance with rodenticide labeling instructions, in accordance with Endangered Species Act Bulletins (available from local Agricultural Commissioner), and in accordance with Agricultural Commissioners regulations and procedures.
- Anti-coagulant pesticides are prohibited.
- Application of rodenticides is restricted to bait feeders and should not be used unless absolutely necessary. Rodenticide baiting in burrows and rodenticide broadcast baiting are prohibited, with the following exceptions:

The use of strychnine or other non-anticoagulant rodenticides (such as ZP Rodent Oat Bait or AG Oat Grain Bait) dispersed underground (using a gopher-baiting machine for example) for pocket gopher abatement is allowed. The intention is to ensure that dead pocket gophers remain underground to eliminate the possibility of secondary poisoning of covered species. While the aforementioned rodenticide labels list other uses for the product, such as vole control in alfalfa fields, their use for control of species other than pocket gophers in a manner other than specified above is prohibited because their above ground use would pose a danger to covered species.

If vertebrate pest control procedures are not effective and additional control is necessary, the landowner must request and be granted a waiver from the HTAC in accordance with the SJMSCP prior to initiating any additional pest control activity.

3.2.10 Recreational Activities

No revenue-generating recreational activities are permitted. Private recreational activities that degrade the habitat values of the property are prohibited.

3.2.11 Roads

The construction of new roads is prohibited.

3.2.12 Structures

The construction or placement of the structures listed below is prohibited within the easement.

- New residential or other buildings.
- Camping accommodations.
- Mobile homes, house trailers, permanent tent facilities, Quonset huts or similar structures.
- Underground tanks.
- Billboards, signs, or other advertising.
- Streetlights.
- New utility structures or power lines except those required to power new pumps on the property for agricultural purposes.
- New sewer systems.

3.2.13 Vehicle Use

The use of motorized vehicles off designated roadways, except for agricultural purposes, is prohibited.

3.3 Permitted Uses and Activities

This section identifies permitted uses of the preserve under the BMRP Conservation Easement. Although some activities may be permitted under this PMP, all activities are still subordinate and subject to all applicable Federal, State, and local laws and regulations. The primary permitted use of the property is the continuation of row and field crop agriculture.

3.3.1 Hunting and Fishing

Noncommercial fishing, hunting and trapping of wildlife is permitted so long as it is conducted in compliance with applicable laws and regulations and in a manner that does not compromise the habitat values or damage the ecology of the biological resources on the preserve.

3.3.2 Roads

Resurfacing existing roads with onsite materials and clean gravel is permitted if material is kept within the immediate roadway.

3.4 Affirmative Obligations

This section identifies the affirmative obligations of the landowner under the BMRP Conservation Easement. Affirmative obligations include both activities and permissions. All activities and permissions are subordinate and subject to all applicable Federal, State, and local laws and regulations.

3.4.1 Emergency Vehicle Access

The landowner must allow emergency vehicles to have direct access to the preserve from MacArthur Road when necessary (Figure 3). The BMRP is currently protected by gates and/or cables but is not actively patrolled.

3.4.2 Maintenance and Repair

SJCOG is not responsible for general maintenance, repair, and replacement of existing facilities such as roads, fences, agricultural ditches, and irrigation supply lines and pumps. The landowner retains responsibility for these items and other general maintenance.

3.4.3 Monitoring and Reporting

SJCOG is required to conduct annual monitoring to ensure that the terms of the PMP are adhered to, to monitor the success and status of any preserve enhancements, and to conduct species monitoring

to ensure that acquisition and management of the property is facilitating the achievement of the SJMSCP goals and objectives. Therefore, reasonable access to the preserve by SJCOG and its agents, including the Wildlife Agencies (US Fish and Wildlife Service, California Department of Fish and Wildlife, or their agents) for purposes of ensuring compliance with the terms of the PMP and for purposes of monitoring use of the preserve by covered species is required.

3.4.4 Preserve Enhancements

No preserve enhancements are planned for the BMRP because waterways and potential nesting and roosting trees are relatively abundant in the immediate vicinity. However, potential enhancements that could increase the habitat values of the BMRP include installing some native grasslands and shrubs in the northernmost section of the southern and northern fields adjacent to the Sugar Cut levee to 1) provide potential nesting habitat for northwestern pond turtle; 2) provide refugia for California voles to repopulate the agricultural fields after harvest; and 3) to provide nesting and foraging habitat for other native insectivorous birds, including Loggerhead shrike.

3.5 Implementation and Management Schedule

The landowner will begin implementing and managing the preserve in accordance with this PMP immediately upon formal approval and acceptance of the conservation easement by the landowners, SJCOG, and the HTAC. The landowners and SJCOG intend that the property be preserved and maintained in perpetuity by permitting only those agricultural practices that provide foraging habitat for Swainson's hawk, Loggerhead shrike, Tricolored blackbird, and other SJMSCP-covered species that forage in agricultural habitats. The current and proposed agricultural practices are beneficial to these species.

Chapter 4

Monitoring and Adaptive Management

This chapter describes the biological monitoring and reporting requirements for the BMRP. This chapter also summarizes remedial measures that may be implemented should the property not provide the desired benefits for Swainson's hawk and other SJMSCP-covered species. The primary objective of monitoring is to ensure that the goals and objectives of the SJMSCP and this PMP are being met.

A preserve-wide *Monitoring Strategy* for the entire SJMSCP preserve system is currently under review. The monitoring and reporting requirements described in this chapter are considered provisional until the system-wide monitoring plan is completed and approved. The preserve-wide Monitoring Strategy will supersede the monitoring and reporting requirements in this PMP once it is approved.

Three general types of monitoring are conducted on a regular basis to ensure that the goals and objectives of the SJMSCP are being met; *compliance monitoring*, *effectiveness monitoring* (referred to as *biological monitoring* in the SJMSCP) and *preserve enhancement monitoring*.

4.1 Compliance Monitoring

Compliance monitoring is monitoring that demonstrates compliance with the terms and conditions of the conservation easement, the SJMSCP and its permits. Compliance monitoring will be achieved through an annual site visit(s) to the preserve and annual discussion with the landowner(s) to document changes in agricultural practices or other factors such as water deliveries, drought conditions, market conditions, etc. that could affect the conservation and habitat values of the preserve. A set of photo stations will be established and photographs from each station will be taken annually during the site visit(s). Site visits are typically conducted during spring or summer, when most covered species have the greatest probability of being detected. All wildlife species detected during the site visit, including SJMSCP-covered species, will be recorded.

Crops grown during the year will be documented along with any changes from the previous year that could potentially affect habitat values, such as the death or removal of potential nesting trees or shrubs, clearing of drainage and irrigation ditches, among others.

Noncompliance with the conservation easement (e.g. planting permanent or semi-permanent crops, creation of new roads or structures or storing equipment within the easement area, etc.) will be addressed in accordance with the provisions of the conservation easement.

4.2 Effectiveness Monitoring

Effectiveness monitoring (referred to as *biological monitoring* in the SJMSCP) is comprised of several types of monitoring. The general purpose of effectiveness monitoring as described in the SJMSCP is to track habitat conditions and the status of covered species on and around preserve lands and to determine if management actions maintain and improve habitat conditions for covered species.

Baseline habitat conditions are established at the time of preserve acquisition and are described in this PMP. Because neighboring land uses may change over time, potentially reducing the suitability of habitats on the preserve, habitat/land cover types within a 2-mile radius of the preserve will also be documented.

Baseline surveys to determine the presence of SJMSCP covered species will typically be conducted within 2 to 5 years of acquisition. The survey will consist primarily of a complete search of all potential Swainson's hawk nesting substrates within a 2-mile radius of the preserve to the extent possible given potential access constraints from surrounding landowners. Baseline surveys may also include focused surveys for burrowing owls, loggerhead shrikes, Sandhill cranes, or other SJMSCP-covered species.

The baseline habitat and focused species surveys will be updated periodically. The results of the surveys will be reported to the wildlife agencies and summarized in the SJMSCP program-level annual report.

The information will be used to track changes over time and to ensure that the goals and objectives of the preserve management plan are being met.

4.3 Monitoring Preserve Enhancements

Monitoring is required to ensure that preserve enhancements become established and to determine if remedial action needs to be taken to achieve the goals of the enhancement. Monitoring is conducted regularly after planting, typically for a period of 3 years, or until it is determined the preserve enhancement plantings are established. After the establishment period, preserve enhancement monitoring is conducted in conjunction with the compliance monitoring and includes a visual inspection of the enhancement plantings to ensure that they are healthy and providing the benefits they were designed to achieve.

4.4 Success Criteria

Two criteria will be used to determine the success of land use centered on cropping patterns and establishment of preserve enhancements. Preserve management will be considered successful if (1) the entire 105 acres of designated agricultural lands are maintained in suitable row and field crops (allowing for fallowing as a part of normal crop rotations and excepting any preserve enhancements that may be installed) each year; and (2) all terms and conditions of the conservation easement are adhered to.

4.5 Adaptive Management

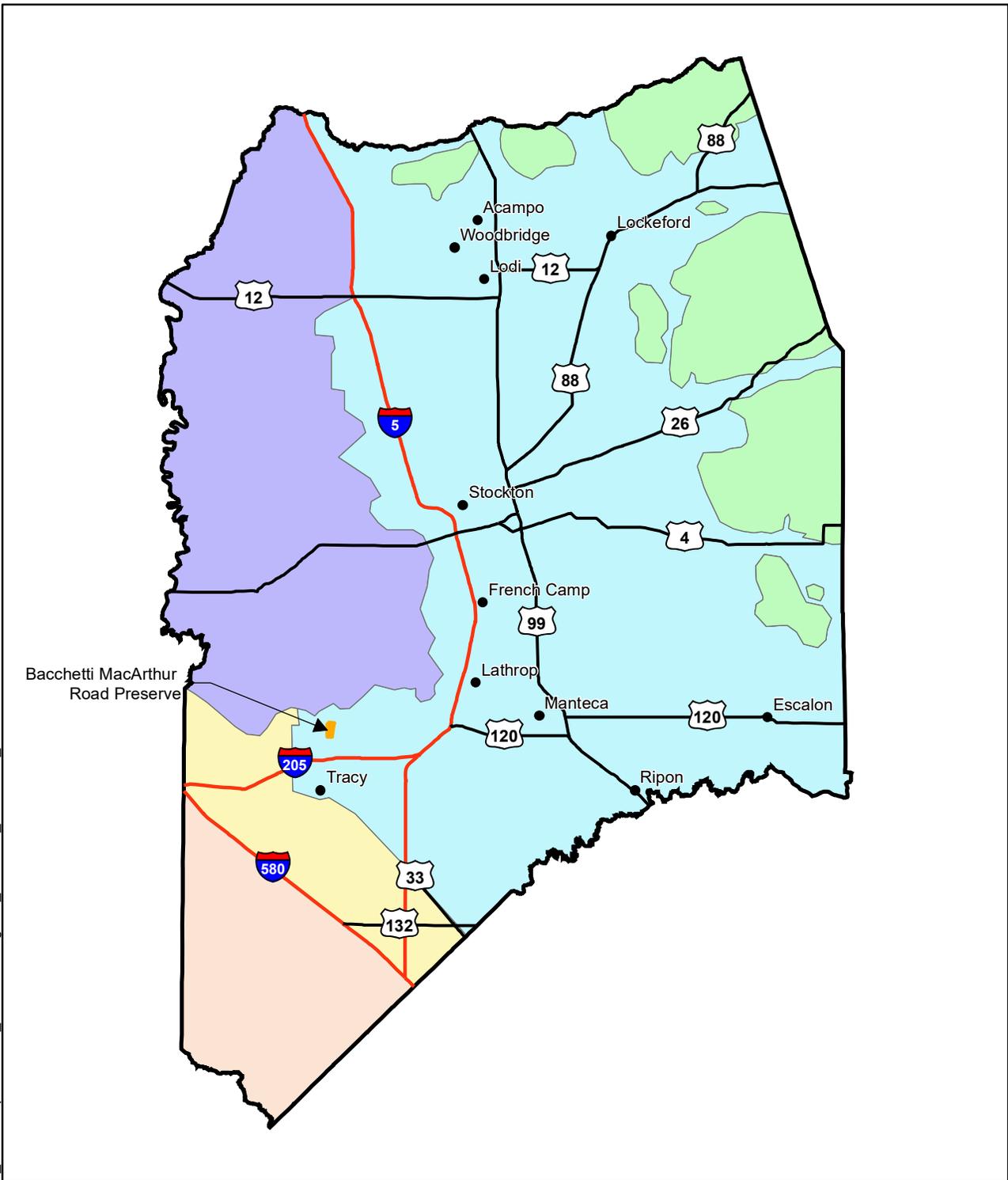
This chapter summarizes the adaptive management provisions of the SJMSCP as they pertain to the BMRP. Adaptive management is a systematic process for continually improving management policies and practices by learning from the outcomes of operational programs. The principle of adaptive management recognizes that the resources being managed are dynamic systems and that the state of knowledge regarding natural resource management is constantly improving. Adaptive

management, by definition, does not include predetermined actions, but rather identifies new responses based on the outcome of management activities.

In the context of preserve management, monitoring activities are undertaken to assess the progress of management activities toward achieving the stated management goals. The information collected can then be used to improve management activities, if change is warranted. However, there will be no alteration of management activities that adversely affect permitted agricultural uses of the land without the agreement of the landowner.

Results of monitoring will be used to determine the effectiveness of the measures outlined in the SJMSCP and this PMP in providing habitat for Swainson's hawk and other SJMSCP-covered species. If substantial changes in populations of covered species occur, or evidence suggests the operating conservation program outlined in the SJMSCP is not meeting the goals and objectives outlined in the SJMSCP, then adaptive management procedures may be warranted. Such measures would include a review of the terms of the conservation easements and a review of the cropping patterns, crop types, monitoring requirements, and other management or monitoring activities on SJMSCP preserves.

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Legend

SJMSCP Index Zone

- Central Zone
- Central/Southwest Transition Zone
- Primary Zone of the Delta
- Southwest Zone
- Vernal Pool Zone



Figure 1
Bacchetti MacArthur Road Preserve
San Joaquin County

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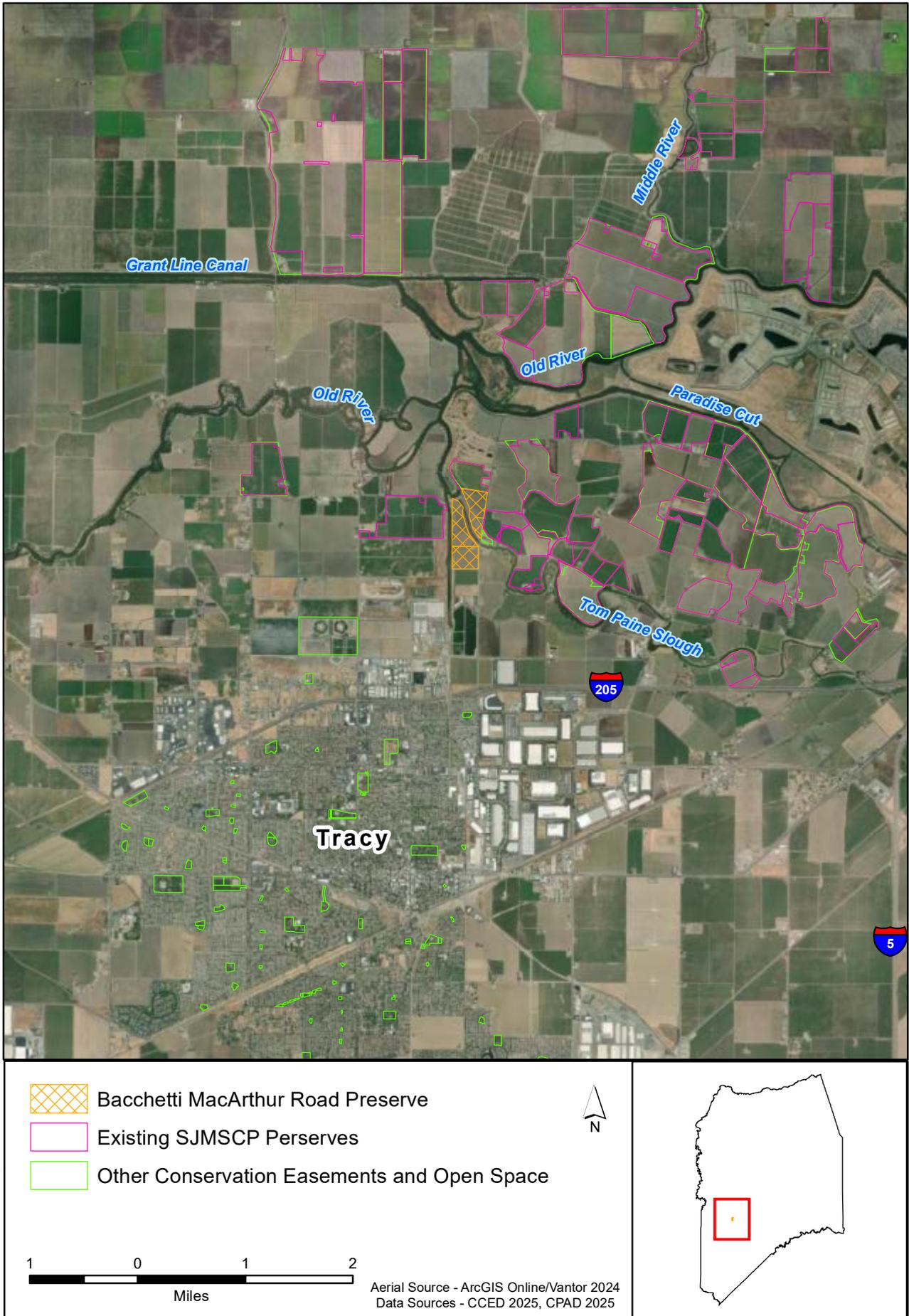


Figure 2
Bacchetti MacArthur Road Preserve

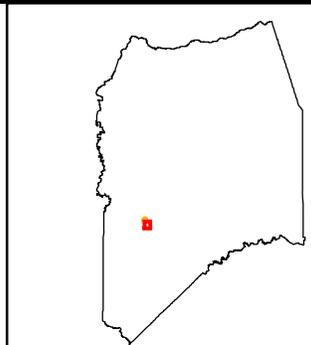


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Legend

 Bacchetti MacArthur Road Preserve



Aerial Source - ArcGIS Online/Maxar 2024



Figure 3
Bacchetti MacArthur Road Preserve



Photo 1. Alfalfa Field and Mature Valley Oaks in the NW Corner of the Northern Field.



Photo 2. Irrigation Ditch Bisecting the Northern Fields.

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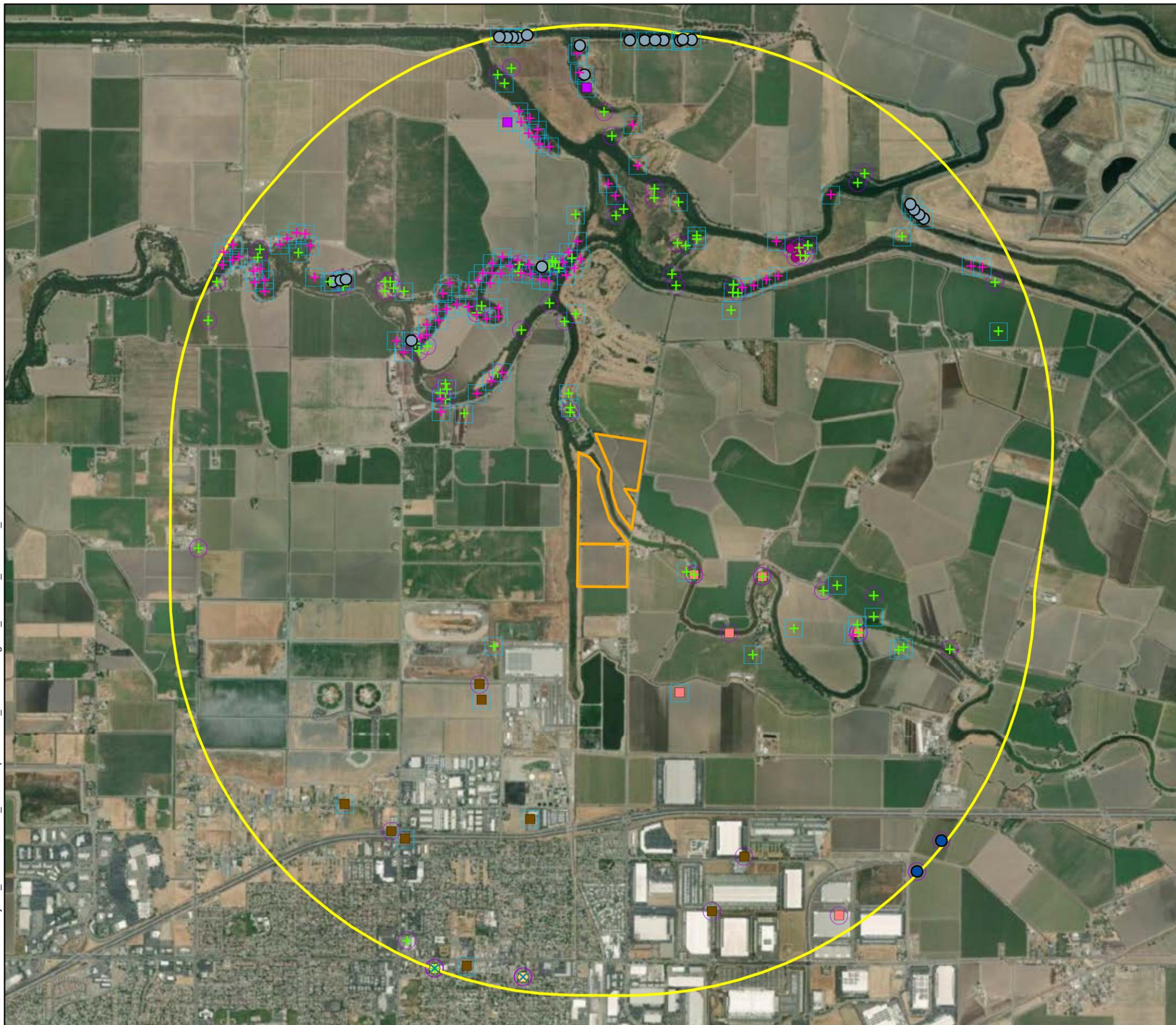
Photo 1. Large Drainage Ditch Along the Southern Boundary of the Property.



Photo 2. Aquatic Habitat in Tom Paine Slough, including Valley Oaks and Cottonwoods.

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Legend

- Bacchetti MacArthur Road Preserve
- Bacchetti MacArthur Road Preserve 2-Mile Buffer
- California Natural Diversity Database Species Records
- San Joaquin HCP Terrestrial Species Records

Species Observations

Plants

- big tarplant
- caper-fruited tropidocarpum

Birds

- song sparrow ("Modesto" population)
- burrowing owl
- Swainson's hawk
- Tricolored blackbird

Herps

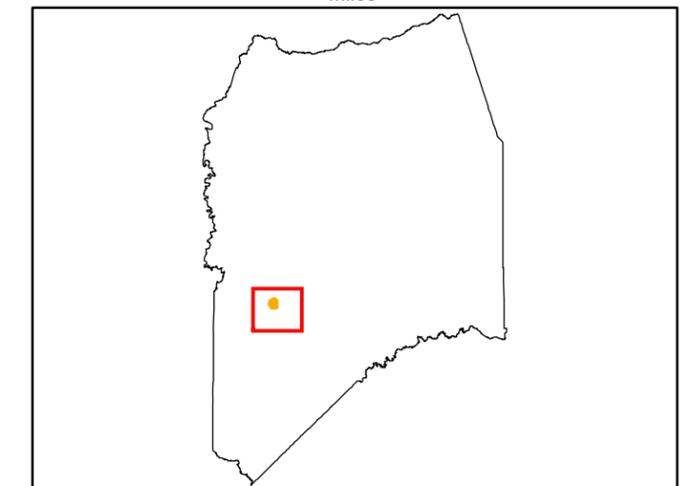
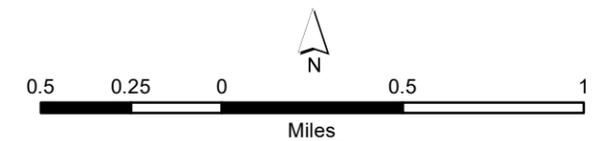
- Western pond turtle
- Giant garter snake

Invertebrate

- Valley elderberry longhorn beetle
- Crotch's bumble bee

Mammals

- Riparian brush rabbit
- American badger



Aerial Source - ArcGIS Online/Vantor 2024, CNDDDB November 2025

Figure 5
Documented Occurrences of SJMSCP-Covered
Species within 2 Miles of Bacchetti MacArthur Road Preserve