

# **WILDLIFE CONSERVATION BOARD**

## **MONITORING PLAN**

### **Introduction**

The Wildlife Conservation Board (WCB) is responsible for implementing a variety of legislative and voter-approved conservation programs statewide. WCB's three main functions are land acquisition, habitat restoration, and development of wildlife oriented public access facilities. Monitoring and adaptive management are critical components of ensuring that State investments are resulting in sustainable conservation benefits. Monitoring of WCB projects will help determine the status and trend of the condition of protected and restored lands in which it has a proprietary interest. Information gained from this work will inform future conservation efforts.

### **Guiding Document**

WCB's monitoring protocols have been developed from clearly identified goals and objectives pursuant to WCB's Strategic Plan and WCB program and funding requirements. In addition, WCB project documents, which are individualized for each project, provide specific guidance to this monitoring plan.

### **Monitoring Classifications**

WCB staff have identified three separate tiers of monitoring: compliance monitoring, performance monitoring, and scientific monitoring. The tiers, as described below, require different levels of preparation, expertise, data collection, and analysis.

1. Compliance monitoring determines whether a project has operated within the legal framework of the grant and associated project documents. Compliance site visits monitor for allowable and prohibited uses, encroachment of structures or roads, trespassing, adhering to management plans, etc.
2. Performance monitoring is an evaluation of whether a project provides values consistent with its intended purpose. Site visits evaluate changes in site characteristics, changes in nearby land uses, impacts caused by climate change, or any other factor that directly or indirectly affects its ability to provide the function or habitat value of its purpose.
3. Lastly, scientific monitoring quantifies habitat characteristics or species use of a given project site. Factors that may be scientifically monitored are species presence, population stability, overall species abundance, biodiversity, and factors that contribute to population dynamics.

### **Approach**

Due to the large volume of projects to monitor (1,200+, and more every year) and the geographic remoteness of many of them, it is not logistically feasible to visit all projects on an annual basis. A more feasible approach is to gain an understanding of overall project success by conducting annual site visits on a subset of projects. WCB staff will use scientifically accepted and valid sampling methods, which may vary annually. Sampling methods may include random sampling, targeted sampling, or a combination of the two. These sampling methods will allow WCB staff to evaluate the compliance or function of past projects with a high degree of scientific confidence, and determine whether projects continue to support WCB's Mission and meet the goals of the WCB Strategic Plan. In addition to the annually sampled projects, supplemental projects may be monitored as determined by geographic

convenience, project specific monitoring cycles, violation assessments, follow up to corrective actions, or survey protocols for specific habitats or species.

The WCB has developed a training module that has been presented and made available to all WCB staff on monitoring methods, techniques, and procedures. This material is maintained and updated as new information or practices change over time.

### **Pre-Monitoring Practices**

Prior to visiting a project site, WCB staff will review all previous pertinent project documents to understand the project, its purpose, and project requirements. The types of documents that are associated with each project vary substantially depending on the type, extent, function, and purpose of each project. Land acquisition projects are in perpetuity and protect a property in fee title or through a conservation easement. Habitat restoration projects typically have a 25-year grant agreement to maintain restored habitat and have associated long-term management plans. Public access projects also typically have a 25-year grant agreement but may also have operation and lease agreements (of varying duration) in addition to requirements to maintain infrastructure.

### **Site Visit Monitoring Practices**

While conducting a monitoring inspection, WCB staff will use a monitoring form to document the visit, record any pertinent changes or concerns, and include photographic evidence. If there are any concerns of non-compliance that arise during the visit, WCB staff shall describe the issue and use photographs as much as possible, and document the facts. In most cases, monitors do not attempt to rectify a possible or actual non-compliance issue immediately. Rather, site monitors collect the data, return to the office, and alert the Monitoring Coordinator of any issues. The Monitoring Coordinator and all appropriate staff evaluate the requirements of the grant and any other documentation for the project, and develop a plan to rectify the issue as outlined below under Non-Compliance.

### **Post-Monitoring Practices**

Upon return from a site visit, the visit will be recorded in WCB's tracking system. The monitoring form, photographs, and any other documentation will be stored in applicable project folders. WCB staff will track long-term project compliance and conduct follow up as necessary for non-compliance resolution.

### **Non-Compliance**

There are any number of ways that WCB staff learn of non-compliance. Some of these include WCB site visits, reports from partners, contact from nearby landowners or other interested parties, or concerns from regulatory agency staff. There are also varying degrees of non-compliance. If there is non-

compliance or suspected non-compliance, WCB staff will evaluate all documentation and make a determination for course of action.

Levels of non-compliance:

- 1) There is a reasonable potential that a violation is likely to occur, or it is unclear whether a violation has occurred.
- 2) There is a clear violation with no immediate risk of further damages/violations.
- 3) There is a clear violation currently causing damage, and will likely continue to cause damage to the project, its conservation values, or resources within or immediately surrounding the project site.
- 4) There is a violation with an immediate or eminent threat to the resource, human life, or public safety.

Steps taken by WCB in response to non-compliance concerns:

- 1) Upon notification of non-compliance or suspected non-compliance, WCB staff will review project files, site visit reports, all pertinent communications, and any other assimilated documentation to confirm or negate the non-compliance concern. During this review, there may also be a need for WCB staff to make a site visit (or additional site visit) to gather more information.
- 2) If non-compliance is determined, WCB staff will communicate its determination with the project grantee to discuss resolution of the non-compliance. The grantee has the primary level of responsibility to resolve any issues of non-compliance of a project.
- 3) If the grantee is unable to resolve the non-compliance, or requests help from WCB, then WCB staff may contact the landowner directly to correct the violation(s).
- 4) If the violation or concern is still unable to be resolved, then WCB may take legal corrective action.

For all non-compliant projects, WCB staff will conduct written follow-up communications with the grantee every six months at a minimum until all violations are resolved to WCB's satisfaction.

### **Partnerships Shepherd Compliance**

The WCB endeavors to be proactive and maintain an active rapport with its grantees, funding partners, conservation organizations, project landowners, and the public to safeguard against non-compliance. Recurrent contact with grantees allows grantees the opportunity to ask questions and update WCB on any issues or concerns they may have, and similarly gives WCB staff an opportunity to strengthen working relationships and reinforce terms of projects.

Developing a strong partnership with co-funders and the California Department of Fish and Wildlife (CDFW) is an important practice that WCB staff use to advance coordination and information sharing as it relates to long-term compliance tracking and ensuring the success of WCB's investments.

WCB staff are also working with the California Natural Resources Agency (CNRA) to develop a standardized monitoring program for all Departments, Boards, and Conservancies within the CNRA that provide grant funding. The program will be designed to allow sharing of all annual reports, site visit data, photos, and other information with all funding partners associated with a given project. This will maximize the ability of all funders to share data, mutually support the shared work, and provide backup resources.

Similarly, WCB considers a strong partnership with its grantees to be an important tool in assuring that the State's investments are being stewarded appropriately. All WCB conservation easements to grantees other than CDFW incorporate a monitoring component administered by the grantee. Further, all conservation easements approved since 2010 require that easements to grantees other than CDFW must submit an annual report to WCB describing the current condition of the easement lands and affirming that the property complies with the terms of the easement.

### **Looking Forward**

WCB strives for efficiency and it will continue to look for innovative, creative, and technological advancements to refine and streamline methods for data collection, data storage, use of software platforms and integration, and information sharing with partners. Monitoring at WCB will continue to be a vital function in helping steer current and future program guidelines that will benefit the State's sensitive natural resources.

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