SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE PLAN
HABITAT TECHNICAL ADVISORY COMMITTEE MEETING &
HTAC FINANCIAL SUB-COMMITTEE MEETING
San Joaquin Council of Governments
Regional Center Building
555 E. Weber Avenue
Stockton, CA 95202

For Both HTAC and HTAC Financial Subcommittee Meetings:
Zoom Meeting ID: https://sjcog.zoom.us/j/94714249030
Teleconference Number: +1 669-900-6833 / Meeting ID: 947 1424 9030

Attention Callers: Please mute the call unless speaking

NOTICE - Coronavirus COVID-19

In accordance with Governor Newsom's Executive Order N-33-20, SJCOG, Inc. and staff will be participating in this meeting via teleconference. In the interest of maintaining appropriate social distancing, members of the public may participate in the meeting electronically and shall have the right to observe and offer public comment at the appropriate time during this special meeting.

We have also provided a call-in number, identified on this Agenda, and encourage you to attend by telephone if Zoom is unavailable to you.

Wednesday, May 13, 2020
9:30 A.M.
AGENDA

1. Call to Order / Introductions
2. Minutes: Approve Minutes of March 2020 meetings Action
3. Public Comments

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

4. Consent Calendar:
   a. NorCal Logistics, Sanchez Property, Plan Participation and Buffer Reduction Action
5. Patricia Kibbe Alder Preserve Purchase and Preserve Management Plan Action
6. Bohlender Kennefick Preserve Purchase and Preserve Management Plan Action
7. Hewette Brueckle Preserve Purchase and Preserve Management Plan Action
8. Other Matters of Business:
   a. HTAC Financial Subcommittee Information/Discussion
   b. Quarterly Reporting
9. Summary and Adjournment of HTAC Meeting

HTAC FINANCIAL SUBCOMMITTEE MEETING
To be held approximately 5 minutes after adjournment of HTAC

1. Call to Order / Introductions
2. Public Comments
3. 2020 SJMSCP Fee Analysis Discussion/Action
4. Summary and Adjournment

The SJCOG, Inc. is in compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. # 12132) and the Ralph Brown Act (California Government Code # 54954.2) and will make all reasonable accommodations for the disabled to participate in employment, programs and facilities. Person requiring assistance or auxiliary aid in order to participate or persons wishing to store their bicycle safely during the meeting should contact Rebecca Calija at 235-0600 at least 24 hours prior to the meeting. Board Meetings, Committee Meetings and all Workshops are audio/video recorded by The San Joaquin Council of Governments.
I. Call to Order/Introductions:

Ms. Aguirre called the meeting to order at 9:33 a.m. and introductions were made.

Committee Members Present or Conference Call:
Megan Aguirre - San Joaquin County
Mike McDowell - City of Stockton
Rick Caguiat - City of Lathrop
Ken Zuidervaart - City of Ripon
Kimberly Matlock - City of Tracy
John Beckman - BIA
Amy Kennedy - CA Dept. Fish and Wildlife
Maggie Sepulveda - USFWS
Jessie Fowler - SJ Ag Commission
Dan Gifford - Conservation

Others Present:
Matt Diaz - City of Stockton
David Stagnaro - Strategic Land Planning
Laurel O’Brien Cordonier - Public
Mr. And Mrs. O’Brien - Public

SJCOG Staff/Consultants Present:
Steven Mayo - Program Manager
Laurel Boyd - Associate Habitat Planner
Monica Streeter - Neumiller & Beardslee
Doug Leslie - ICF

II. Approval of February 11, 2020 Minutes:
It was moved/seconded (Beckman/McDowell) to approve the minutes of February 11, 2020. Motion passed 10/0.
III. Public Comment:
None.

IV. Consent Calendar:
a. SMS Brining Facility Expansion Project, Plan Participation

Mr. Mayo stated the coverage for this project will consist of 1.62 acres of Agricultural (C34) habitat land, not the 16.90 acres listed in the staff report.

Mr. Stagnaro stated the developed area seen in the staff report attachments were covered in 2001 under prior environmental documents approved around the same time the Habitat Plan came on board.

It was moved/seconded (Beckman/McDowell) to approve the Consent Calendar. Motion passed 10/0.

V. Public Hearing for Patricia Kibbe Alder Preserve Acquisition:
Ms. Aguirre opened the Public Hearing for the Patricia Kibbe Alder Preserve Acquisition.

Mr. Mayo stated the Patricia Kibbe Alder Preserve acquisition consists of approximately 103 acres. The landowner and SJCOG, Inc. staff are discussing an easement acquisition of approximately 100 acres as agricultural habitat. The location of the property is in the Paradise Cut and Old River area north of the City of Tracy in the Central Zone. If the easement is purchased, SJCOG, Inc. staff intends to create the Preserve Management Plan (PMP) for row and field crop habitat.

Ms. Aguirre closed the Public Hearing for the Patricia Kibbe Alder Preserve Acquisition.

VI. Public Hearing for Bohlender Kennefick Preserve Acquisition:
Ms. Aguirre opened the Public Hearing for the Bohlender Kennefick Preserve Acquisition.

Mr. Mayo stated the Bohlender Kennefick Preserve Acquisition property consists of approximately 50 acres. The landowner and SJCOG, Inc. staff have been discussing an easement purchase of approximately 35 acres as agricultural habitat. The location of the property is on the east side of Kennefick Road bordered by Dry Creek to the
north and Liberty Road to the south in the Central Zone. The potential preserve is bordered by existing SJCOG, Inc. preserves. If the easement is purchased, SJCOG, Inc. staff intends to create the Preserve Management Plan (PMP) for row and field crop habitat. The landowner will be growing commercial hemp and other crops in accordance with the easement.

Ms. Aguirre closed the Public Hearing for the Bohlender Kennefick Preserve Acquisition.

VII. Public Hearing for Hewette Bruella Preserve Acquisition:
Ms. Aguirre opened the Public Hearing for the Hewette Bruella Preserve Acquisition.

Mr. Mayo stated the Hewette Bruella Preserve Acquisition property consists of approximately 36 acres. The landowner and SJCOG, Inc. staff have been discussing an easement purchase of approximately 23 acres as agricultural habitat. The location of the property is on the west side of Bruella Road bordered by Liberty Road preserves in the Central Zone. If purchased, SJCOG, Inc. staff intends to create the Preserve Management Plan (PMP) as a row and field crop habitat.

Mr. Gifford stated Google Earth images show this property could possibly be vernal pool habitat. Mr. Leslie stated the landowner drill seeds for planting crops so there is not much existing vernal pool left or plans for a vernal pool landscape.

Ms. Aguirre closed the Public Hearing for the Hewette Bruella Preserve Acquisition.

VIII. 2019 SJMSCP Annual Report:
Mr. Mayo reviewed the Executive Summary for the 2019 SJMSCP Annual Report which is attachment 1 in the staff report. SJCOG, Inc. staff will need to have a Final Annual Report to permitting agencies by April 1, 2020 to meet the SJMSCP reporting requirements. A copy of the 2019 Draft Annual Report can be found on the SJCOG website for review. There were minimal comments provided to staff on the initial draft.

Mr. Mayo continued to state in 2019, the total number of acres covered consisted of 2,382.53 acres. 1,357.14 acres were urban which does not contain mitigation but has biological requirements. The fee assessed acreage covered under the plan consisted of 1,025.39 acres breaking down into the following habitat classifications: 220.64 acres of Multi-Purpose Open Space habitat, 682.90 acres of Agricultural habitat and 121.85 acres of Natural habitat. The 682.90 acres of Agricultural habitat consists of approximately 28.6% of overall cumulative SJMSCP coverage for 2019.
Mr. Mayo stated in 2019, the Habitat Plan added nine (9) easements through acquisitions and dedications in the Central, Delta, and Southwest zones with habitat types ranging from agriculture, riparian and grasslands for a total of 1,033.42 acres which brings the cumulative total of acres preserved to 18,204.67.

Mr. Mayo continued to state Table 9 shows the mitigation carried over from prior years in red and ‘banked’ preserve acreages in black. Table 10 is mitigation that was owed in 2019 for the consumption of land by development in 2017. Table 11 displays the overall mitigation due in 2019 by each zone and habitat category from Tables 9 and 10. The carry over and banked acreages were combined and applied to the mitigation due in 2019, which shows deficiencies and excess in several categories within each zone. Table 12 illustrates the total acreage of preserves used for mitigation and the amount acquired in 2019 to use as mitigation for land consumed in Table 11. Table 13 shows the resulting balances of mitigation and preserve lands by categories and zones when allocating the preserve acreage from Table 12 to required mitigation in Table 11. There are small acreage counts in the Natural categories needing to be settled. There is a surplus of habitat categories for future mitigation needs.

Mr. Mayo stated for Table 16, the SJCOG, Inc. cash balance as of December 31, 2019, was $13,121,298.51 and approximately $4.45 million is earmarked to be moved in early 2020 for closed 2019 endowment accounts. Approximately $8 million will be left to buy easements in 2020. Table 17 shows the 2019 Preserve Endowment Fund Table to total $41.2 million.

It was moved/seconded (Beckman/McDowell) to recommend to the SJCOG, Inc. Board to release the 2019 SJMSCP Annual Report to Permitting Agencies. Motion passed /.

IX. Financial Analysis RFQ Firm Selection:
Mr. Mayo stated SJCOG, Inc. staff will begin the 5-year review of the SJMSCP Financial Model. Staff sent a Request for Qualifications (RFQ) to seven economic firms to solicit interest in providing services for the SJMSCP. SJCOG, Inc. staff received three responses from very qualified firms in northern California. The RFQ responses were reviewed by SJCOG, Inc. staff and the HTAC Financial Subcommittee for content and qualifications. SJCOG, Inc. staff and the HTAC Financial Subcommittee recommend HEG to provide the economic services for the current SJMSCP Financial Analysis Update. The contract will be valid for a period of eighteen (18) months for the work and not to exceed $85,000.
It was moved/seconded (/) to approve recommend Approval by the SJCOG, Inc. Board to 1) retain Hausreth Econimics Group (HEG); and 2) Direct SJCOG, Inc. Treasurer to negotiate and executed final terms.

X. Other Matters of Business:

a. HTAC Financial Subcommittee:
   Mr. Mayo stated the HTAC Financial Subcommittee will convene in the Executive Conference Room today following the close of the HTAC meeting. SJCOG, Inc. staff will review the current process and criteria of the model with the subcommittee members. In the months of April, May and June the subcommittee will go through the model with HEG and in July and August, the subcommittee will adapt the new criteria for 2021 Development Fees.

b. Quarterly Reporting:
   Mr. Mayo stated SJCOG, Inc. staff will be collecting the quarterly reports from each jurisdiction to audit for the 2020 Annual Reporting process.

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

XI. Summary and Adjournment: At 10:12 am the meeting was adjourned until April 8, 2020.
STAFF REPORT

SUBJECT: NorCal Logistics, Sanchez Property, Plan Participation and Buffer Reduction

RECOMMENDED ACTION: Motion to Approve Recommendation to SJCOG, Inc. to 1) Allow the NorCal Logistics, Sanchez Property Project to Participate in the SJMSCP; and 2) Allow the NorCal Logistics, Sanchez Property Project a Revision to the Incidental Take Minimization Measures for Giant Garter Snake (GGS) and Western Pond Turtle (WPT) Buffers

DISCUSSION:

SUMMARY:
The project applicant, NorCal Logistics, is requesting coverage under the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) through the City of Stockton’s Community Development Department. Although the site is in a mapped area of the Plan, the project is needs to be allowed to participate due to the United States Army Corps of Engineers (USACE) Clean Water Act, Section 401/404 permit. The project site is located on the north side of Arch Road and to the west of Austin road, in the City of Stockton in the Central Zone (attachments 1 &2).

RECOMMENDATION:

SJCOG, Inc. staff recommends the HTAC make the recommendation to the SJCOG, Inc. Board to:

1) Allow the project to participate under the SJMSCP to provide biological coverage for the project impacts to the habitat types under the federal and state permits;
2) Allow a revision to the Incidental Take Minimization Measures for Giant Garter Snake (GGS) and Western Pond Turtle (WPT).

FISCAL IMPACT:

If the project is approved, SJCOG, Inc. will be provided mitigation for the project impacts as required under the SJMSCP for approximately 149.0 acres. The impacts for this project would consist of 149.0 acres of Agricultural (C34) habitat impacts.
BACKGROUND:

This project proposes to construct four industrial buildings totaling approximately 2,800,000 square feet. These industrial buildings would include warehouse, office and distribution uses consistent with the zoning code and surrounding existing uses. The project anticipates onsite improvements to include approximately 2,900 automobile and trailer parking stalls, pedestrian walkways, lighting, landscaping and a storm drainage detention basin. Another 7.32 acres is within a drainage corridor occupied by Weber Slough; no development would occur within this drainage corridor (attachment 3).

For the proponents to construct the NorCal Logistics, Sanchez Property Project, the project will impact potential Giant Garter Snake (GGS) habitat within the suggested 200-foot buffer and Western Pond Turtle (WPT) within the 300-foot buffer. As identified in Section 5.59 of the Plan, HTAC, on a case by case review, can establish a setback and buffer zone to be used by the project in place of the 200 and 300 feet suggested.

Because construction of portions of the project will be within the suggested 200-foot and 300-foot buffer areas, the project proponent has requested a reduction in the buffer to a 25 foot setback for the construction of the industrial buildings and a 0 foot setback for 1) along the east edge of the project site where the box culvert under Austin Road will be replaced or modified to allow minor improvements along the shoulder of Austin Road; 2) along the east edge of the site where a new box culvert will be installed in Weber Slough to allow access to the south part of the site from Austin Road; and 3) along or near the west edge of the site where a new storm drain outfall will be constructed either within the box culvert under Logistics Drive or in Weber Slough just east of Logistics Drive. In the same general vicinity as the outfall or possibly just upstream, there may be a storm drain line that crosses Weber Slough.

The reduction of these buffers is necessary for the construction of this project. All other ITMM measures for GGS (e.g. construction window between May and October and required survey work) and WPT will remain standard. Reducing the buffer for GGS and WPT will allow the project to construct up to 25’ feet of the banks of the Weber Slough and up to 0’ feet on the western edge of the Sanchez property for an outfall during the species’ active period. However, the project will be required to meet all other ITMM measures for GGS and WPT, such as biological surveying efforts, constructing within the standard May 1 to October 1 active period and mitigating for project impacts.

The SJMSCP GIS habitat layer classifies the project site as Agricultural (C34) Habitat.

If allowed to participate in the SJMSCP, the total disturbed area will consist of 149.0 acres of Agricultural (C34) impacts. The project applicant will be responsible for mitigating for the habitat impacts that is 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 SJMCP ratio.
### Adjacent Vegetation and Land Use

<table>
<thead>
<tr>
<th>Location</th>
<th>SJMSCP Vegetation Map Classification</th>
<th>Habitat Type Category</th>
<th>Actual Use Of Property</th>
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<tr>
<td>Site</td>
<td>Agriculture (C34)</td>
<td>Agriculture (C34)</td>
<td>Agriculture (C34)</td>
</tr>
<tr>
<td>North</td>
<td>Agriculture (C34)</td>
<td>Agriculture (C34)</td>
<td>Agriculture (C34)</td>
</tr>
<tr>
<td>South</td>
<td>Urban (U)</td>
<td>Urban (U)</td>
<td>Urban (U)</td>
</tr>
<tr>
<td>East</td>
<td>Agriculture (C34)</td>
<td>Agriculture (C34)</td>
<td>Agriculture (C34)</td>
</tr>
<tr>
<td>West</td>
<td>Agriculture (C34)</td>
<td>Agriculture (C34)</td>
<td>Agriculture (C34)</td>
</tr>
</tbody>
</table>

**COMMITTEE ACTIONS:**

- Habitat Technical Advisory Committee: Action Required
- SJCOG, Inc. Board: May 28th if Recommended

**ATTACHMENTS:**

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

*Prepared by: Laurel Boyd, Associate Habitat Planner*
STAFF REPORT

SUBJECT: P. Kibbe Alder Avenue Preserve Purchase and Preserve Management Plan

RECOMMENDED ACTION: Motion to Recommend to SJCOG, Inc. Board to 1) Approve the Conservation Easement Purchase and 2) Approve the Preserve Management Plan (PMP) for the Preserve Site

DISCUSSION:

SUMMARY:

The P Kibbe Alder property under consideration totals of 103+/- acres. The landowner and SJCOG, Inc. contemplate an easement purchase under the habitat plan of approximately 100 +/- acres on the property for mitigation. The property is located between Paradise Cut/Old River on the north and I-205 to the south just north of the City of Tracy in the Central Zone. The potential preserve is adjacent to existing SJCOG, Inc. preserves in the Central and Delta Zone area, also shown in the attachment 1 and 2.

With the easement purchase, SJCOG, Inc. staff has written this draft PMP to be consistent with the existing Preserve Management Plans of the agricultural habitat in the Central Zone for management economies of scale for species under the SJMSCP. The easement will serve for habitat for various species while providing mitigation for agricultural impacts under the habitat plan in the Central Zones.

There have been historical records of Swainson’s hawk and other species on/near the property in the California Natural Diversity Database (CNDDB).

RECOMMENDATION:

A motion to recommend the SJCOG, Inc. Board to
- 1) approve the conservation easement purchase, and
- 2) approve the preserve management plan.

FISCAL IMPACT:

SJCOG, Inc. would accept an agricultural habitat easement on 100 +/- acres under the SJMSCP.
• Easement = $700,000 (100 +/- acres x $7,000 per acre)
• Endowment = $467,822 (100 +/- acres x $4,678.22 per acre for 2020 endowment)

BACKGROUND:

The P Kibbe Alder property is located in the Paradise Cut/Old River area north of the City of Tracy in the Central Zone. The property consists of an active row crop operation which serves as foraging habitat for several SJMSCP covered species and some riparian habitat along the riverway. The conservation easement would cover 100 +/- acres of existing agricultural land to mitigate for this project’s development impacts in the Central Zone under the SJMSCP.

The draft PMP (attachment 3), prepared by ICF, reflects the existing Preserve Management Plans for agricultural land preserves in the Central Zone for economy of scale on long term monitoring activities. There are some enhancements planned to the landscape for nesting trees on a portion of the property. Any additional future enhancements not displayed in Table 1 would be brought back as a supplemental PMP in cooperation with the landowner.

Table 1 – Enhancements for Row and Field Crop/Riparian Preserves

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

COMMITTEE ACTIONS:

• Habitat Technical Advisory Committee: Recommendation to Approve
• SJCOG, Inc. Board – May 28th Meeting

ATTACHMENTS:

1. Overview Preserve Location Map
2. Preserve Location Map
3. Preserve Management Plan

Prepared by: Steven Mayo, Program Manager
DRAFT PRESERVE MANAGEMENT PLAN FOR THE PATRICIA KIBBE ALDER PRESERVE

PREPARED FOR:

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

PREPARED BY:

ICF International
980 9th Street, Suite 1200
Sacramento, CA 95814
Contact: Doug Leslie
916.737.3000

April 7, 2020
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Figure 2  Patricia Kibbe Alder Preserve and Other Conservation Easements in the Vicinity
Figure 3  Patricia Kibbe Alder Preserve
Figure 4  Habitats Present on the Patricia Kibbe Alder Preserve
Figure 5  Documented Occurrences of SJMSCP-Covered Species within 2 Miles of Patricia Kibbe Alder Preserve
## Acronyms and Abbreviations

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<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>CNDDDB</td>
<td>California Natural Diversity Database</td>
</tr>
<tr>
<td>GIS</td>
<td>geographic information systems</td>
</tr>
<tr>
<td>HTAC</td>
<td>Habitat Technical Advisory Committee</td>
</tr>
<tr>
<td>PKAP</td>
<td>Patricia Kibbe Alder Preserve</td>
</tr>
<tr>
<td>PMP</td>
<td>Preserve Management Plan</td>
</tr>
<tr>
<td>SJCOG</td>
<td>SJCOG, Inc.</td>
</tr>
<tr>
<td>SJMSCP</td>
<td>San Joaquin County Multi-Species Habitat Conservation and Open Space Plan</td>
</tr>
<tr>
<td>USGS</td>
<td>U.S. Geological Survey</td>
</tr>
</tbody>
</table>
Chapter 1
Introduction

SJCOG, Inc., is currently implementing the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP).¹ 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 Patricia Kibbe Alder Preserve (PKAP), owned by Patricia Kibbe, on which a conservation easement is being placed. The property addressed in this PMP is comprised of a single parcel located between Paradise Cut and Tom Paine Slough northeast of Tracy, Ca. The preserve will be incorporated into the preserve system as a row and field crop preserve.

The PKAP 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 SJMSCP.

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, Inc., are in agreement with 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 PKAP is an approximately 103-acre parcel on which a conservation easement of about 100 acres is being placed. The property is located approximately 0.6 miles north of Tom Paine Slough and 0.3 miles south of Paradise Cut near the City of Tracy in San Joaquin County (Figure 1). Information pertaining to the property is provided in Table 1.

---

Table 1. Patricia Kibbe Alder Preserve Parcel Information

<table>
<thead>
<tr>
<th>Assessor’s Parcel Numbers</th>
<th>213-150-02</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acreage</td>
<td>103 acres</td>
</tr>
<tr>
<td>SJMSCP Index Zone</td>
<td>Central Zone</td>
</tr>
<tr>
<td>USGS 7.5-minute quadrangle</td>
<td>Lathrop</td>
</tr>
<tr>
<td>Township</td>
<td>2S</td>
</tr>
<tr>
<td>Range</td>
<td>5E</td>
</tr>
<tr>
<td>Section</td>
<td>El Pescadero Land Grant</td>
</tr>
</tbody>
</table>

SJMSCP = San Joaquin County Multi-Species Habitat Conservation and Open Space Plan; USGS = U.S. Geological Survey

The addition of the PKAP further adds to a contiguous block of land protected by SJCOG, Inc. under conservation easement that includes the Jaques Family, Larson, Perry, Greg Pombo Farms, Borges, and Larry and Georgine Alegre Preserves, among others, and thus furthers the objective of consolidation of the preserve system (Figure 2).

1.3 Land Ownership and Management

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

Landowner

Patricia Kibbe
c/o Scott Beattie
19773 S. Alder Ave
Tracy, CA 95304
209-222-3686
Scott@legacy-law-group.com

Conservation easement holder

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

Land manager

ICF
980 9th Street, Suite 1200
Sacramento, CA 95814
Contact: Doug Leslie
Phone: 916.231.9560
Chapter 2

Baseline Preserve Characteristics, Goals and Objectives

The PKAP is an approximately 100-acre portion of single parcel placed under conservation easement (Figure 3). The property was comprised entirely of grass hay at the time of the site visit in March 2020 (Figure 4). Other crops have historically included tomatoes, safflower, and alfalfa and other hay crops.

A concrete lined irrigation ditch occurs along the north side of the PKAP that forms the border with the Greg Pombo Farms Preserve (Figure 4). An electric distribution lines runs east to west along the northern border of the property and along the eastern border parallel to Alder Avenue. The farm is typically flood irrigated and drains from north to south. A fairly deep drainage ditch occurs along the southern border of the property (Figure 4). The ditch holds a fair amount of water most of the year, which is indicative of a high water table. There are no trees or other natural vegetation on the property.

Crops in the immediate vicinity of the preserve are dominated by alfalfa, corn, tomatoes, and other row and field crops, although orchards are becoming more prevalent in the area.

The SJMSCP geographic information systems (GIS) database and the California Natural Diversity Database (CNDDB) were searched to identify records of SJMSCP-covered species within approximately 2 miles of the PKAP. Swainson’s hawk (Buteo swainsonii) and pacific pond turtle (Emys marmorata, formerly Clemmys marmorata) are ubiquitous along Tom Paine Slough and Paradise Cut. There are 8 records for valley elderberry longhorn beetle (Desmocerus californicus dimorphus) and 3 records for riparian brush rabbit (Sylvilagus bachmani riparius) along Paradise Cut, and one record each for burrowing owl (Athene cunicularia), tricolored blackbird (Agelaius tricolor), and Modesto song sparrow (Melospiza melodia mailliardi, no longer considered a valid subspecies but still considered a species of special concern) within 2 miles of the PKAP (Figure 5).

2.1 Wildlife Habitat Associations Identified in the SJMSCP

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

- Row and field crop.
- Ditches.
- Presence of rodents.
- Presence of pigeons or mice.
- Presence of small reptiles and/or amphibians in shallow waters.

These habitats and preserve elements provide foraging 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*)

The agricultural habitats on the preserve also benefit several other common bird species, including killdeer (*Charadrius vociferus*), House finch (*Haemorhous mexicanus*), and California horned lark (*Eremophila alpestris*), 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 PKAP 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 extant and potential habitat values on the site for the benefit of Swainson's hawk and other species covered by the SJMSCP that depend to varying degrees upon habitat values provided by agricultural habitats, although other habitats are often required to meet the life history needs of each species. **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.
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 PKAP will be managed according to the guidelines for Central Zone Row and Field Crop/Riparian Preserves outlined in section 5.4.8.5 Preserve Management; Row and Field Crop/Riparian Preserves of the SJMSCP and enhanced as discussed below in 3.4.4 Preserve Enhancements (as outlined in section 5.4.6.5 (A) Preserve Enhancements; Row and Field Crop/Riparian Preserves of the SJMSCP). These guidelines state that the key management practice for the agricultural use of row and field crops 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, and where appropriate, enhance habitat values through implementation of one or more enhancement options.

3.1 Agricultural Practices

Land management practices on the PKAP have historically provided benefits for Swainson’s hawk and other SJMSCP-covered species. At the time of the original site visit, the property was being used to grow grass hay. Other crops grown include various hay crops, safflower, and tomatoes. Vineyards, orchards, blueberries, and other permanent or semi-permanent crops (i.e. crops that are not harvested annually) are prohibited without permission from the SJCOG, Inc., Habitat Technical Advisory Committee (HTAC).

3.2 Prohibited Uses and Activities

This section identifies prohibited uses of the preserve under the PKAP Conservation Easement. Landowner refers to Patricia Kibbe. SJCOG, Inc., refers to all agencies, organizations, or individuals affiliated with or that represent the SJCOG, Inc., during implementation of actions under the preserve management plan.

3.2.1 Access and Trespass/Illegal Uses/Signage

No access to the general public will be permitted. The SJMSCP requires that signage be installed at all preserves under conservation easement. At the landowner’s discretion, the signage can identify 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 PKAP 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, Inc., and installed by the landowner.
3.2.2 Agricultural Conversion

The conversion of the preserve from production of row and field crops (e.g., grass hay, 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 without prior approval by the HTAC.

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 ditches, or installation of preserve enhancements approved by the 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 or degrade 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 is 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 under the federal or stated 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.

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, unless otherwise approved by the HTAC.
3.2.9 Pest Management

Pest management is an ongoing activity associated with agricultural production. However, chemical rodent control should be minimized to the 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 (regulation 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, adaptive management procedures will be followed. The landowner will consult with the HTAC in a timely fashion and in accordance with the SJMSCP.

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, placement, or temporary storage of the structures listed below is prohibited on the preserve.
- 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 PKAP 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 of existing roads with onsite materials and clean gravel is permitted as long as material is kept within the immediate roadway.

### 3.4 Affirmative Obligations

This section identifies the affirmative obligations of the landowner under the PKAP 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 Alder Avenue, when necessary (Figure 3). The PKAP is currently not protected by gates and/or cables and is not actively patrolled.
3.4.2 Maintenance and Repair

SJCOG, Inc., 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, Inc., is required to track crops grown on the preserve, ensure that the terms of the conservation easement are adhered to, and to conduct monitoring to ensure that acquisition and management of the easement are facilitating the achievement of the SJMSCP goals and objectives. Therefore, the landowner is required to allow reasonable access to the preserve by SJCOG, Inc. and its agents, including the Wildlife Agencies (US Fish and Wildlife Service, California Department of Fish and Wildlife, or their agents) or their representatives, for purposes of ensuring compliance with the terms of the conservation easement and for purposes of monitoring use of the preserve by covered species.

3.4.4 Preserve Enhancements

Preserve enhancements proposed for the PKAP include installation of two small clusters of oak trees along with selected shrubs that will provide perching, hunting, and nesting opportunities for several covered species, including Swainson’s hawk and loggerhead shrike, and cover for songbirds. Installation of small patches of native grasses on the upper edges of ditch habitats may be undertaken in cooperation with the landowner if agreed to by the landowner and the irrigation district.

Once preserve enhancements become established, the landowner is responsible for routine maintenance. Routine maintenance includes watering and weeding where necessary (e.g. if required during extreme drought conditions), and protecting enhancements from vehicles, agricultural equipment, and domesticated grazing animals. In cases where additional, non-routine maintenance is required (e.g. plantings are invaded by a new noxious weed that requires excessive control efforts, trees are subjected to a new pathogen, natural succession and senescence of plants), SJCOG, Inc., will assist the landowner in implementing management actions to restore the natural functioning of the preserve enhancements.

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, Inc., and the HTAC. The landowners and SJCOG, Inc., intend that the property be preserved and maintained in perpetuity by permitting only those agricultural practices that provide foraging habitat for Swainson’s hawk and other SJMSCP-covered species that forage in agricultural habitats.
This chapter describes the biological monitoring plan and reporting requirements for land management activities on the PKAP. 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 monitoring strategy for the entire SJMSCP preserve system is currently being completed. The monitoring plan described in this chapter is considered provisional until the system-wide monitoring plan is completed and approved.

Three general types of monitoring are conducted on a regular basis to ensure that the goals and objective 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). Because breeding populations of Swainson’s hawk and other covered species that depend upon agricultural habitats during a significant portion of their life cycle are the primary targets of this PMP, the site visit will typically be conducted during spring or summer, when these species can be found in the region.

Three variables will be reviewed during each site visit: the crop types that are in production; the areal extent of each crop type, if applicable; and any changes in land use or status of the preserve that could substantively influence the habitat values of the preserve.

Noncompliance with the conservation easement 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 were 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/crop cover types within a 2-mile radius of the preserve will be documented.

Baseline surveys to determine presence of SJMSCP covered species will be conducted within 2 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 surveys for burrowing owls, loggerhead shrikes, tricolored blackbirds, and other species addressed under the SJMSCP. All wildlife species detected during compliance monitoring site visits, including SJMSCP-covered species, are recorded.

The baseline habitat and focused species surveys will be updated once every 3 years by mapping changes in habitats/crop types found within a 2-mile radius of the preserve and repeating the focused nesting Swainson’s hawk survey within a 2-mile radius of the preserve. Mapped data will be recorded in the GIS database. The results of the focused survey and assessment of adjacent land uses will be provided in the SJMSCP program-level annual report.

The information will be used for comparison with results from the original baseline survey 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

This section describes the monitoring program for preserve enhancements on the PKAP. The plantings will be quantitatively monitored for 3 years after the initial planting. The planting site is evaluated based on both quantitative and qualitative criteria. Annual monitoring reports provide SJCOG with information to determine whether the enhancement area is progressing toward project success.

The planting area(s) will be monitored in late summer or early fall. Monitoring efforts focus on establishment of plantings and preventing establishment of noxious weeds and other non-target plants. Year three monitoring results will be used to determine whether the planting site has achieved the success criteria. If the planting site does not achieve the success criteria, remedial actions will be implemented, as necessary.

An annual report describing the results of the preserve enhancement monitoring is prepared each year for the 3-year monitoring period. The reports quantify conditions at the enhancement sites to demonstrate progress toward meeting the success criteria.

4.4 Success Criteria

Two criteria were identified to determine the success of land use centered on cropping patterns. Preserve management will be considered successful if the entire 100 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 all terms and conditions of the conservation easement are adhered to.

Separate success criteria have been established for the establishment of preserve enhancements. Preserve enhancements will be considered successfully established if greater than 90% of the installed plants have survived and demonstrate adequate growth and vigor after a period of 3 years.

4.5 Adaptive Management

This chapter summarizes the adaptive management provisions of the SJMSCP as they pertain to the PKAP. 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.
Figure 1
Patricia Kibbe Alder Preserve
San Joaquin County
Figure 2
Patricia Kibbe Alder Preserve and Other Conservation Easements in the Vicinity
Figure 4
Habitats Present on the Patricia Kibbe Alder Preserve

Photo 1: Agricultural Habitat and Concrete Irrigation Ditch on the Northern Border of the Preserve.

Photo 2: Agricultural Habitat and Drainage Ditch Along the Southern Border of the Preserve.
Figure 5

Documented Occurrences of SJ MSCP-Covered Species within 2 Miles of Patricia Kibbe Alder Preserve

San Joaquin HCP Terrestrial Species Records

<table>
<thead>
<tr>
<th>Code</th>
<th>Species Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>AGTR</td>
<td>tricolored blackbird</td>
</tr>
<tr>
<td>BUSW</td>
<td>Swainson’s hawk</td>
</tr>
<tr>
<td>CICR</td>
<td>Slough thistle</td>
</tr>
<tr>
<td>CLMA</td>
<td>Western pond turtle</td>
</tr>
<tr>
<td>DECADI</td>
<td>Valley elderberry longhorn beetle</td>
</tr>
<tr>
<td>MEME</td>
<td>song sparrow (&quot;Modesto&quot; population)</td>
</tr>
<tr>
<td>SPCU</td>
<td>burrowing owl</td>
</tr>
<tr>
<td>SYBARI</td>
<td>riparian brush rabbit</td>
</tr>
</tbody>
</table>

USDA Online Aerials Date: ESRI/Digital Globe, 2018  CNDDB Date: March, 2020

ICF
STAFF REPORT

SUBJECT: Bohlender Kennefick Preserve Purchase and Preserve Management Plan

RECOMMENDED ACTION: Motion to Recommend to SJCOG, Inc. Board to 1) Approve the Conservation Easement Purchase and 2) Approve the Preserve Management Plan (PMP) for the Preserve Site

DISCUSSION:

SUMMARY:

The Bohlender Kennefick property under consideration is a total of 50 +/- acres. The landowner and SJCOG, Inc. staff have been discussing an easement purchase of 35 +/- acres as agricultural habitat. The location of the property is on the east side of Kennefick Road bordered by Dry Creek to the north and Liberty Road to the south in the Central Zone. The potential preserve is adjacent to existing SJCOG, Inc. preserves in the Central Zone area, also shown in the attachment 1 and 2.

With the easement purchase, SJCOG, Inc. staff has written this draft PMP to be consistent with the existing Preserve Management Plans of the agricultural habitat in the Central Zone for management economies of scale for species under the SJMSCP. The easement will serve for habitat for various species while providing mitigation for agricultural impacts under the habitat plan in the Central Zones.

There have been historical records of Swainson’s hawk and other species on/near the property in the California Natural Diversity Database (CNDDB).

RECOMMENDATION:

A motion to recommend the SJCOG, Inc. Board to
• 1) approve the conservation easement purchase, and
• 2) approve the preserve management plan.

FISCAL IMPACT:

SJCOG, Inc. would accept an agricultural habitat easement on 35 +/- acres under the SJMSCP.
• Easement = $262,500 (35 +/- acres x $7,500 per acre)
• Endowment = $163,737.70 (35 +/- acres x $4,678.22 per acre for 2020 endowment)

BACKGROUND:
The Bohlender Kennefick property is located along Dry Creek area north of the City of Lodi in the Central Zone at the San Joaquin / Sacramento County line. The property consists of an active row crop operation which serves as foraging habitat for several SJMSCP covered species adjacent to existing riparian habitat along the creek. The conservation easement would cover 35 +/- acres of existing agricultural land to mitigate for this project’s development impacts in the Central Zone under the SJMSCP.

The draft PMP (attachment 3), prepared by ICF, reflects the existing Preserve Management Plans for agricultural land preserves in the Central Zone for economy of scale on long term monitoring activities. There are minimal enhancements planned to the landscape. If any additional future enhancements not displayed in Table 1 would be brought back as a supplemental PMP in cooperation with the landowner.

Table 1 – Enhancements for Row and Field Crop/Riparian Preserves

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

COMMITTEE ACTIONS:
• Habitat Technical Advisory Committee: Recommendation to Approve
• SJCOG, Inc. Board – May 28th Meeting

ATTACHMENTS:
1. Overview Preserve Location Map
2. Preserve Location Map
3. Preserve Management Plan

Prepared by: Steven Mayo, Program Manager
DRAFT PRESERVE MANAGEMENT PLAN FOR THE BOHLENDER KENNEFICK ROAD PRESERVE

PREPARED FOR:

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

PREPARED BY:

ICF International
980 9th Street, Suite 1200
Sacramento, CA 95814
Contact: Doug Leslie
916.737.3000

April 7, 2020
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### Acronyms and Abbreviations

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Definition</th>
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<tr>
<td>CNDDDB</td>
<td>California Natural Diversity Database</td>
</tr>
<tr>
<td>GIS</td>
<td>geographic information systems</td>
</tr>
<tr>
<td>HTAC</td>
<td>Habitat Technical Advisory Committee</td>
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<td>BKRP</td>
<td>Bohlender Kennefick Road Preserve</td>
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<td>PMP</td>
<td>Preserve Management Plan</td>
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<tr>
<td>SJCOG</td>
<td>SJCOG, Inc.</td>
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<tr>
<td>SJMSCP</td>
<td>San Joaquin County Multi-Species Habitat Conservation and Open Space Plan</td>
</tr>
<tr>
<td>USGS</td>
<td>U.S. Geological Survey</td>
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SJCOG, Inc., is currently implementing the *San Joaquin County Multi-Species Habitat Conservation and Open Space Plan* (SJMSCP). 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 Bohlender Kennefick Road Preserve (BKRP), owned by Ronald and Laura Bohlender, on which a conservation easement is being placed. The property addressed in this PMP is comprised of a single parcel located on the east side of Kennefick Road approximately 2.6 miles east southeast of the city of Galt, Ca. The preserve will be incorporated into the preserve system as a row and field crop preserve.

The BKRP 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 SJMSCP.

### 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, Inc., are in agreement with 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 BKRP is an approximately 50-acre parcel on which a conservation easement of about 35 acres is being placed. The property is located on the south side of Dry Creek in San Joaquin County approximately 2.6 miles east southeast of the City of Galt (Figure 1). Information pertaining to the property is provided in Table 1.

---

Table 1. Bohlender Kennefick Road Preserve Parcel Information

<table>
<thead>
<tr>
<th>Assessor’s Parcel Numbers</th>
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<tr>
<td>Acreage</td>
<td>50 acres</td>
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<tr>
<td>SJMSCP Index Zone</td>
<td>Central Zone</td>
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<tr>
<td>USGS 7.5-minute quadrangle</td>
<td>Lockeford</td>
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<tr>
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<td>5N</td>
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<td>Range</td>
<td>6E</td>
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<td>Section</td>
<td>32</td>
</tr>
</tbody>
</table>

SJMSCP = San Joaquin County Multi-Species Habitat Conservation and Open Space Plan;
USGS = U.S. Geological Survey

The addition of the BKRP further adds to a contiguous block of land protected by SJCOG, Inc. under conservation easement that includes the Ermin Liberty Road, Brooks Liberty Road, Razanno Liberty Road, and San Joaquin County Landfill Liberty and Dustin Road preserves, and thus furthers the objective of consolidation of the preserve system (Figure 2).

1.3 Land Ownership and Management

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

Landowner

Ronald and Laura Bohlender
27940 Kennefick Road
Galt CA, 95632
209-327-3033
drycrk@aol.com

Conservation easement holder

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

Land manager

ICF
980 9th Street, Suite 1200
Sacramento, CA 95814
Contact: Doug Leslie
Phone: 916.231.9560
Chapter 2

Baseline Preserve Characteristics, Goals and Objectives

The BKRP is an approximately 35-acre portion of single parcel being placed under conservation easement (Figure 3). The property was comprised entirely of oat hay at the time of the site visit in April 2020 (Figure 4). Other crops have historically included grass hay and corn, and the property has also been used as pasture. Hemp is being considered as a crop in the future.

The property is irrigated from 3 wells and is typically flood-irrigated. One of the two fields is irrigated from the south and drains to the north while the other is irrigated from the east and drains to the west. There are several large valley oak trees (*Quercus lobata*) scattered throughout the field and a single large cottonwood tree (*Populus fremontii*) (Figure 4). The western end is bordered by the abandoned railroad tracks, along which an extensive oak woodland has grown, comprised primarily of interior live oak (*Quercus wislizeni*), valley oak, and Oregon ash (*Fraxinus latifolia*) (Figure 4). Because water drains from east to west in this section and is blocked by the railroad berm, a large patch of Himalayan blackberry (*Rubus armeniacus*) also occurs along the western border of the property (Figure 5). A few elderberry shrubs (*Sambucus* spp.) occur within the Himalayan blackberry patch. Valley oaks also occur along the driveway that borders the property on the south side.

The property is bordered on the north by a branch or Dry Creek (or Goose Creek). The southern bank of the creek is comprised of a thin band of mature riparian forest dominated by valley oak, Oregon ash, and northern California back walnut (*Juglans hindsii*), with scattered cottonwood occurring along the eastern stretch (Figure 5).

The property is bordered by pasture to the south and east, Dry Creek on the north, and a vineyard and pasture to the west. Pasture is the dominant land use in the area.

The SJMSCP geographic information systems (GIS) database and the California Natural Diversity Database (CNDDB) were searched to identify records of SJMSCP-covered species within approximately 2 miles of the BKRP. Over 30 records of nesting Swainson’s hawk (*Buteo swainsonii*) occur within 2 miles of the BKRP, one of which is on the property. In addition, there are two records of California tiger salamander (*Ambystoma californiense*), five records of vernal pool fairy shrimp (*Branchinecta lynchii*), one record of vernal pool tadpole shrimp (*Lepidurus packardi*), and one record of tricolored blackbird (*Agelaius tricolor*) within 2 miles of the BKRP (Figure 6).

2.1 Wildlife Habitat Associations Identified in the SJMSCP

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

- Row and field crop.
- Presence of elderberry bushes with stems 1” or greater in diameter
- Presence of rodents.
- Presence of nesting substrate (e.g., cattails, tules, blackberry thickets)...
- Presence of pigeons or mice.
- 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.
- Presence of snags or trees with a moderate canopy preferably near riparian areas.

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

- Valley elderberry longhorn beetle
- Swainson's hawk
- Northern harrier (*Circus cyaneus*)
- White-tailed kite (*Elanus leucurus*)
- Tricolored blackbird
- Merlin (*Falco columbarius*)
- Loggerhead shrike (*Lanius ludovicianus*)
- Red bat (*Lasiurus borealis*)

The agricultural and other habitats on the preserve also benefit several other common bird species, including western bluebird (*Sialia mexicana*), House finch (*Haemorhous mexicanus*), and California towhee (*Melozone crissalis*), 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 BKRP 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 extant and potential habitat values on the site for the benefit of Swainson’s hawk and other species covered by the SJMSCP that depend to varying degrees upon habitat values provided by agricultural habitats, although other habitats are often required to meet the life history needs of each species. *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.
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 BKRP will be managed according to the guidelines for Central Zone Row and Field Crop/Riparian Preserves outlined in section 5.4.8.5 Preserve Management; Row and Field Crop/Riparian Preserves of the SJMSCP. The preserve may also be enhanced as outlined in section 5.4.6.5 (A) Preserve Enhancements; Row and Field Crop/Riparian Preserves of the SJMSCP. These guidelines state that the key management practice for the agricultural use of row and field crops 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, and where appropriate, enhance habitat values through implementation of one or more enhancement options.

3.1 Agricultural Practices

Land management practices on the BKRP have historically provided benefits for Swainson's hawk and other SJMSCP-covered species. The property has historically been used as pasture and to grow corn, oat, and other hay crops. Vineyards, orchards, blueberries, and other permanent or semi-permanent crops (i.e. crops that are not harvested annually) are prohibited without permission from the SJCOG, Inc., Habitat Technical Advisory Committee (HTAC).

3.2 Prohibited Uses and Activities

This section identifies prohibited uses of the preserve under the BKRP Conservation Easement. Landowner refers to Ronald and Laura Bohlender. SJCOG, Inc., refers to all agencies, organizations, or individuals affiliated with or that represent the SJCOG, Inc., during implementation of actions under the preserve management plan.

3.2.1 Access and Trespass/Illegal Uses/Signage

No access to the general public will be permitted. The SJMSCP requires that signage be installed at all preserves under conservation easement. At the landowner’s discretion, the signage can identify 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 BKRP 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, Inc., 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 without prior approval by the HTAC.

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 ditches, or installation of preserve enhancements approved by the 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 or degrade 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 is 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 under the federal or stated 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.

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, unless otherwise approved by the HTAC.
### 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 (regulation 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, adaptive management procedures will be followed. The landowner will consult with the HTAC in a timely fashion and in accordance with the SJMSCP.

### 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, placement, or temporary storage of the structures listed below is prohibited on the preserve.

- 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 BKRP 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 of existing roads with onsite materials and clean gravel is permitted as long as material is kept within the immediate roadway.

3.4 Affirmative Obligations

This section identifies the affirmative obligations of the landowner under the BKRP 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 Kennefick Road, when necessary (Figure 3). The BKRP is currently protected by gates and/or cables and is actively patrolled.
3.4.2 Maintenance and Repair

SJCOG, Inc., 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, Inc., is required to track crops grown on the preserve, ensure that the terms of the conservation easement are adhered to, and to conduct monitoring to ensure that acquisition and management of the easement are facilitating the achievement of the SJMSCP goals and objectives. Therefore, the landowner is required to allow reasonable access to the preserve by SJCOG, Inc. and its agents, including the Wildlife Agencies (US Fish and Wildlife Service, California Department of Fish and Wildlife, or their agents) or their representatives, for purposes of ensuring compliance with the terms of the conservation easement and for purposes of monitoring use of the preserve by covered species.

3.4.4 Preserve Enhancements

No preserve enhancements are currently proposed for the BKRP. Installation of riparian plantings along Cry Creek or other preserve enhancements may be considered in the future and undertaken in cooperation with the landowner if agreed to by the landowner.

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, Inc., and the HTAC. The landowners and SJCOG, Inc., intend that the property be preserved and maintained in perpetuity by permitting only those agricultural practices that provide foraging, perching, and/or nesting habitat for Swainson’s hawk and other SJMSCP-covered species that use agricultural habitats.
Chapter 4
Monitoring and Adaptive Management

This chapter describes the biological monitoring plan and reporting requirements for land management activities on the BKRP. 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 monitoring strategy for the entire SJMSCP preserve system is currently being completed. The monitoring plan described in this chapter is considered provisional until the system-wide monitoring plan is completed and approved.

Three general types of monitoring are conducted on a regular basis to ensure that the goals and objective 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). Because breeding populations of Swainson's hawk and other covered species that depend upon agricultural habitats during a significant portion of their life cycle are the primary targets of this PMP, the site visit will typically be conducted during spring or summer, when these species can be found in the region.

Three variables will be reviewed during each site visit: the crop types that are in production; the areal extent of each crop type, if applicable; and any changes in land use or status of the preserve that could substantively influence habitat values of the preserve.

Noncompliance with the conservation easement 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 were 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/crop cover types within a 2-mile radius of the preserve will be documented.

Baseline surveys to determine presence of SJMSCP covered species will be conducted within 2 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 surveys for burrowing owls, loggerhead shrikes, tricolored blackbirds, and other species addressed in the SJMSCP. All wildlife species detected during compliance monitoring site visits, including SJMSCP-covered species, are recorded.

The baseline habitat and focused species surveys will be updated once every 3 years by mapping changes in habitats/crop types found within a 2-mile radius of the preserve and repeating the focused nesting Swainson’s hawk survey within a 2-mile radius of the preserve. Mapped data will be recorded in the GIS database. The results of the focused survey and assessment of adjacent land uses will be provided in the SJMSCP program-level annual report.

The information will be used for comparison with results from the original baseline survey 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 preserve enhancements is required to ensure that preserve enhancement become well established and to determine if remedial actions need to be taken to achieve the goals of the enhancement. However, preserve enhancements are not currently proposed for this property.

### 4.4 Success Criteria

Two criteria were identified to determine the success of land use centered on cropping patterns. Preserve management will be considered successful if the entire 35 acres are maintained in suitable row and field crops (allowing for falling as a part of normal crop rotations and excepting any preserve enhancements that may be installed) and associated riparian habitats are maintained each year, and 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 BKRP. 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.
Figure 2
Bohlender Kennifick Preserve and Other Conservation Easements in the Vicinity

Bohlender Kennifick Preserve
Existing SJMSCP Preserves
Other Conservation Easements and Open Space

Aerial Source - ArcGIS Online/Maxar/
Sacramento County 2018
Data Sources - CCED 2019, CPAD 2019
Photo 1. Mature Oak Trees Scattered Throughout the Western Grass Hay Field.

Photo 2. Oak Woodland Along the Western Border of the Preserve.

Figure 4
Agricultural and Other Habitats Present on the Bohlender Kennefick Road Preserve
Photo 1. Himalayan Blackberry, Elderberry, and Willow Habitat Along the Western Border.

Photo 2. Riparian Habitat Along the Southern Branch of Dry Creek.
Documented Occurrences of SJMSCP-Covered Species within 2 Miles of Bohlender Kennifick Preserve

Species within 2 Mile Radius of Bohlender Kennifick Preserve

<table>
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<tr>
<th>Code</th>
<th>Species Name</th>
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<td>AGTR</td>
<td>Tricolored blackbird</td>
</tr>
<tr>
<td>AMCA</td>
<td>California tiger salamander</td>
</tr>
<tr>
<td>BRLY</td>
<td>Vernal pool fairy shrimp</td>
</tr>
<tr>
<td>BUSW</td>
<td>Swainson’s hawk</td>
</tr>
<tr>
<td>CACASU</td>
<td>Succulent owl’s clover, fleshy owl’s clover</td>
</tr>
<tr>
<td>DECADI</td>
<td>Valley elderberry longhorn beetle</td>
</tr>
<tr>
<td>LEPA</td>
<td>Vernal pool tadpole shrimp</td>
</tr>
</tbody>
</table>

San Joaquin HCP Terrestrial Species Records

- Herps
- Plants
- Inverts
- Mammals

USDA Online Aerials Date: DigitalGlobe 2016    CNDDB Date: March, 2020

Figure 6
STAFF REPORT

SUBJECT: Hewette Bruella Preserve Purchase and Preserve Management Plan

RECOMMENDED ACTION: Motion to Recommend to SJCOG, Inc. Board to 1) Approve the Conservation Easement Purchase and 2) Approve the Preserve Management Plan (PMP) for the Preserve Site

DISCUSSION:

SUMMARY:

The Hewette Bruella property under consideration is a total of 36 +/- acres. The landowner and SJCOG, Inc. staff have been discussing an easement purchase of 23 +/- acres as agricultural habitat. The location of the property is on the west side of Bruella Road bordered by Liberty Road to the south in the Central Zone. The potential preserve is adjacent to existing SJCOG, Inc. preserves in the Central Zone area, also shown in the attachment 1 and 2.

With the easement purchase, SJCOG, Inc. staff has written this draft PMP to be consistent with the existing Preserve Management Plans of the agricultural habitat in the Central Zone for management economies of scale for species under the SJMSCP. The easement will serve for habitat for various species while providing mitigation for agricultural impacts under the habitat plan in the Central Zones.

There have been historical records of Swainson’s hawk and other species on/near the property in the California Natural Diversity Database (CNDDB).

RECOMMENDATION:

A motion to recommend the SJCOG, Inc. Board to
- 1) approve the conservation easement purchase, and
- 2) approve the preserve management plan.

FISCAL IMPACT:

SJCOG, Inc. would accept an agricultural habitat easement on 23 +/- acres under the SJMSCP.

- Easement = $172,500 (23 +/- acres x $7,500 per acre)
• Endowment = $107,599.06 (23 +/- acres x $4,678.22 per acre for 2020 endowment)

BACKGROUND:

The Hewette Bruella property is located near Dry Creek area north of the City of Lodi in the Central Zone at the San Joaquin / Sacramento County line. The property consists of an active row crop operation which serves as foraging habitat for several SJMSCP covered species adjacent to existing riparian habitat along the creek. The conservation easement would cover 23 +/- acres of existing agricultural land to mitigate for this project’s development impacts in the Central Zone under the SJMSCP.

The draft PMP (attachment 3), prepared by ICF, reflects the existing Preserve Management Plans for agricultural land preserves in the Central Zone for economy of scale on long term monitoring activities. There are minimal enhancements planned to the landscape. If any additional future enhancements not displayed in Table 1 would be brought back as a supplemental PMP in cooperation with the landowner.

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

• Habitat Technical Advisory Committee: Recommendation to Approve
• SJCOG, Inc. Board – May 28th Meeting

ATTACHMENTS:

1. Overview Preserve Location Map
2. Preserve Location Map
3. Preserve Management Plan

Prepared by: Steven Mayo, Program Manager
DRAFT PRESERVE MANAGEMENT PLAN FOR
THE HEWETTE BRUELLA ROAD PRESERVE

PREPARED FOR:

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

PREPARED BY:

ICF International
980 9th Street, Suite 1200
Sacramento, CA 95814
Contact: Doug Leslie
916.737.3000

April 13, 2020
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<td>3.5 Implementation and Management Schedule</td>
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<td>Adaptive Management</td>
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Tables and Figures

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<th>Table/Figure</th>
<th>Description</th>
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<tr>
<td>Table 1</td>
<td>Hewette Bruella Road Preserve Parcel Information</td>
<td>1-2</td>
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</table>

Figures appear at end of document

- Figure 1   Hewette Bruella Road Preserve San Joaquin County
- Figure 2   Hewette Bruella Road Preserve and Other Conservation Easements in the Vicinity
- Figure 3   Hewette Bruella Road Preserve
- Figure 4   Habitats Present on the Hewette Bruella Road Preserve
- Figure 5   Documented Occurrences of SJMSCP-Covered Species within 2 Miles of Hewette Bruella Road Preserve
### Acronyms and Abbreviations

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>CNDDDB</td>
<td>California Natural Diversity Database</td>
</tr>
<tr>
<td>GIS</td>
<td>geographic information systems</td>
</tr>
<tr>
<td>HTAC</td>
<td>Habitat Technical Advisory Committee</td>
</tr>
<tr>
<td>HBRP</td>
<td>Hewette Bruella Road Preserve</td>
</tr>
<tr>
<td>PMP</td>
<td>Preserve Management Plan</td>
</tr>
<tr>
<td>SJCOG</td>
<td>SJCOG, Inc.</td>
</tr>
<tr>
<td>SJMSCP</td>
<td>San Joaquin County Multi-Species Habitat Conservation and Open Space Plan</td>
</tr>
<tr>
<td>USGS</td>
<td>U.S. Geological Survey</td>
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</table>
Chapter 1

Introduction

SJCOG, Inc., is currently implementing the *San Joaquin County Multi-Species Habitat Conservation and Open Space Plan* (SJMSCP).¹ 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 Hewette Bruella Road Preserve (HBRP), owned by Nena Hewette, on which a conservation easement is being placed. The property addressed in this PMP is comprised of a single parcel located on the north side of Liberty Road approximately 4.5 miles southeast of the city of Galt, Ca. The preserve will be incorporated into the preserve system as a row and field crop preserve.

The HBRP 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 SJMSCP.

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, Inc., are in agreement with 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 HBRP is an approximately 36-acre parcel on which a conservation easement of about 23 acres is being placed. The property is located on the north side of Liberty Road in San Joaquin County approximately 4.5 miles southeast of the City of Galt (Figure 1). Information pertaining to the property is provided in Table 1.

---

Table 1. Hewette Bruella Road Preserve Parcel Information

<table>
<thead>
<tr>
<th>Assessor’s Parcel Numbers</th>
<th>007-020-14</th>
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</thead>
<tbody>
<tr>
<td>Acreage</td>
<td>36 acres</td>
</tr>
<tr>
<td>SJMSCP Index Zone</td>
<td>Central Zone</td>
</tr>
<tr>
<td>USGS 7.5-minute quadrangle</td>
<td>Lockeford</td>
</tr>
<tr>
<td>Township</td>
<td>5N</td>
</tr>
<tr>
<td>Range</td>
<td>7E</td>
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<tr>
<td>Section</td>
<td>33</td>
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</tbody>
</table>

SJMSCP = San Joaquin County Multi-Species Habitat Conservation and Open Space Plan; USGS = U.S. Geological Survey

The addition of the HBRP further adds to a contiguous block of land protected by SJCOG, Inc. under conservation easement that includes the Ermin Liberty Road, Brooks Liberty Road, Razanno Liberty Road, and San Joaquin County Landfill Liberty and Dustin Road preserves, and thus furthers the objective of consolidation of the preserve system (Figure 2).

1.3 Land Ownership and Management

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

**Landowner**

Nena Hewette  
27229 Bruella Road  
Galt, CA 95632  
209-945-5151  
nhewette@deltacollege.edu

**Conservation easement holder**

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

**Land manager**

ICF  
980 9th Street, Suite 1200  
Sacramento, CA 95814  
Contact: Doug Leslie  
Phone: 916.231.9560
Chapter 2
Baseline Preserve Characteristics, Goals and Objectives

The HBRP is an approximately 23-acre portion of single parcel placed under conservation easement (Figure 3). The property was comprised entirely of grass hay at the time of the site visit in March 2020 (Figure 4). The property has been in grass hay from the time it was purchased by the current owner. The property is disked approximately every other year in the fall and planted with oat and rye grasses, which is cut for hay in the spring.

Although the property is used to grow grass for hay and is harvested annually, the site is not irrigated and the natural topography, which includes several small vernal pools and swales, is intact (Figure 4). Soils in the vernal pools and swales remains wet until June in most years, while pools pond after heavy rains and remain inundated for variables lengths of time, depending on rainfall amounts and frequencies. California ground squirrels occur along the fence line on the northern border of the easement, but did not appear to extend across the property and no burrowing owls were observed during the site visit and the landowner reports no sightings of owls. There is a homesite and horse barns on the northern border of the easement, and the only trees present in the area (other than a fallen valley oak \(Quercus lobata\) that remains alive in the southeast corner of the property) are associated with the developed portions of the parcel outside the easement boundary (Figure 4). Potential nest trees in the form of large remnant valley oaks occur to the north and northwest, and riparian trees associated with Dry Creek occur approximately 0.85 m miles north of the easement (Figure 3). An electric distribution line crossed the western part of the property from south to north.

Although the property is bordered on the west by a vineyard, the dominant land use to the west is cattle grazing.

The SJMSCP geographic information systems (GIS) database and the California Natural Diversity Database (CNDDB) were searched to identify records of SJMSCP-covered species within approximately 2 miles of the HBRP. Over 30 records of nesting Swainson’s hawk \(Buteo swainsonii\) occur within 2 miles of the HBRP, one of which is on the property. In addition, there are two records of California tiger salamander \(Ambystoma californiense\), five records of vernal pool fairy shrimp \(Branchinecta lynchii\), one record of vernal pool tadpole shrimp \(Lepidurus packardi\), and one record of tricolored blackbird \(Agelaius tricolor\) within 2 miles of the HBRP (Figure 5).

2.1 Wildlife Habitat Associations Identified in the SJMSCP

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

- Row and field crop.
- Presence of rodents.
- Presence of pigeons or mice.
• Presence of short grasses, sometime almost barren ground.
• Presence of ground squirrel holes.
• Presence of small reptiles and/or amphibians in shallow waters

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

• Swainson’s hawk
• Northern harrier (Circus cyaneus)
• White-tailed kite (Elanus leucurus)
• Burrowing owl (Athene cunicularia)
• Merlin (Falco columbarius)
• Great blue heron (Ardea herodias)
• Great egret (Ardea alba)

In addition to the preserve elements listed above and associated wildlife species, the HBRP also includes several vernal pools and swales. The habitat value of these features for vernal pool associated species such as California tiger salamander, and vernal pool fairy shrimp and vernal pool tadpole shrimp, all of which are known to have occurred in the area, is unknown because the property is regularly disked. It is possible however, that these species have managed to persist because the vernal pools and swales are still intact.

The agricultural habitats on the preserve also benefit several other common bird species, including killdeer (Charadrius vociferus), House finch (Haemorhous mexicanus), and California horned lark (Eremophila alpestris), 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 HBRP 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 extant and potential habitat values on the site for the benefit of Swainson’s hawk and other species covered by the SJMSCP that depend to varying degrees upon habitat values provided by agricultural habitats, although other habitats are often required to meet the life history needs of each species. 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.
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 HBRP will be managed according to the guidelines for Central Zone Row and Field Crop/Riparian Preserves outlined in section 5.4.8.5 Preserve Management; Row and Field Crop/Riparian Preserves of the SJMSCP. The preserve may also be enhanced as outlined in section 5.4.6.5 (A) Preserve Enhancements; Row and Field Crop/Riparian Preserves of the SJMSCP. These guidelines state that the key management practice for the agricultural use of row and field crops 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, and where appropriate, enhance habitat values through implementation of one or more enhancement options.

3.1 Agricultural Practices

Land management practices on the HBRP have historically provided benefits for Swainson’s hawk and other SJMSCP-covered species. The property has historically and is currently being used to grow grass hay. While the property owner retains the right to grow other row and field crops on the property, the planting of vineyards, orchards, blueberries, and other permanent or semi-permanent crops (i.e. crops that are not harvested annually) are prohibited without permission from the SJCOG, Inc., Habitat Technical Advisory Committee (HTAC).

3.2 Prohibited Uses and Activities

This section identifies prohibited uses of the preserve under the HBRP Conservation Easement. Landowner refers to Nena Hewette. SJCOG, Inc., refers to all agencies, organizations, or individuals affiliated with or that represent the SJCOG, Inc., during implementation of actions under the preserve management plan.

3.2.1 Access and Trespass/Illegal Uses/Signage

No access to the general public will be permitted. The SJMSCP requires that signage be installed at all preserves under conservation easement. At the landowner's discretion, the signage can identify 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 HBRP 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, Inc., 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 without prior approval by the HTAC.

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 ditches, or installation of preserve enhancements approved by the 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 or degrade 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 is 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 under the federal or stated 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.

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, unless otherwise approved by the HTAC.
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 (regulation 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, adaptive management procedures will be followed. The landowner will consult with the HTAC in a timely fashion and in accordance with the SJMSCP.

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, placement, or temporary storage of the structures listed below is prohibited on the preserve.

- New residential or other buildings.
- Camping accommodations.
- Mobile homes, house trailers, permanent tent facilities, Quonset huts or similar structures.
- Underground tanks.
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 HBRP 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 of existing roads with onsite materials and clean gravel is permitted as long as material is kept within the immediate roadway.

3.4 Affirmative Obligations

This section identifies the affirmative obligations of the landowner under the HBRP 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 Bruella or Liberty Roads, when necessary (Figure 3). The HBRP is currently protected by gates and/or cables but is not actively patrolled.
3.4.2 Maintenance and Repair

SJCOG, Inc., 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, Inc., is required to track crops grown on the preserve, ensure that the terms of the conservation easement are adhered to, and to conduct monitoring to ensure that acquisition and management of the easement are facilitating the achievement of the SJMSCP goals and objectives. Therefore, the landowner is required to allow reasonable access to the preserve by SJCOG, Inc. and its agents, including the Wildlife Agencies (US Fish and Wildlife Service, California Department of Fish and Wildlife, or their agents) or their representatives, for purposes of ensuring compliance with the terms of the conservation easement and for purposes of monitoring use of the preserve by covered species.

3.4.4 Preserve Enhancements

No preserve enhancements are currently proposed for the HBRP. Installation of replacement oak trees in the corners of the preserve to provide future nesting sites for covered species may be considered in the future and undertaken in cooperation with the landowner if agreed to by the landowner.

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, Inc., and the HTAC. The landowners and SJCOG, Inc., intend that the property be preserved and maintained in perpetuity by permitting only those agricultural practices that provide foraging, perching, and/or nesting habitat for Swainson's hawk and other SJMSCP-covered species that use agricultural habitats.
Chapter 4

Monitoring and Adaptive Management

This chapter describes the biological monitoring plan and reporting requirements for land management activities on the HBRP. 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 monitoring strategy for the entire SJMSCP preserve system is currently being completed. The monitoring plan described in this chapter is considered provisional until the system-wide monitoring plan is completed and approved.

Three general types of monitoring are conducted on a regular basis to ensure that the goals and objective 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). Because breeding populations of Swainson’s hawk and other covered species that depend upon agricultural habitats during a significant portion of their life cycle are the primary targets of this PMP, the site visit will typically be conducted during spring or summer, when these species can be found in the region.

Three variables will be reviewed during each site visit: the crop types that are in production; the areal extent of each crop type, if applicable; and any changes in land use or status of the preserve that could substantively influence habitat values of the preserve.

Noncompliance with the conservation easement 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 were 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/crop cover types within a 2-mile radius of the preserve will be documented.

Baseline surveys to determine presence of SJMSCP covered species will be conducted within 2 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 surveys for burrowing owls, California tiger salamanders, species of fairy shrimps, and other species addressed in the SJMSCP. All wildlife species detected during compliance monitoring site visits, including SJMSCP-covered species, are recorded.

The baseline habitat and focused species surveys will be updated once every 3 years by mapping changes in habitats/crop types found within a 2-mile radius of the preserve and repeating the focused nesting Swainson’s hawk survey within a 2-mile radius of the preserve. Mapped data will be recorded in the GIS database. The results of the focused survey and assessment of adjacent land uses will be provided in the SJMSCP program-level annual report.

The information will be used for comparison with results from the original baseline survey 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 preserve enhancements is required to ensure that preserve enhancement become well established and to determine if remedial actions need to be taken to achieve the goals of the enhancement. However, preserve enhancements are not currently proposed for this property.

### 4.4 Success Criteria

Two criteria were identified to determine the success of land use centered on cropping patterns. Preserve management will be considered successful if the entire 23 acres 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 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 HBRP. 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.
Figure 2
Hewette Bruella Road Preserve and Other Conservation Easements in the Vicinity
Legend

- Hewette Bruella Road Preserve

Figure 3
Hewette Bruella Road Preserve

Aerial Source - ArcGIS Online/Maxar 2018
Photo 1. Grass Hay and Remnant Valley Oak from the Southeast Corner of the Property.

Photo 2. Vernal Pool and Swale Habitats in April 2020 Prior to Harvest
Figure 5

Documented Occurrences of SJMSCP-Covered Species within 2 Miles of Hewette Bruella Road Preserve

<table>
<thead>
<tr>
<th>Code</th>
<th>Species Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>AGTR</td>
<td>California tiger salamander</td>
</tr>
<tr>
<td>AGTR</td>
<td>Tricolored blackbird</td>
</tr>
<tr>
<td>BRLY</td>
<td>Vernal pool fairy shrimp</td>
</tr>
<tr>
<td>BUSW</td>
<td>Swainson’s hawk</td>
</tr>
<tr>
<td>CACASU</td>
<td>Succulent owl’s clover, fleshy owl’s clover</td>
</tr>
<tr>
<td>DECADI</td>
<td>Valley elderberry longhorn beetle</td>
</tr>
<tr>
<td>LEPA</td>
<td>Vernal pool tadpole shrimp</td>
</tr>
</tbody>
</table>

San Joaquin HCP Terrestrial Species Records

- Plants
- Inverts
- Birds
- Herps
- Mammals

Species within 2 Mile Radius of Hewette Bruella Road Preserve

USDA Online Aerials Date: DigitalGlobe 2016  CNDDB Date: March, 2020