



State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
North Central Region
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Rancho Cordova, CA 95670
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www.wildlife.ca.gov

EDMUND G. BROWN, Jr. Governor
Charlton H. Bonham, Director



August 15, 2017

Ron Titus
Sycamore Creek LLC
3668 Hicks Lane
Chico, CA 95973

Subject: PROSPECTUS ACCEPTABLE DETERMINATION FOR SYCAMORE CREEK
CONSERVATION BANK (1798-2014-02-R2)

Dear Mr. Titus:

The California Department of Fish and Wildlife (Department) has completed its review of your prospectus, dated December 2016, for Sycamore Creek Conservation Bank (Bank).

Based on the information you provided, the Department has determined that the prospectus is acceptable; however, revisions will be needed to the proposed Service Area for Swainson's hawk (*Buteo swainsoni*) (SWHA) and the amount of proposed credits for both Swainson's hawk and Butte County meadowfoam (BCM; *Limnanthes floccose californica*).

The prospectus is requesting 67.41 acres of BCM credits based on the area of documented occurrences as well as the swales and margins of vernal pools that are hydrologically connected to BCM occurrences. Surveys in 2006/2007 documented 2.06 acres of occupied habitat with approximately 19,700 individual plants while the 2017 survey documented 0.18 acres of occupied habitat and approximately 1,450 individual plants. The figures provided in the prospectus and supplemental information identify the locations of the plants primarily in the same locations.

BCM nutlets disperse very short distances from the plant of origin (Sloop, 2009) and are not expected to disperse beyond their pool or swale of origin (U.S. Fish and Wildlife Service, 2005). The BCM credits should be calculated using the acreage of occupied swale and vernal pool habitat. The Bank proposal may include language detailing a review and approval process to increase the amount of BCM credits during the operation of the Bank if subsequent surveys document additional acreage occupied by BCM.

The prospectus has also proposed 231.72 acres of SWHA foraging habitat. The Bank site contains 77.61 wetted acres consisting of vernal pools, seasonal wetlands, swales, and a pond. The wetted acreage cannot be included in the total amount of SWHA foraging habitat credits.

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The proposed SWHA Service Area is a 10-mile radius from the Bank that extends into agricultural croplands to the west and south and up into the foothills to the east. All documented SWHA occurrences within the 10-mile radius occur on agricultural croplands (see Figure 1). SWHA nesting within or adjacent to agricultural crops such as alfalfa, wheat, tomatoes, and beets have a higher prey availability and accessibility; thus, SWHA foraging efforts would be concentrated in the agricultural croplands adjacent to the nest site. SWHA may nest in blue oak savannah habitat on the east side of the bank site but would forage in the open terrain with low vegetation cover on the east side of the slope break of the foothills. As such, the Service Area for SWHA should be comprised of the same contiguous grassland habitat out to a maximum of a 10-mile radius from the Bank.

Based on the information you provided, the Department has determined that the prospectus is acceptable with modifications as stated above. This determination is distinct from any determination about the prospectus and does not assure bank approval. It is also distinct from any determination that may be made by another signatory agency.

You may submit a bank agreement package with a Bank Submittal Form (<https://nrmsecure.dfg.ca.gov/FileHandler.ashx?DocumentID=58780>) and the current bank agreement package fee¹ [Fish and Game Code § 1798.5(b)].

The bank agreement package must be consistent with the prospectus and contain a bank enabling instrument and all exhibits. The Department will have 30 days from the date your bank agreement package is received to determine if it is complete or incomplete. The Department will then provide you written notification of its determination, which is distinct from any determination by another signatory agency.

Please visit the Department's website at <https://www.wildlife.ca.gov/Conservation/Planning/Banking> to obtain an Interagency Guidance document and current templates used in the bank agreement package.

If you have any questions regarding your prospectus or the bank review process, please contact Stephanie Buss, Senior Environmental Scientist (Specialist) at (916) 358-1185 or R2MitBank@wildlife.ca.gov; or Ms. Jennifer Nguyen, Senior Environmental Scientist (Supervisor) at (916) 365-5570.

Sincerely,



Tina Bartlett
Regional Manager

¹ Fees may be adjusted annually pursuant to FGC 1799.1(a). The current fee schedule at the time of submittal is the fee required for review of the bank document.

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California Department of Fish and Wildlife

Attachments:

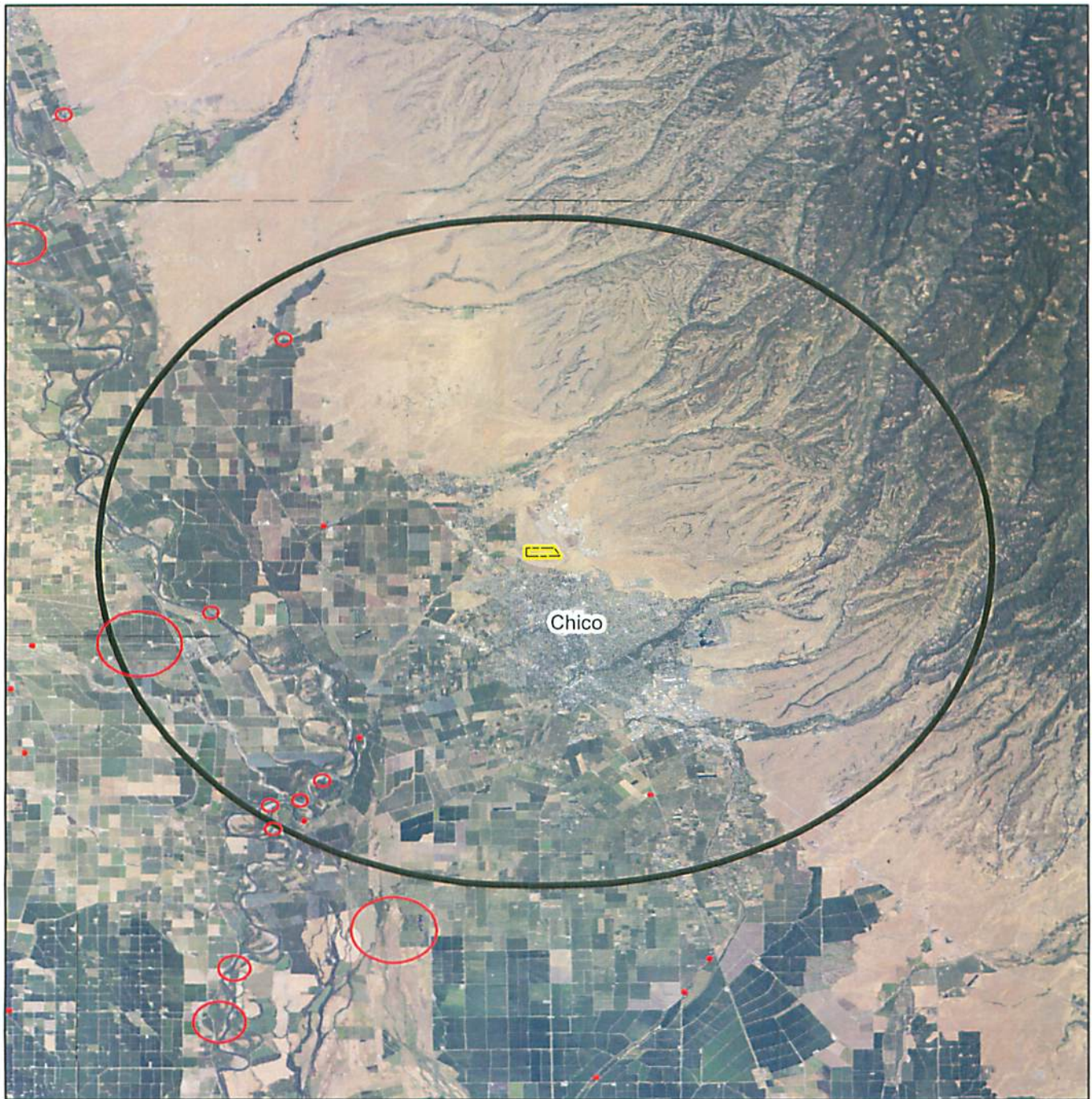
Figure 1 - Swainson's Hawk CDNND Element Occurrences

References:

Sloop, Dr, Christina. February 16, 2009. Application of Molecular Techniques to Examine the Genetic Structure of Populations of Butte County Meadowfoam (*Limnanthes floccosa* ssp. *californica*). Submitted to Betty Warne, U.S. Fish and Wildlife Service, Sacramento, Ca.

U.S. Fish and Wildlife Service. 2005. Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon. Portland, Oregon. Xxvi+606 pages.

Figure 1. Swainson's Hawk CNDDDB Element Occurrences



 3668 Hicks Lane, Chico

 10 mile buffer

CNDDDB Element Occurrences

 Swainson's Hawk (80m)

 Swainson's Hawk (circular)

