



REPORT TO THE LEGISLATURE

CALIFORNIA WETLAND MITIGATION BANKING

State of California
Resources Agency
Department of Fish and Game

August 2007

Report To The Legislature
California Wetland Mitigation Banking
August 2007

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EXECUTIVE SUMMARY

Fish and Game Code Section 1851 requires the California Department of Fish and Game (Department) to provide biennial reports to the Legislature that describe basic information about and the status of existing wetland mitigation banks in California. This is the fourth report since the enactment of this requirement in September 2000.

Fish and Game Code Section 1851 requires the following information to be reported for each wetland mitigation bank (“mitigation bank” or “bank”):

- Bank creator contact information
- Bank operator contact information
- Bank creation date
- Bank's service area
- Pre-bank habitat functions on site
- Types of financial assurances
- Bank goals
- Wetland acres and habitat functions created
- Credits issued
- Biological productivity of created wetlands
- Wetland acres and habitat functions lost as result of permitted projects

The report provides a brief overview of wetland mitigation banking in California and the status of California's banks. The report contains cumulative information with updated information for the period July 2005 to June 2007. Topics include background information about wetland mitigation and mitigation banking, descriptive and explanatory information about the wetland mitigation bank information contained in the report, and methods for compiling, managing, and distributing the bank information. A list of the banks included in the report is provided in Table 1, and status information about each bank is provided in Appendix A.

I. BACKGROUND ON WETLAND MITIGATION BANKING

Under existing State and federal statutes, any individual, firm, or public agency that undertakes activities that destroy, degrade, or adversely alter the environment may be required to set aside and/or restore habitat in order to offset the adverse impacts of the proposed activity. For the area impacted, a project proponent may be required to set aside or restore a specified amount of acreage or resources or allowed to purchase credits at a mitigation bank.

Environmental mitigation is required under several State laws. For example, under the California Environmental Quality Act, if a proposed project will "substantially diminish habitat for fish, wildlife or plants," mitigation is required. Compensatory mitigation may also be required as a condition to "take" (kill, capture, etc.) a species under the California Endangered Species Act.

Environmental mitigation is also required under federal statutes. For example, under the Federal Endangered Species Act, a habitat conservation plan that is designed to protect and recover a threatened or endangered species can require that a landowner "minimize or mitigate" for activities that are damaging to the species. The Federal Clean Water Act also requires mitigation for activities that alter or harm existing wetlands.

Conventional Mitigation

Despite their purpose to offset environmental impacts, mandated single-project mitigation measures often have an insufficient benefit to offset the full impacts to biological resources. When mitigation is applied at the development or project site, piecemeal patches of ineffective conservation are the result. Applying mitigation in this piecemeal fashion does not address the broader conservation objectives agencies have for the region within which the development project occurs.

For example, a property owner who seeks to develop or alter his or her property may take the steps necessary to satisfy the mitigation requirements by doing so on a portion of the property to be developed. On a parcel of ten acres, two or three acres might be set aside as a reserve in order to mitigate for the proposed development. Such a set-aside may not substantially advance regional environmental objectives or provide for the long-term viability and functional value of the resources (species and habitats impacted). The set-aside reserve may not be of high ecological importance, or may not be connected to other protected open space with priority habitat value. Over the long term, the set-aside reserve may lose some or all of its biological value because of its small size and isolation from other set-aside reserves. The process of designing, implementing, managing and monitoring each new mitigation set-aside for each development project can be time consuming and costly for the project proponent and regulatory agencies.

Wetland Mitigation Banking

Since the mid-1980s, the State and others have actively sought to prevent the inadequate, small, fragmented habitat reserves that often resulted from project-by-project mitigation. One approach to remedy the inadequacy of single-project mitigation has been the development of mitigation banks. Wetland mitigation banks are large areas of constructed, restored, enhanced, or preserved wetlands set aside for the express purpose of providing mitigation for project impacts to wetland habitats. A bank is authorized to sell credits which represent the habitat values created on the bank. Credits are sold to landowners or others who need to provide compensation for wetlands lost to development where avoidance or on-site mitigation is not feasible. Mitigation banks may be used to consolidate single-project mitigation lands into large and biologically meaningful reserves. Banks can be designed to maximize the resulting biological and functional value of a site by restoring otherwise degraded habitat. For those parties needing to mitigate for project impacts, mitigation banks serve to

streamline the regulatory process by providing a pre-established mitigation site which the regulating state and federal agencies have already agreed may provide mitigation for certain wetland habitats or species (as specified in the bank agreement). By mitigating at a bank, the project proponent can avoid the time and cost of finding and protecting a suitable mitigation site.

Mitigation banks also have several ecological advantages over project-by-project mitigation, including:

- **Mitigation Before Impact.** The wetland habitat can be created prior to project impacts reducing or eliminating temporal loss of habitat values and function.
- **Large Reserve Size.** The wetland mitigation from many small isolated impacts can be consolidated into one larger area of habitat, protecting the site in perpetuity, and better protecting threatened ecosystems.
- **Resources and Expertise.** Wetland banks can consolidate financial resources, planning, and biological expertise which improves successful establishment and long-term management of compensatory habitats.

In recent years, the State has sought to consolidate mitigation requirements for wetland impacts under the State Fish and Game Code and the Federal Clean Water Act. In April 1995, the California Resources Agency and the California Environmental Protection Agency issued a joint policy on conservation (mitigation) banks¹ (Appendix B). This policy provided the rationale for establishing banks, and direction on establishment and operation of banks. In addition, the California Wetlands Conservation Policy² identifies wetland mitigation banking as a part of statewide

¹ Resources Agency/California Environmental Protection Agency, Official Policy on Conservation Banks, April 7, 1995

² Wilson, Pete. Executive Order W-59-93. California Wetlands Conservation Policy. August 23, 1993.

initiatives and regional strategies to be implemented toward achieving the objectives of the policy.

In November 1995, five federal agencies (U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S.D.A. Natural Resources Conservation Service, U.S. Fish and Wildlife Service, and the National Oceanic and Atmospheric Administration) issued a formal policy on the establishment, use, and operation of mitigation banks³. The federal guidance was provided to assist the regulatory and banking communities in meeting the requirements of Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act, the wetland conservation provisions of the Food Security Act (FS) (i.e., “Swampbuster”), and other applicable Federal statutes and regulations when undertaking wetland banking. The guidance is intended to clarify the applicability of existing federal requirements to wetland mitigation banking. It also designates the Army Corps of Engineers or the Natural Resources Conservation Service as the lead federal agency in the wetland bank establishment process. Under the federal mitigation bank establishment process, a Mitigation Bank Review Team (MBRT) is formed consisting of representatives of the agencies which have jurisdiction over wetlands and will be signatory to the bank agreement. The Department of Fish and Game participates on the MBRT which develops and approves the terms of the bank agreement. The MBRT strives to obtain consensus in developing the terms of the bank agreement and on any actions it takes in regard to wetland bank establishment, site inspection/monitoring, credit release, or other aspects of wetland bank operations.

³ "Federal Guidance for the Establishment, Use and Operation of Mitigation Banks." Federal Register 60:228 (November 28, 1995), p. 58605-58614.

II. DESCRIPTION OF WETLAND MITIGATION BANKING REPORT INFORMATION

Statutory Reporting Requirements

Fish and Game Code Sections 1850-1851 state that the following information will be reported for each existing wetland mitigation bank that is in operation as of January 1, 2001 and sells credits to the public in California:

- Bank creator contact information - "The name, address, and telephone number of the person or agency who created the wetland mitigation bank site."
- Bank operator contact information - "The name, address, and telephone number of the wetland mitigation bank operator and the address or other appropriate physical description of the location of the wetland mitigation bank site."
- Bank creation date - "The date the wetland mitigation bank site was created".
- Bank's service area - "A description of the wetland mitigation bank site's service area."
- Pre-bank habitat functions on site - "A description of existing habitat functions at the wetland mitigation bank site prior to its development as a wetland mitigation bank site."
- Types of financial assurances - "The type of financial assurances secured by the wetland mitigation bank operator to ensure management of the wetland mitigation bank site in perpetuity."
- Bank goals - "Whether goals were established for the wetland mitigation bank site and what percentage of those goals have been achieved."
- Wetland acres and habitat functions established - "Utilizing existing information compiled by the United States Army Corps of Engineers or other federal agencies, the number of wetland acres and habitat functions created at the bank site."
- Credits issued - "The number of credits issued and to whom."
- Biological productivity of created wetlands - "An assessment of the

biological productivity of the created wetlands."

- Wetland acres and habitat functions lost as result of permitted projects - "Utilizing existing information that is publicly available within the records of state or federal agencies, a comparison of the wetland acreage and habitat functions that were created at the bank site and those that were lost as a result of the permitted projects for which credits were obtained."

Most of the wetland mitigation banks in California included in this report were established prior to enactment of Section 1851. Because the reporting requirements for these banks were set before enactment of Section 1851, much of the information the banks are required to provide to the agencies does not reflect the information requirements of Section 1851. Section 1851 does not define or provide guidance on how to report some of the specified items. To clarify what information is reported here, each of the reporting requirements is discussed in the next section.

Description of the Reporting Requirements and Information Included in this Report

Appendix A provides a brief overview of twenty-two existing wetland mitigation banks. The information for each bank is organized in four general sections:

Contact Information - bank owner and bank operator name and contact information

Bank Information - bank creation date, total bank acreage, total credits established, total credits sold, and total credits remaining for sale, general location of the bank, service area description, service area counties, financial assurance types, and signatory agencies

Biological Information - bank site goals, percentage of goals achieved, wetland habitat functions before bank creation, wetland habitat functions created at the bank site, total wetland acres established, and overall wetland habitat success

Operational Information - wetland functions lost to impacts, wetland acres lost to impacts, number of credits sold and to whom.

Descriptions of each reporting requirement and the information reported in Appendix A are as follows. Additional information or explanation about the reporting requirement or the information reported is also provided here for further clarification.

Bank creator contact information

Statutory language of the reporting requirement: Fish and Game Code Section 1851(a) - "The name, address, and telephone number of the person or agency who created the wetland mitigation bank site."

Definition/explanation: Bank creator is defined in this report as the person or entity that signed the bank agreement.

Information reported: In place of bank creator, bank owner name and contact information is reported for each bank. If the bank creator and the bank owner are not the same person or entity, the name of the bank creator is also provided as a footnote.

Additional information: While the bank creator is usually also the bank owner, some banks have had a change in ownership since they were created. When an inquiry is made about a bank the requestor usually wants to know who owns or operates the bank. Reporting information about the bank owner is more meaningful and useful than reporting information about the bank creator. Some banks have had more than one owner. The current bank owner is reported.

Bank operator contact information

Statutory language of the reporting requirement: Fish and Game Code Section 1851(b) - "The name, address, and telephone number of the wetland mitigation bank operator and the address or other appropriate physical description of the location of the wetland mitigation bank site."

Definition/explanation: Statutory language is self-explanatory.

Information reported: The name, address, and telephone number of the wetland mitigation bank operator are provided for each bank. If the bank operator has a website, the website address is also included. The address or other appropriate physical description of the location of the bank is provided under a separate heading, "General location of the bank."

Additional information: Some banks designate a separate entity or representative to manage their credit sales. If known, the contact information for credit sales manager is also reported.

Bank creation date

Statutory language of the reporting requirement: Fish and Game Code Section 1851(c) - "The date the wetland mitigation bank site was created."

Definition/explanation: The bank creation date reported for each bank is the date that the bank agreement was signed by all parties.

Information reported: Bank creation date is reported for each bank.

Additional information: None.

Bank's service area

Statutory language of the reporting requirement: Fish and Game Code Section 1851(d) - "A description of the wetland mitigation bank site's service area."

Definition/explanation: The service area for the bank is the geographic area within which the bank credits can reasonably be expected to appropriately serve as mitigation for projects impacting wetlands.

Information reported: A description of the wetland mitigation bank site's service area is provided for each bank. A list of the counties which the service area overlaps is also included.

Additional information: A bank's service area may overlap only a portion of a county.

Pre-bank habitat functions on site

Statutory language of the reporting requirement: Fish and Game Code Section 1851(e) - "A description of existing habitat functions at the wetland mitigation bank site prior to its development as a wetland mitigation bank site."

Definition/explanation: For more information about habitat functions see the section, Description and Explanation of Habitat Functions.

Information reported: Existing wetland habitat functions at the wetland mitigation bank site prior to its development as a wetland mitigation bank site are listed for each bank.

Additional information: None.

Types of financial assurances

Statutory language of the reporting requirement: Fish and Game Code Section 1851(f) - "The type of financial assurances secured by the wetland mitigation bank operator to ensure management of the wetland mitigation bank site in perpetuity."

Definition/explanation: Banks are required to provide financial assurances to help ensure that the habitat is established and succeeds. Financial assurances are mechanisms to ensure that the obligations of a mitigation bank to: 1) establish wetland habitat on the bank site (i.e., a construction security) and maintain it until it fully meets performance criteria (i.e., a performance security); 2) manage and maintain the bank site until the bank closes (i.e., an interim management security); and 3) provide funding for management of the bank site in perpetuity (i.e., endowment fund) are fulfilled in the event that the bank operator is unable or unwilling to do so. The security is typically some form of financial instrument used as a guarantee that habitat will be successfully established and that funds will be provided for long-term management costs. The security creates an economic incentive for banks to meet their obligations to establish the habitat. If a bank defaults on its obligation to establish habitat, the security provides funding for the regulatory agencies to complete the habitat work, or if the obligations are met, the financial instrument is dissolved and any collateral is returned to the mitigation bank owner.

Information reported: The type of financial assurances to ensure management of the wetland mitigation bank site in perpetuity is reported for each bank.

Additional information: Information about the financial assurances provided for completion of habitat establishment and maintenance is provided in this report, but is not a reporting requirement under Section 1851.

Bank goals

Statutory language of the reporting requirement: Fish and Game Code Section 1851(g) - "Whether goals were established for the wetland mitigation bank site and what percentage of those goals have been achieved."

Definition/explanation: Statutory language is self-explanatory.

Information reported: Goals reported for each bank are the biological/ecological goals as specified in bank documents or reports or as interpreted from descriptions of planned habitats or target species. For most banks the percentage of goals achieved is reported as descriptive information interpreted from the bank's annual reports. A specific percentage is difficult to derive because of wide variability in progress toward meeting success criteria and in the way monitoring results are reported. Descriptive information about the progress of habitat establishment is more meaningful and useful than a simple percentage value.

Additional information: Biological/ecological goals for bank sites are not always specifically described in bank documents. Often, the goals are inferred by the descriptions of the types of habitats planned and/or target species. Some of the bank documents and reports reviewed either did not specify biological/ecological goals for bank sites or only made reference to the goal of serving as a provider of compensatory wetland mitigation.

Wetland acres and habitat functions established

Statutory language of the reporting requirement: Fish and Game Code Section 1851(h) - "Utilizing existing information compiled by the United States Army Corps of Engineers or other federal agencies, the number of wetland acres and habitat functions created at the bank site."

Definition/explanation: The information reported is the number of acres of wetland *established* and the habitat functions *established* rather than just the number of

acres or habitat functions *created*. In practice, banks establish habitat by creation, restoration, or enhancement. For more information about wetland establishment see the section, Description and Explanation of Wetland Establishment. For more information about habitat functions see the section, Description and Explanation of Habitat Functions.

Information reported: The number of acres of wetland established is reported for each bank. The number of acres reported is based on either the target acreage to be established as specified in bank documents, or the acreage delineated after habitat establishment activities. Habitat functions established at each bank site are reported as specified in bank documents, reports, or as interpreted from descriptions of planned or established habitat. For more information about habitat functions see the section, Description and Explanation of Habitat Functions.

Additional information: Some of the banks in the report are “preservation banks”, meaning that the bank was established to preserve wetland habitat and no wetland habitat was established. For these banks the number of acres of preserved wetland habitat is reported.

Credits issued

Statutory language of the reporting requirement: Fish and Game Code Section 1851(i) - "The number of credits issued and to whom."

Definition/explanation: Statutory language is self-explanatory.

Information reported: The number of credits issued and to whom is reported for each bank as the number of credits sold and whether the credits were sold to a private party or a government agency.

Additional information: None.

Biological productivity of created wetlands

Statutory language of the reporting requirement: Fish and Game Code Section 1851(j) - "An assessment of the biological productivity of the created wetlands."

Definition/explanation: See the section, Description and Explanation of Biological Productivity.

Information reported: Assuming the reporting requirement is aimed at determining whether the wetland habitat is successfully established, information about the overall success of the wetland habitat or progress toward habitat success is reported as "Overall Wetland Habitat Success" for each bank. The information reported is based on the general success or progress toward success of the established wetland habitat as described or inferred in annual monitoring reports submitted to the agencies.

Additional information: The requirement is to report on "created" wetlands. The information reported is for "established" wetlands which include wetlands established by creation, restoration, or enhancement activities. See the section, Description and Explanation of Wetland Establishment.

Wetland acres and habitat functions lost as result of permitted projects

Statutory language of the reporting requirement: Fish and Game Code Section 1851(k) - "Utilizing existing information that is publicly available within the records of state or federal agencies, a comparison of the wetland acreage and habitat functions that were created at the bank site and those that were lost as a result of the permitted projects for which credits were obtained."

Definition/explanation: See the section, Description and Explanation of Habitat Functions.

Information reported: The wetland functions and acreage lost as a result of permitted projects is reported if the bank reported the information in their credit sales transaction reports.

Additional information: None.

Description and Explanation of Wetland Establishment

Some of the Section 1851 reporting requirements are to provide information about habitat functions or biological productivity of "created" wetland habitat. The report information is for "established" wetlands because not all the wetland habitat in mitigation banks is created. The main goal for a wetland mitigation bank is to produce wetland habitat for which credits can be approved by the agencies and sold to projects in need of mitigation.

Wetland habitat credits can be produced by preserving or establishing habitat. Protecting wetland habitat already in existence on the property before it is a bank site is considered preservation. It is simply preserved to protect and maintain its values. Once the property is established as a bank site the wetland habitat is usually not modified unless necessary, approved maintenance or management activities warrant it. Establishing habitat means undertaking specific activities to achieve self-sustaining habitat that has the physical and ecological characteristics (e.g., proper hydrology and plant and animal communities) associated with the specific type of wetland habitat targeted for establishment. The three basic approaches to habitat establishment are creation, restoration, and enhancement. Created wetland habitat is wetland habitat which is created in a location that was never previously wetland habitat. Restored wetland habitat is wetland habitat which was previously destroyed or degraded and is re-established as viable, functioning wetland. Enhanced wetland habitat is wetland habitat which already exists as functional wetland habitat but its values or functions are increased by specific actions such as increasing its size, developing special habitat

areas in or around it, removing undesirable vegetation, connecting it to other nearby wetland habitat, etc. Each of the three approaches employs various specific habitat establishment activities to varying degrees, with enhancement usually requiring the fewest activities and creation requiring the most. The specific habitat establishment activities may include but are not limited to construction, planting, exotic/invasive species control, necessary structure installation, monitoring, maintenance, management, and remediation. These habitat establishment activities are carried out in accordance with: 1) bank objectives; 2) a written habitat establishment plan; 3) detailed design specifications; and 4) success criteria approved in conjunction with the bank agreement. Construction activities may include landscape excavation and grading in a location that has the proper soil types to produce the slopes and water depths needed to establish the proper hydrology and vegetation. Once the construction and other necessary habitat establishment activities are completed, monitoring is conducted to determine the success of wetland habitat establishment.

Success criteria are a set of standards used to evaluate the development and successful establishment of created, restored, or enhanced wetland habitat or to evaluate whether the quality of preserved wetland habitat persists. The success criteria and the frequency of monitoring are stated in the bank agreement or a supporting document to the bank agreement. If created, restored, or enhanced habitat does not develop as planned or preserved habitat declines, remediation activities may need to be implemented. Once the final success criteria are fully met the habitat is considered successfully established.

Description and Explanation of Habitat Functions.

Wetland functions are the normal or characteristic activities that take place in wetland ecosystems. Wetlands perform a variety of functions as a result of their physical, chemical, and biological characteristics.

The reporting requirements in Section 1851 do not define or provide guidance on how to report on habitat functions. For this report, the habitat function terms used in the bank summaries (Appendix A) are derived from concepts in functional wetland assessment approaches developed by the U.S. Environmental Protection Agency⁴ and U.S. Army Corps of Engineers⁵ which describe a set of functions that can be measured for wetlands. These include:

1. Hydrology
 - a. Short-term Surface Water Storage
The temporary storage of surface water for short periods.
(Replenishes soil moisture; helps maintain and improve surface water quality.)
 - b. Long-term Surface Water Storage
The storage of surface water for long periods. (Recharges groundwater and provides habitat.)
 - c. Flood Energy Dissipation
The reduction of energy in moving water. (Reduces peak flood flows and amount of particulates carried and improves surface water quality.)

⁴ U.S. EPA, Wetlands Division. Wetlands Functions and Values. In: Watershed Ecology Modules. Watershed Academy Web, Internet Online Training in Watershed Management, available on the U.S. EPA website at <http://www.epa.gov/watertrain>

⁵ Smith, R. D., Ammann, A., Bartoldus, C., and Brinson, M. M. 1995. An approach for assessing wetland functions using hydrogeomorphic classification, reference wetlands, and functional indices. Technical Report WRP-DE-9. U.S. Army Engineer Waterways Experiment Station, Vicksburg, MS. 88 p.

- d. High Water Table Maintenance
The maintenance of the level of the water table. (Maintains groundwater storage, seasonal stream flows and water temperatures in streams.)

- 2. Biogeochemical
 - a. Nutrient Cycling
The conversion of elements from one form to another through abiotic and biotic processes. (Helps to maintain or improve surface water quality.)
 - b. Retention of Inorganic Sediments
The removal of particulate matter. (Reduces sediment and inorganic substances in surface water and improves water quality.)
 - c. Retention/Removal of Imported Elements
The removal of nutrients, contaminants or other elements and compounds through burial, incorporation into biomass, or biochemical reactions. (Improves water quality.)

- 3. Biology
 - a. Plant Habitat
The maintenance of plant communities that are characteristic with respect to species composition, abundance, and age structure. (Provides proper conditions for wetland plant survival, reproduction, and diversity.)

 - b. Fish and Wildlife Habitat
The maintenance of animal communities that are characteristic with respect to species composition, abundance, and age structure. (Maintains corridors between habitat islands and landscape/regional biodiversity.)

Description and Explanation of Biological Productivity.

Section 1851 does not provide a definition for "biological productivity" or guidance on what specifically should be reported. The terms "productivity" and "production" are often confused, even by ecology students. Primary productivity, as used by ecologists, is the rate at which new plant growth occurs. This contrasts with primary production, or biomass, which is the amount of living (plant and animal) material. Younger ecosystems often have high rates of productivity and low biomass, compared to older ecosystems in which rates of productivity decrease as biomass increases. Measuring productivity of wetlands over time may thus result in decreasing numbers, even though there is more standing vegetation on the site. Reporting such data merely gives a numerical value of one aspect of a wetland which, as a whole, is not very meaningful. Also, measuring productivity is an intensive undertaking that would likely require bank operators to invest significant amounts of time, funding, and resources thereby adding to the cost of establishing a bank or delaying the approval or release of credits. Neither productivity nor biomass data are commonly collected in bank site monitoring activities.

Assuming the biological productivity reporting requirement is aimed at providing information about the successful establishment of wetland habitat in a bank, and since no data on "Biological Productivity" have been collected for the banks in this report, information about the general, overall success of the wetland habitat or progress toward habitat success is reported for each bank. The information reported is gathered from monitoring reports submitted to the agencies. Overall success of the wetland habitat (or the progress toward success) is a reasonable replacement for the Biological productivity of created wetlands reporting requirement and is much more meaningful information.

III. DATA COLLECTION

Fish and Game Code Sections 1850-1851 set the criteria for including a wetland mitigation bank in this report:

- 1) the bank is existing/in operation (i.e., the bank has a fully approved bank agreement and is approved to sell credits), and
- 2) the bank sells credits to the public in California.

Banks that met the criteria but are no longer in operation because all credits have been sold continue to be included in the report as examples of successful banks that have progressed to the change in operations from credit sales to long-term management.

Data for all known existing wetland mitigation banks in California which meet the criteria are targeted for collection. The report contains cumulative information with updated information for the period July 2005 to June 2007. The data were collected from approved bank agreements and bank documents such as bank management plans and annual reports. Bank agreements typically contain information about bank creators, bank operators, bank creation dates, bank service areas, and types of financial assurances. Bank management plans, in some cases, provided information on bank goals and pre-bank habitat functions. Annual reports, in some cases, provided information about the numbers of wetland acres and habitat functions created at the bank, the number of credits issued, and wetland acres lost as a result of permitted projects.

The Department was unable to obtain all required bank information from State and federal agencies. Some information was either not readily available or the other agencies did not respond to requests for information in time to include the information in this report. The Department is continuing its effort to obtain data and information that was not available at the time this report was produced.

Additionally, the Department is not a signatory to many wetland mitigation banks, making it extremely difficult to obtain any information about them. The Department currently lacks the staff and resources necessary to gather information for these banks. Due to the continued difficulty in obtaining information for such banks, they will not be included in the report. (Although previous reports to the Legislature for the years 2001, 2003, and 2005 included two banks to which the Department is not a signatory, those banks will no longer be included in the report in an effort to make a more consistent approach to data collection and reporting.) The Department is committed to gathering the information at a later time, should the necessary staff and resources become available.

Obtaining data for the Wetland habitat functions and Wetland functions lost to impacts reporting requirements was particularly difficult. Section 1851 directs the Department to report wetland mitigation bank information that is much more specific than what the State and federal banking policies suggest the bank operators report to the Department. The State and federal banking policies were published in 1995, five years before Section 1851 became effective. The banking policies are general in their specifications for reporting, and neither policy specifies that wetland mitigation bank operators should report detailed wetland information such as descriptions of habitat functions prior to bank establishment (Pre-bank habitat functions on site), habitat functions created at the bank (Wetland acres and habitat functions established), wetland acreage and habitat functions lost (Wetland acres and habitat functions lost as result of permitted projects), or assessment of wetland biological productivity (Biological productivity of created wetlands). As a result, the types and amount of information on these aspects of banks are somewhat limited in availability for inclusion in this report. While some banks may report some information about habitat functions at the bank site, there are no banks that report on biological productivity. As described in the previous section, a description of overall success of the wetland habitat is being reported in place of “biological productivity” due to difficulties with the biological productivity reporting requirement (see the section, Description and Explanation of Biological Productivity). As future banks are developed and approved, provisions can be made for getting

assistance from the banks in compiling the needed information about habitat functions at bank sites.

Information for the reporting requirement, Wetland acres and habitat functions lost as result of permitted projects, is not readily available in bank documents or annual reports. There are specific types of documents and information necessary to assess wetland acreage and functions established at a bank. An entirely different set of specific documents and information are needed to assess acreage and functions lost through implementation of a development project. Because the 1995 banking policies do not require banks to collect and report this information, there is often little consistency as to which of those document types and information the banks submit to the agencies. Specific information about project impacts is not routinely collected and maintained by the banks. The project impact information must be obtained from the permitting authority (agency) that approves the mitigation for the project. The Department is continuing its efforts to obtain the needed information from other regulatory agencies.

IV. CONCLUSION

Few generalizations can be made about wetland mitigation banks. For numerous reasons, there is great variability in all aspects of the banks in this report, making it difficult to make any specific, direct comparisons. The banks in this report are in various stages of implementation - from the earliest operational stage (bank agreement approved and nearly ready to begin habitat establishment) to the last operational stage (credit sales completed and long-term management started). Table 1 provides a general summary and comparison of the banks.

To summarize the banks covered in this report:

- the overall size of the bank sites ranges from 12 acres to 834 acres,
- the range of wetland acreage established is 4.3 to 306.946 acres,
- the banks are located throughout the state:

| County | Number of Wetland Banks |
|------------|-------------------------|
| Alameda | 1 |
| Colusa | 1 |
| Lassen | 1 |
| Marin | 1 |
| Placer | 2 |
| Riverside | 2 |
| Sacramento | 3 |
| San Diego | 2 |
| Shasta | 2 |
| Sonoma | 7 |

22

- 15 are privately owned/operated, and
- seven are government owned/operated.

Appendix A provides a brief overview of the banks. The information for each bank is organized in four general sections: Contact Information; Bank Information; Biological Information; Operational Information.

Data Management and Information Distribution

Fish and Game Code, Section 1850 requires the Department to establish and maintain a database of all existing and operating wetland mitigation banks that sell credits to the public in California and to use the California Environmental Resources Evaluation System (CERES) California Environmental Information Catalog (CEIC) to make the information available to the public. A computer database was developed using Microsoft Access software to meet the requirement in Section 1850. The database contains the information required in this report along with some additional information necessary for compiling and tracking bank data used in this report. The bank database is maintained in the Department's Habitat Conservation Branch. The Department will provide information about the mitigation bank dataset for inclusion in the CERES CEIC.

The Department continues to evaluate ways to best meet the Legislature's and the public's interest in information about banks. The Department will continue to work with bank operators and regulatory agencies to obtain the information needed to update the database, post current bank information on the Department's website, and produce future required legislative reports.

Additional information on the Department's conservation and mitigation banking program is available at <http://www.dfg.ca.gov/habcon/conplan/mitbank/mitbank.html>. For questions about this report please contact the Habitat Conservation Branch at (916) 653-4875.

Table 1. Overview of wetland mitigation banks in California.

| Name of Bank (Appendix page #) | County where bank is located | Service area counties (counties which the bank's service area overlaps) | Date the bank was created | Signatory agencies | Overall acreage of the bank | Wetland acreage established at the bank | # credits established | # credits sold | # credits remainin g available for sale |
|---|------------------------------------|---|------------------------------------|-------------------------------------|--------------------------------------|--|--------------------------|-------------------|---|
| Barry Jones Wetland Mitigation Bank (A-1) | Riverside | western portion of Riverside | 3/16/1998 | USACOE, USFWS, CDFG | 140 | 0 (preservation only, 33 acres) | 136.0 | 29.45 | 160.55 (as of Dec 2006) |
| Bryte Ranch Conservation Bank (A-4) | Sacramento | portions of Sacramento, Placer, El Dorado, and Amador | 12/21/2001 | USFWS, CDFG | 573 | 0 (preservation only, 166.94 acres) | 157.845 | 67.431 | 90.414 (as of Oct 2005) |
| Burdell Ranch Wetland Mitigation Bank (A-7) | Marin | portions of Sonoma, Napa, Marin, Solano, and Contra Costa | 9/12/2001 | USACOE, USEPA, USFWS, CDFG | 82.7 | 24.1 | 241 | 76 | 165 (as of Dec 2006) |
| Clay Station Mitigation Bank (A-10) | Sacramento | portions of Sacramento, Placer, El Dorado, Sutter, Amador, San Joaquin | 7/28/1999 | USACOE, USEPA, USFWS, CDFG | 405 | 86.95 | 86.95 | 53.80 | 1.33 (as of May 2004) |
| Cottonwood Creek Wetland Mitigation Bank (A-13) | Shasta | portions of Shasta and Tehama | 5/23/1994 | USACOE, CDFG | 90 | 22.21 | 23.9 | 23.9 | 0 (as of Sep 2001) |
| Desmond Mitigation Bank (A-15) | Sonoma | a portion of Sonoma County | 9/14/2005 | USACOE, USEPA, USFWS, CDFG | 48.3 | 11.1 | 24.7 | 3.35 | 21.35 (as of May 2007) |

Table 1. Overview of wetland mitigation banks in California. (continued)

| Name of Bank (Appendix page #) | County where bank is located | Service area counties (counties which the bank's service area overlaps) | Date the bank was created | Signatory agencies | Overall acreage of the bank | Wetland acreage established at the bank | # credits established | # credits sold | # credits remaining available for sale |
|--|------------------------------------|---|------------------------------------|--|--------------------------------------|--|--------------------------|----------------------|---|
| Dolan Ranch Conservation Bank (A-17) | Colusa | depending on the service area, portions of Colusa, Glenn, Butte, Sutter, Yolo, and Solano | 1/12/1999 | USFWS, CDFG | 252 | 0 (preservation only, 47.59 acres) | 33.1 | 21.658 | 11.442 (as of Jan 2007) |
| Hazel Mitigation Bank (A-19) | Sonoma | a portion of Sonoma | 5/3/2006 | USACOE, USEPA, USFWS, CDFG | 101 | 31.25 | 29.87 | 12.9 | 1.99 (as of Mar 2007) |
| Honey Lake Wetlands Mitigation Bank (A-22) | Lassen | portions of Lassen, Modoc, and Plumas | 3/6/2001 | USACOE, USEPA, USFWS, Caltrans, CDFG | 300 | 92 (proposed ¹) | 17 | 0 | 17 ² |
| Horn Mitigation Bank (A-24) | Sonoma | a portion of Sonoma | 5/17/2006 | USACOE, USEPA, USFWS, CDFG | 32.52 | 16.0 | 16.0 | 1.15 | 14.85 (as of Apr 2007) |
| Kimball Island Mitigation Bank (A-26) | Sacramento | depending on the service area, portions of Sacramento, Alameda, Contra Costa, San Joaquin, Solano, Yolo | 3/31/1998 | USACOE, USFWS, NMFS, CDFG | 109 | See Appendix A | See Appendix A | See Appendix A | See Appendix A |

Table 1. Overview of wetland mitigation banks in California. (continued)

| Name of Bank (Appendix page #) | County where bank is located | Service area counties (counties which the bank's service area overlaps) | Date the bank was created | Signatory agencies | Overall acreage of the bank | Wetland acreage established at the bank | # credits established | # credits sold | # credits remaining available for sale |
|---|------------------------------------|---|------------------------------------|---|--------------------------------------|--|--------------------------|-------------------|---|
| <p>¹ Habitat establishment work on 75 acres is expected to be completed in fall 2005.</p> <p>² Credits have not yet been released for sale. Credits will be released for sale when 17 additional acres of habitat establishment is completed.</p> | | | | | | | | | |
| Laguna (Carinalli) Mitigation Bank (A-29) | Sonoma | portions of Sonoma, Napa, Marin | 5/20/2001 | USACOE, USEPA, USFWS, CDFG | 28 | 5.5 | 55 | 55 | 0 (as of Nov 2002) |
| Orchard Creek Conservation Bank (A-31) | Placer | portions of Sutter, Yuba, Nevada, Placer, and Sacramento | 1/22/1997 | USFWS, CDFG | 632.2 | 25.35 | 74.556 | 74.552 | 0.004 (as of Dec 2003) |
| Pilgrim Creek Mitigation Bank (A-34) | San Diego | a portion of San Diego | 3/16/2000 | USACOE, CDFG, Caltrans, SANDAG | 121 | 49.8 | 49.8 | 43.39 | 6.41 (as of May 2007) |
| Rancho Jamul Mitigation Bank (A-37) | San Diego | a portion of San Diego | 11/29/2000 | USACOE, USEPA, USFWS, CDFG | 109 | 56.57 | 56.34 | 33.235 | 14.521 (as of Apr 2007) |
| Southwest Santa Rosa Vernal Pool Preservation Bank (A-40) | Sonoma | Sonoma | 6/2/1997 | USACOE, USEPA, USFWS, CDFG | 39.4 | 4.3 | 251.24 | 251.24 | 0 (as of Jul 2002) |

Table 1. Overview of wetland mitigation banks in California. (continued)

| Name of Bank (Appendix page #) | County where bank is located | Service area counties (counties which the bank's service area overlaps) | Date the bank was created | Signatory agencies | Overall acreage of the bank | Wetland acreage established at the bank | # credits established | # credits sold | # credits remaining available for sale |
|---|------------------------------------|---|------------------------------------|-------------------------------------|--------------------------------------|--|--------------------------|-------------------|---|
| Springtown Natural Communities Reserve (A-42) | Alameda | portions of Alameda, Contra Costa, Santa Clara, Santa Cruz, San Mateo, San Francisco, Marin, Solano, Napa, Sacramento, San Joaquin, Stanislaus | 1/17/1997 | CDFG | 51.74 | 34.33 | 517.4 | 246.1 | 271.3 (as of Jul 2007) |
| Stillwater Plains Mitigation Bank (A-44) | Shasta | Primary service area: portions of Shasta and Tehama Special status plants service area: portions of Shasta, Tehama, Butte, Yuba, Sutter | 5/8/2000 | USACOE, USEPA, USFWS, CDFG | 834 | 15.924 | 65.024 | 18.442 | 46.582 (as of 2/2005) |
| Swift-Turner Mitigation Bank (A-47) | Sonoma | a portion of Sonoma county | 12/1/2006 | USACOE, USEPA, USFWS, CDFG | 34.18 | 0 (preservation only, 7.44 acres) | 7.44 | 0 | 0 |
| Wikiup Mitigation Bank (A-49) | Sonoma | portions of Sonoma, Napa, and Marin | 7/28/1995 | USACOE, USEPA, USFWS, CDFG | 12 | 6 | 60 | 60 | 0 (as of Oct 1999) |
| Wildlands Mitigation Bank (A-51) | Placer | Sutter and portions of Glenn, Colusa, Butte, Yuba, Nevada, Placer, El Dorado, San Joaquin, Solano, Yolo, Sacramento | 10/14/1994 | USACOE, USFWS, CDFG | 615 | 312.97 | 334.069 | 284.33 | 49.74 (as of Dec 2006) |

Table 1. Overview of wetland mitigation banks in California. (continued)

| Name of Bank (Appendix page #) | County where bank is located | Service area counties (counties which the bank's service area overlaps) | Date the bank was created | Signatory agencies | Overall acreage of the bank | Wetland acreage established at the bank | # credits established | # credits sold | # credits remaining available for sale |
|--|------------------------------------|---|------------------------------------|-------------------------------------|--------------------------------------|--|--------------------------|--------------------|---|
| Wright Mitigation Bank (A-57) | Sonoma | All of Sonoma | 12/4/1997 | USACOE, USEPA, USFWS, CDFG | 174 | 0 (preservation only, 48.5 acres) | 600 ³ | 125.5 ³ | 0 ³ (as of Sep 2004) |
| <p>³ The 600 credits were combination wetland/CTS credits. 125.5 were sold as wetland credits and 474.5 were sold as CTS credits.</p> | | | | | | | | | |

Appendix A. Wetland Mitigation Banks in California, August 2007

Barry Jones Wetland Mitigation Bank

Contact Information:

Bank Owner: RBV Mitigation Credits
Attn: Karin T. Krogius
Address: 2121 E. Pacific Coast Hwy, Ste 290
City, State, Zip: Corona del Mar, CA 92625
Phone Number: (949) 640-6002

Bank Operator: Same as Bank Owner

For information about credit sales:

McCollum Associates
Michael McCollum
10196 Clover Ranch Drive
Sacramento, CA 95829-6574
(916) 688-2040

Website: www.mccollum.com/Mitbanks.htm

Bank Information:

| | |
|--------------------------------------|--|
| Bank Creation Date: 3/16/1998 | Total Credits Established: 136.0 |
| Total Bank Acreage: 140 | Total Credits Sold: 29.45 |
| | Total Credits Remaining For Sale: 106.55 (as of Dec 2006) |

General location of the bank: Riverside County, approximately 35 miles south of the City of Riverside and approximately 39 miles north of the City of Escondido

Service Area Description: western boundary is the Riverside County line; northern boundary is the Riverside County line to San Timoteo Canyon Road; southern boundary is the Riverside County line to State Hwy 79; eastern boundary - no description available

Service Area Counties: western Riverside County

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: Management Account (funded by the Bank Operator)
Financial Assurances for Maintenance Period: Management Account (funded by the Bank Operator)
Financial Assurances for Long-term management: Endowment

Signatory Agencies: US Army Corps of Engineers, US Fish & Wildlife Service, CA Department of Fish and Game

Biological Information:

Bank Site Goals

Maintain the overall diversity of the native flora and fauna within the Skunk Hollow Preserve.

Percentage of Goals Achieved

Overall the habitat remains preserved and functioning as intended.

Barry Jones Wetland Mitigation Bank (continued)

Biological Information: (continued)

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Fish and wildlife Habitat
Short-term water storage

Functions Created at the Bank Site

Plant habitat
Fish and wildlife Habitat
Short-term water storage

Total Wetland Acres Established: 0 (preservation only)

Total Wetland Acres (preservation only): 33.0

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): N/A - preservation bank

Annual monitoring requirement: 30 years

Annual monitoring completed: Data not available*

Success criteria fully met (date): N/A - no success criteria established since no habitat establishment will be conducted (preservation bank).

Current status of established wetland habitat: N/A - no habitat establishment (preservation bank).

Characteristic vegetation types and amounts remain intact, hydrological function is as expected, and desired animal species have been observed. Overall the habitat continues to be preserved as intended.

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

Data not reported¹

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|-------------------------|------------------------|-------------------------|------------------------|
| Private Party | 3.2 | Private Party | 1.5 |
| Private Party | 1.3 | Private Party | 1.1 |
| Private Party | 1.0 | Private Party | 0.5 |
| Private Party | 0.7 | Private Party | 0.25 |
| Private Party | 0.5 | Private Party | 1.0 |

(continued)

* Information not available at the time this report was produced.

Barry Jones Wetland Mitigation Bank (continued)

Operational Information (continued):

Credit Sales Summary (continued):

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|-------------------------|------------------------|-------------------------|------------------------|
| Private Party | 1.52 | Private Party | 0.88 |
| Private Party | 1.1 | Private Party | 1.0 |
| Private Party | 2.3 | Private Party | 1.0 |
| Private Party | 1.0 | Private Party | 1.0 |
| Private Party | 0.5 | Private Party | 0.5 |
| Private Party | 1.0 | Private Party | 2.0 |
| Private Party | 2.0 | Private Party | 1.0 |
| Private Party | 0.1 | Private Party | 1.5 |

Total Credits Sold: 29.45

Bryte Ranch Conservation Bank

Contact Information:

Bank Owner: Johnson-Hughes-Beckett

Bank Operator: Stephen French
Charter Properties
4111 Lusk Drive
Sacramento, CA 95864
(916) 489-6600
french2u@comcast.net

Address:

City, State, Zip: Sacramento, CA

Phone Number:

Bank Information:

Bank Creation Date: 12/21/2001

Total Credits Established: 157.845

Total Bank Acreage: 573

Total Credits Sold: 67.431

Total Credits Remaining For Sale: 90.414

(as of Oct 2005)

General location of the bank: Sacramento County, extending north from the intersection of Calvine and Grant Line Roads.

Service Area Description: Beginning at the southwest corner, the service area begins at the Intersection of Snodgrass Slough and the Mokelumne River (at the Sacramento/San Joaquin County line) along Highway J11; proceeds east along the Sacramento-San Joaquin County boundary to Amador County; south along the Amador-San Joaquin County line to Calaveras County; east along the Calaveras-Amador County line to the 2500-foot elevation contour; north along the 2500-foot elevation contour through Amador, El Dorado, and Placer counties to Interstate 80 in Placer County; southwest along Interstate 80 to the King Road exit in Placer County; west to Sunset Boulevard and along Sunset Boulevard to a point that lines up with Watt Avenue (Watt Avenue does not actually come this far north); south along this line and Watt Avenue to Interstate 80; southwest along Interstate 80 to Business 80; southwest along Business 80 to Highway 50; west on Highway 50 to the Sacramento River; and south along the Sacramento River to its intersection with Snodgrass Slough at Highway J11.

Service Area Counties: portions of Sacramento, Placer, El Dorado, and Amador counties

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: N/A (preservation only, no habitat establishment work was done)

Financial Assurances for Maintenance Period: Contingency Security Account (interest-bearing checking account funded by the Bank Operator)

Financial Assurances for Long-term management: Endowment

Signatory Agencies: US Fish & Wildlife Service, CA Department of Fish and Game

Bryte Ranch Conservation Bank (continued)

Biological Information:

Bank Site Goals

Maintain in perpetuity, existing biological values for the benefit of the federally listed and other special status species and the habitats on which they depend.

Percentage of Goals Achieved

The property is in a stable condition and there have been no external changes to alter the biological values of the property. (as of Jan 2004)

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Fish and wildlife habitat
Short-term water storage

Functions Created at the Bank Site

Plant habitat
Fish and wildlife habitat
Short-term water storage

Total Wetland Acres Established: 0 (preservation only)

Total Wetland Acres (preservation only): 166.94

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): N/A - preservation bank

Annual monitoring requirement: none specified

Annual monitoring completed: One year (2004)

Success criteria fully met (date): N/A - no success criteria established since no habitat establishment will be conducted (preservation bank).

Current status of established wetland habitat: N/A - no habitat establishment (preservation bank).

Status of preserved wetland habitat: The habitat is stable and seasonally normal (as of January 2004).

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

Data not reported¹

Bryte Ranch Conservation Bank (continued)

Operational Information (continued):

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|-------------------------|------------------------|-------------------------|------------------------|
| Private Party | 8.850 | Private Party | 2.830 |
| Private Party | 0.280 | Private Party | 0.980 |
| Private Party | 0.840 | Private Party | 0.566 |
| Private Party | 0.520 | Private Party | 0.240 |
| Private Party | 0.300 | Private Party | 1.320 |
| Private Party | 1.340 | Private Party | 4.250 |
| Private Party | 0.100 | Private Party | 0.120 |
| Private Party | 0.034 | Private Party | 7.969 |
| Private Party | 0.740 | Private Party | 0.040 |
| Private Party | 1.520 | Private Party | 8.125 |
| Private Party | 1.560 | Private Party | 0.800 |
| Private Party | 0.046 | Private Party | 0.270 |
| Private Party | 1.300 | Private Party | 0.042 |
| Private Party | 10.149 | Private Party | 10.340 |
| Private Party | 0.040 | Private Party | 0.140 |
| Private Party | 0.060 | Private Party | 0.034 |
| Private Party | 1.006 | Private Party | 0.160 |
| Government | 0.520 | | |

Total Credits Sold: 67.431

Burdell Ranch Wetland Mitigation Bank

Contact Information:

| | |
|--|---|
| Bank Owner: Mount Burdell Enterprises James McKenney | Bank Operator: Mount Burdell Enterprises Tony Georges |
| Address: 365 Bel Marin Keys Blvd., Ste 100 | Address: P.O. Box 2039 |
| City, State, Zip: Novato, CA 94949 | City, State, Zip: Mill Valley, CA 94942 |
| Phone Number: (415) 884-2164 | Phone Number: (415) 454-4151 |
| | Website: http://www.burdell.net/Wetland.htm |

Bank Information:

| | |
|--------------------------------------|---|
| Bank Creation Date: 9/12/2001 | Total Credits Established: 241 |
| Total Bank Acreage: 82.7* | Total Credits Sold: 76 |
| | Total Credits Remaining For Sale: 165 (as of Dec 2006) |

General location of the bank: Northern Marin County east of Highway 101 approximately 25 miles north of San Francisco and 7 miles south of Petaluma

Service Area Description: Marin County, exclusive of any areas west or south of State Route 1; Sonoma County within the Petaluma River and Walker Creek drainages and in the Sonoma Creek drainage from approximately the Town of Sonoma south; Napa County from the City of Napa west; Solano County from the City of Vallejo (Napa River drainage only) west; and Contra Cost County bordering San Pablo Bay lying between the Carquinez and Richmond-San Rafael bridges, with an inland boundary of Interstate 80 on the east and Cutting Boulevard and Interstate 580 on the south.

Service Area Counties: portions of Sonoma, Napa, Marin, Solano, and Contra Costa

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: Performance Bond
Financial Assurances for Maintenance Period: Performance Bond
Financial Assurances for Long-term management: Endowment

Signatory Agencies: US Army Corps of Engineers, US Environmental Protection Agency, US Fish & Wildlife Service, CA Department of Fish and Game

Biological Information:

Bank Site Goals

Restore/enhance seasonal marsh, marsh riparian and native grassland/upland

Percentage of Goals Achieved

Hydrological performance has been met for 24.1 acres of constructed wetland habitat (Oct 2003).
Soils criteria have been met (Oct 2003).
Vegetation criteria were met for Year 2 (2004).

* The bank site was reconfigured in 2001.

Burdell Ranch Wetland Mitigation Bank (continued)

Biological Information: (continued)

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Wildlife habitat
Short-term water storage
Maintenance of high-water table

Functions Created at the Bank Site

Plant habitat and diversity
Wildlife habitat
Short-term water storage
Maintenance of high-water table

Total Wetland Acres Established: 24.1

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): December 2001 – October 2002

Annual monitoring requirement: Years 1-5 or until two consecutive years of success (all criteria)

Annual monitoring completed: 2 years

Success criteria fully met (date): N/A – monitoring still in progress. Hydrology met for 24.1 acres of constructed wetland in 2003. Vegetation criteria met for Year 2 (2004).

Current status of established wetland habitat: Succeeding, as of 2004. Hydrological conditions have been met, as of 2003. As of 2004, constructed wetlands had developed vegetative characteristics comparable to reference wetlands and were continuing to progress toward fully meeting the success criteria.

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

Data not reported¹

Burdell Ranch Wetland Mitigation Bank (continued)

Operational Information (continued):

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|----------------------------|------------------------|-------------------------|------------------------|
| Private Party | 2.0 | Government | 2.0 |
| Private Party | 17.0 | Government | 2.0 |
| Private Party | 12.0 | | |
| Private Party | 13.0 | | |
| Private Party | 4.0 | | |
| Private Party | 2.0 | | |
| Private Party | 1.0 | | |
| Private Party | 8.0 | | |
| Private Party | 1.0 | | |
| Private Party | 2.0 | | |
| Private Party | 6.0 | | |
| Private Party | 4.0 | | |
| Total Credits Sold: | 76.0 | | |

Clay Station Mitigation Bank

Contact Information:

Bank Owner: Elliot Homes, Inc.
Address: 2930 E. Bidwell St.
City, State, Zip: Folsom, CA 95630
Phone Number: (916) 984-1300

Bank Operator: ECORP Consulting, Inc.
Bjorn Gregersen
Address: 2525 Warren Drive
City, State, Zip: Rocklin, CA 95677
Phone Number: (916) 782-9100
Website: <http://www.ecorpconsulting.com/hab.shtml>

Bank Information:

Bank Creation Date: 7/28/1999

Total Bank Credits Established: 86.95
Phase I 38.05
Phase II/III 48.9
(as of May 2004)

Total Bank Acreage: 405
Phase I 168
Phase II/III 237

Total Credits Released for Sale: 55.13 (as of May 2004)
Total Credits Sold: 53.80
Total Credits Remaining For Sale: 1.33 (as of May 2004)

General location of the bank: southern Sacramento County, approximately 25 miles southeast of the City of Sacramento, on Clay Station Road, and adjacent to Laguna and Brown's Creeks

Service Area Description: Ecological Subsections* 262Ag (Hardpan Terraces), M261 (Lower Foothills Metamorphic Belt), the portion of 262Ao (Camanche Terraces) north of the Mokelumne River, and with the additional limits of the Mokelumne River to the south, U.S. Interstate 5 to the west, the northern extent of the boundary of Placer County to the north, and the 1500 foot elevation to the east.

Service Area Counties: portions of Sacramento, Placer, El Dorado, Sutter, Amador, San Joaquin

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: Phase I - None; Phase II, & III - Performance Bond
Financial Assurances for Maintenance Period: Phase I, II, & III - Performance Bond
Financial Assurances for Long-term management: Phase I, II, & III - Endowment

Signatory Agencies: US Army Corps of Engineers, US Environmental Protection Agency, US Fish & Wildlife Service, CA Department of Fish and Game

Biological Information:

Bank Site Goals

Create/restore/enhance vernal pools and seasonal marsh, provide habitat connectivity

Percentage of Goals Achieved

Phase I - 100%
Phase II/III: as of 2003, 49% of the established vernal pools and 33% of the established seasonal marsh habitat have met the success criteria.

* USDA Forest Service. 1997. Ecological Subregions of California. Section and subsection descriptions. R5-EM-TP-005. September 1997.

Clay Station Mitigation Bank (continued)

Biological Information: (continued)

Wetland Habitat Functions:

Functions Before Bank Creation

Little or no habitat function

Functions Created at the Bank Site

Plant habitat

Fish and wildlife habitat

Short-term water storage

Total Wetland Acres Established: 86.95
Phase I: 38.05 (created)
Phase II/III: 48.9 (created)

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): Phase I - October 1994; Phase II/III - Aug 1999

Annual monitoring requirement: 5 years (all Phases)

Annual monitoring completed: Phase I - 5 years; additional monitoring conducted 1 year
Phase II/III - 4 years (2000, 2001, 2002, 2003)

Success criteria fully met (date): Phase I - 2000; Phase II/III - as of 2003, 49% of the established vernal pools and 33% of the established seasonal marsh habitat have met all the success criteria, and the rest of the habitat has met at least half of the success criteria.

Current status of established wetland habitat: Succeeding after additional habitat work completed. Hydrological conditions have been met, target vegetation types and amounts have been established, desired animal species have been observed, and overall the habitat is developing and functioning as intended.

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

Data not reported¹

Clay Station Mitigation Bank (continued)

Operational Information: (continued)

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|----------------------------|------------------------|-------------------------|------------------------|
| Private Party | 0.74 | Private Party | 2.08 |
| Private Party | 1.88 | Private Party | 0.02 |
| Private Party | 23.54 | Private Party | 0.25 |
| Private Party | 0.04 | Private Party | 2.52 |
| Private Party | 1.18 | Private Party | 0.88 |
| Private Party | 2.20 | Private Party | 1.64 |
| Private Party | 0.14 | Private Party | 0.36 |
| Private Party | 1.47 | Private Party | 0.26 |
| Private Party | 1.84 | Private Party | 0.66 |
| Private Party | 0.02 | Private Party | 0.10 |
| Private Party | 6.09 | Private Party | 0.15 |
| Private Party | 0.21 | Private Party | 4.00 |
| Private Party | 0.78 | | |
| Government | 0.75 | | |
| Total Credits Sold: | 53.80 | | |

Cottonwood Creek Wetland Mitigation Bank

Contact Information:

Bank Owner: CA Department of Fish and Game **Bank Operator:** Same as Bank Owner
Northern California - North Coast Region
Address: 601 Locust Street
City, State, Zip: Redding, CA 96001

Bank Information:

| | |
|--------------------------------------|---|
| Bank Creation Date: 5/23/1994 | Total Credits Established: 23.9 |
| Total Bank Acreage: 90 | Total Credits Sold: 23.9 |
| | Total Credits Remaining For Sale: 0.0 (as of Sep 2001) |

General location of the bank: Shasta County, approximately 3 miles east of the town of Cottonwood, adjacent to the Mouth of Cottonwood Creek Wildlife Area and near the confluence of Cottonwood Creek and the Sacramento River

Service Area Description: the Sacramento Valley floor within Shasta and Tehama Counties
Service Area Counties: portions of Shasta and Tehama

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: some of the funds generated from credit sales
Financial Assurances for Maintenance Period: some of the funds generated from credit sales
Financial Assurances for Long-term management: Endowment

Signatory Agencies: US Army Corps of Engineers, CA Department of Fish and Game

Biological Information:

Bank Site Goals

Restore wetlands, upland wildlife habitat; preserve valley oak habitat; maintain riparian habitat

Percentage of Goals Achieved

All but one of the created wetland habitats were meeting success criteria (as of May 2001 monitoring).

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Fish and wildlife habitat
Short-term water storage

Functions Created at the Bank Site

Plant habitat
Fish and wildlife habitat
Short-term water storage
Long-term water storage

Cottonwood Creek Wetland Mitigation Bank (continued)

Biological Information: (continued)

Total Wetland Acres Established: 22.21 (created/restored)

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): 1996, 1999, 2000, 2001

Annual monitoring requirement: 5 years on each individual wetland built

Annual monitoring completed: 5 years on the first wetlands built (1997-98, 1998-99, 1999-2000, 2000-01, 2001-02)

Success criteria fully met (date): Fifth year monitoring data for the wetlands constructed in 1996 is still being processed. Monitoring still in progress on the other constructed wetlands.

Current status of established wetland habitat: Of the eight individual wetlands constructed, six have met hydrological function criteria and the annual target vegetation criteria. The other two wetlands need some additional habitat work.

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

14.85

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|-------------------------|------------------------|-------------------------|------------------------|
| Private Party | 0.52 | Private Party | 0.93 |
| Private Party | 1.15 | Private Party | 0.38 |
| Private Party | 0.20 | Private Party | 1.08 |
| Private Party | 2.46 | Private Party | 0.48 |
| Private Party | 0.08 | Private Party | 0.028 |
| Private Party | 1.32 | Private Party | 0.196 |
| Private Party | 0.93 | Private Party | 1.91 |
| Private Party | 2.00 | Private Party | 0.615 |
| Private Party | 1.33 | Private Party | 0.106 |
| Private Party | 8.00 | | |
| Government | 0.186 | | |

Total Credits Sold: 23.9

Desmond Mitigation Bank

Contact Information:

Bank Owner: Christopher and Annie Desmond **Bank Operator:** Same as Owner
Address: 4801 Llano Road
City, State, Zip: Sebastopol, CA 95472
Phone Number: (707) 824-9100

Bank Information:

| | |
|--------------------------------------|---|
| Bank Creation Date: 9/14/2005 | Total Credits Established: 24.7 |
| | Preservation: 13.6 |
| | Creation: 11.1 |
| Total Bank Acreage: 48.3 | Total Credits Sold: 3.35 |
| | Total Credits Remaining For Sale: 21.35 (as of May 2007) |

General location of the bank: Sonoma County, at 4801 Llano Road in an unincorporated area near the City of Sebastopol. The site is immediately southwest of the Laguna de Santa Rosa and immediately northwest of Llano Road.

Service Area Description: The central and southern portions of the Santa Rosa Plain.

Service Area Counties: a portion of Sonoma County

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: Performance Security (Letter of Credit)
Financial Assurances for Maintenance Period: Contingency Security (form not specified)
Financial Assurances for Long-term management: Endowment

Signatory Agencies: US Army Corps of Engineers, US Environmental Protection Agency, US Fish & Wildlife Service, CA Department of Fish and Game

Biological Information:

Bank Site Goals

Preserve existing seasonal wetland, perennial seep, and riparian habitat.
Create additional seasonal wetland habitat.

Percentage of Goals Achieved

Preservation accomplished.
Status of habitat creation unknown.

Desmond Mitigation Bank (continued)

Biological Information: (continued)

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Wildlife habitat
Short-term water storage
Maintenance of high-water table

Functions Created at the Bank Site

Plant habitat and diversity
Wildlife habitat
Short-term water storage
Maintenance of high-water table

Total Wetland Acres Established: 11.1
(Wetland acres preserved : 13.6)

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): Data not available*

Annual monitoring requirement: 5 years and at least until specified success criteria are met

Annual monitoring completed: Data not available*

Success criteria fully met (date): N/A – monitoring still in progress.

Current status of established wetland habitat: Data not available*

Operational Information:

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: |
|-------------------------|------------------------|
| Private Party | 0.9 |
| Private Party | 0.15 |
| Private Party | 0.7 |
| Private Party | 0.9 |
| Private Party | 0.11 |
| Private Party | 0.19 |
| Private Party | 0.15 |
| Private Party | 0.15 |
| Private Party | 0.05 |
| Private Party | 0.05 |

Total Credits Sold: 3.35

* Information not available at the time this report was produced.

Dolan Ranch Conservation Bank

Contact Information:

Bank Owner: Wildlands, Inc.
Address: 3855 Atherton Rd.
City, State, Zip: Rocklin, CA 95765-3715
Phone Number: (916) 435-3555

Bank Operator: Same as Owner

Website: <http://www.wildlandsinc.com>

Bank Information:

Bank Creation Date: 1/12/1999
Total Bank Acreage: 252

Total Credits Established: 33.1
Total Credits Sold: 21.658
Total Credits Remaining For Sale: 11.442
(as of Jan 2007)

General location of the bank: Colusa County, approximately three miles southeast of the City of Colusa in Colusa County, approximately two and one half miles east of the Colusa National Wildlife Refuge, and approximately one third mile southwest of the Sacramento River.

Service Area Description: for vernal pool preservation credits: mostly within Colusa, Yolo, and Solano counties, but also includes small portions of Glenn, Butte, and Sutter counties.

Service Area Counties: for vernal pool preservation credits: portions of Colusa, Glenn, Butte, Sutter, Yolo, and Solano

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: N/A (wetlands preservation only)

Financial Assurances for Maintenance Period: not specified

Financial Assurances for Long-term management: Endowment

Signatory Agencies: US Fish & Wildlife Service, CA Department of Fish and Game

Biological Information:

Bank Site Goals

Protect vernal pool and emergent marsh habitat and special-status species.

Percentage of Goals Achieved

The management and subsequent condition of the site are consistent with the habitat preservation objectives.

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Fish and wildlife habitat
Short-term water storage

Functions Created at the Bank Site

Plant habitat
Fish and wildlife habitat
Short-term water storage

Total Wetland Acres Established: 0 (preservation only)

Total Wetland Acres (preservation only): 47.59

Dolan Ranch Conservation Bank (continued)

Biological Information (continued):

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): N/A - preservation bank

Annual monitoring requirement: 7 years (non-consecutive), then every 10 years in perpetuity

Annual monitoring completed: 4 years (2003, 2004, 2005, 2006)

Success criteria fully met (date): N/A - no success criteria established since no habitat establishment will be conducted (preservation bank).

Current status of established wetland habitat: N/A - no habitat establishment (preservation bank). The natural resources and habitat values continue to be sustained.

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

Data not reported¹

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | #Credits Sold: |
|----------------------------|------------------------|-------------------------|-----------------------|
| Government | 0.180 | Private Party | 0.50 |
| Government | 0.008 | Private Party | 0.21 |
| Government | 16.8 | Private Party | 0.30 |
| Government | 3.0 | Private Party | 0.10 |
| Government | 0.560 | | |
| Total Credits Sold: | 21.658 | | |

Hazel Mitigation Bank

Contact Information:

Bank Owner: Hazel Mitigation Preserve, LLC **Bank Operator:** Same as Bank Owner
Address: 336 Bon Air Center, Box 232
City, State, Zip: Greenbrae, CA 94904
Phone Number: (415) 472-1086

Bank Information:

| | |
|-------------------------------------|--|
| Bank Creation Date: 5/3/2006 | Total Credits Established: 29.87 |
| Total Bank Acreage: 101 | Total Credits Sold: 12.9 |
| | Phase 1: 4.47 |
| | Phase 2: 8.43 |
| | Total Credits Remaining For Sale: 1.99 (as of Mar 2007) |
| | (based on credits released) |

General location of the bank: Sonoma County, at 4589 and 4645 Arlington Avenue, Santa Rosa, in the southwest part of the Santa Rosa Plain.

Service Area Description: the Santa Rosa Plain
Service Area Counties: portions of Sonoma

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: Performance Security (Letter of Credit)
Financial Assurances for Maintenance Period: Contingency Security (Letter of Credit)
Financial Assurances for Long-term management: Endowment

Signatory Agencies: US Army Corps of Engineers, US Environmental Protection Agency, US Fish & Wildlife Service, CA Department of Fish and Game

Biological Information:

Bank Site Goals

An ecologically sound preserve with a self-sustaining ecosystem.

Percentage of Goals Achieved

First year monitoring information not yet available.

Hazel Mitigation Bank (continued)

Biological Information: (continued)

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Wildlife habitat
Short-term water storage
Maintenance of high-water table

Functions Created at the Bank Site

Plant habitat and diversity
Wildlife habitat
Short-term water storage
Maintenance of high-water table

Total Wetland Acres Established: 31.25

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): Aug 9, 2006

Annual monitoring requirement: 5 years (and more if any remediation is done)

Annual monitoring completed: 1 year

Success criteria fully met (date): N/A – monitoring still in progress.

Current status of established wetland habitat: Data not available*

* Information not available at the time this report was produced.

Hazel Mitigation Bank (continued)

Operational Information:

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|----------------------------|------------------------|-------------------------|------------------------|
| Private Party | 0.20 | Private Party | 1.00 |
| Private Party | 1.52 | Private Party | 1.00 |
| Private Party | 0.20 | Private Party | 1.48 |
| Private Party | 0.50 | Private Party | 3.00 |
| Private Party | 0.20 | Private Party | 0.05 |
| Private Party | 0.10 | Private Party | 0.50 |
| Private Party | 0.50 | Private Party | 1.00 |
| Private Party | 0.35 | Private Party | 0.05 |
| Private Party | 0.35 | Private Party | 0.35 |
| Private Party | 0.25 | | |
| Private Party | 0.10 | | |
| Private Party | 0.10 | | |
| Private Party | 0.10 | | |
| Total Credits Sold: | 12.9 | | |

Honey Lake Wetlands Mitigation Bank

Contact Information:

Bank Owner: CA Department of Fish and Game **Bank Operator:** Same as Owner
Northern California - North Coast Region
Address: 601 Locust Street
City, State, Zip: Redding, CA 96001
Phone Number: (530) 225-2300

Bank Information:

| | |
|-------------------------------------|--|
| Bank Creation Date: 3/6/2001 | Total Credits Established: 17.0* |
| Total Bank Acreage: 300 | Total Credits Sold: 0.0 |
| | Total Credits Remaining For Sale: 17.0** (as of May 2007) |

General location of the bank: Lassen County, southeast of the City of Susanville, adjacent to the west boundary of the Dakin Unit of the Honey Lake Wildlife Area

Service Area Description: the area encompassing the overlap of the Modoc Plateau Region of the Great Basin Floristic Province with the jurisdictional boundaries of the U.S. Army Corps of Engineers - Sacramento District and the Central Valley and Lahontan Regional Water Quality Control Boards

Service Area Counties: portions of Lassen, Modoc, and Plumas

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: Operation/Maintenance Fund consisting of funds from DFG and Caltrans agency funds and some of the funds generated by credit sales
Financial Assurances for Maintenance Period: Operation/Maintenance Fund consisting of funds from DFG and Caltrans agency funds and some of the funds generated by credit sales
Financial Assurances for Long-term management: Endowment

Signatory Agencies: US Army Corps of Engineers, US Environmental Protection Agency, US Fish & Wildlife Service, CA Department of Fish and Game, CA Department of Transportation (Caltrans)

Biological Information:

Bank Site Goals

Restore/enhance/create emergent wetlands, provide habitat for migrating waterfowl and other wetland associated flora and fauna

Percentage of Goals Achieved

Habitat establishment is in progress on 75 acres. No monitoring has been done yet because the habitat establishment work has not yet been fully completed.

* The number of credits that will be available for sale to the public. The total number of credits agreed to in the Bank Enabling Instrument is 92, with 75 credits for use by the bank Co-Sponsor, Caltrans, and 17 credits for sale to the public.

** Credits have not yet been released for sale.

Honey Lake Wetlands Mitigation Bank (continued)

Biological Information: (continued)

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Fish and wildlife habitat
Short-term water storage
Maintenance of high-water table

Functions Created at the Bank Site

Information not available

Total Wetland Acres Established: 92 proposed created (75 acres in progress)

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): Data not available*

Annual monitoring requirement: 5 years

Annual monitoring completed: Data not available*

Success criteria met (date): Data not available*

Current status of established wetland habitat: Habitat construction (75 acres) completed in 2004. Planting will be conducted in fall 2005.

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

Data not reported¹

Credit Sales Summary:

Credits Sold To: **# Credits Sold:**

Credits are not yet available for sale.**

Total Credits Sold: 0.0

* Information not available at the time this report was produced.

** Credits have not yet been released for sale.

Horn Mitigation Bank

Contact Information:

Bank Owner: Horn Avenue LLC
c/o TDG Engineers
3289 Regional Parkway
Santa Rosa, CA 95403
(707) 577-0425

Bank Operator: Same as Bank Owner

Bank Information:

| | |
|--------------------------------------|---|
| Bank Creation Date: 5/17/2006 | Total Credits Established: 16.0 |
| | Phase 1: 5.0 |
| Total Bank Acreage: 32.52 | Phase 2: 6.5 |
| | Phase 3: 4.5 |
| | Total Credits Sold: 1.15 |
| | Total Credits Remaining For Sale: 14.85 (as of Apr 2007) |

General location of the bank: Sonoma County, southeastern edge of the City of Santa Rosa, in central Sonoma County.

Service Area Description: Southern and central parts of the Santa Rosa Plain (Cotati to Airport Blvd.) as portrayed by the Programmatic Consultation between the U.S. Fish and Wildlife Service and the U.S. Army Corps of Engineers.

Service Area Counties: a portion of Sonoma county

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: Performance Security (Letter of Credit)
Financial Assurances for Maintenance Period: Contingency Security
Financial Assurances for Long-term management: Endowment

Signatory Agencies: US Army Corps of Engineers, US Environmental Protection Agency, US Fish & Wildlife Service, CA Department of Fish and Game

Biological Information:

Bank Site Goals

Establish a wetland mitigation bank that provides a significant amount of newly constructed or restored seasonal wetlands.

Percentage of Goals Achieved

Information not available*.

* Information not available at the time this report was produced.

Horn Mitigation Bank (continued)

Biological Information: (continued)

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Wildlife habitat
Short-term water storage
Maintenance of high-water table

Functions Created at the Bank Site

Plant habitat and diversity
Wildlife habitat
Short-term water storage
Maintenance of high-water table

Total Wetland Acres Established: 16.0

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): October 2004

Annual monitoring requirement: 5 years and at least until specified success criteria are met

Annual monitoring completed: Data not available*

Success criteria fully met (date): N/A – monitoring still in progress.

Current status of established wetland habitat: Data not available*

Operational Information:

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|-------------------------|------------------------|-------------------------|------------------------|
| Private Party | 0.1 | Government | 0.55 |
| Private Party | 0.5 | | |

Total Credits Sold: 1.15

* Information not available at the time this report was produced.

Kimball Island Mitigation Bank

Contact Information:

Bank Owner: Wildlands, Inc.
Address: 3855 Atherton Rd.
City, State, Zip: Rocklin, CA 95765-3715
Phone Number: (916) 435-3555

Bank Operator: Same as Owner

Website: <http://www.wildlandsinc.com>

Bank Information:

Bank Creation Date: 3/31/1998
Total Bank Acreage: 109

Total Credits Established:

76.55 acres Emergent Marsh
11.06 acres Riverine Aquatic Bed
34,895 linear feet Shaded Riverine Aquatic
10.46 acres (57,009 linear feet) Riparian Habitat

Total Credits Sold: (as of May 2007)

76.55 acres Emergent Marsh
11.06 acres Riverine Aquatic Bed
34,895 linear feet Shaded Riverine Aquatic
1.046 acres Riparian Habitat

Total Credits Remaining For Sale: 0 (as of May 2007)

General location of the bank: Sacramento County, on Kimball Island which is located at the Sacramento-San Joaquin River confluence, along the south side of the Lower Sherman Island Wildlife Area and north of the City of Antioch

Service Area Description: The bank has four service areas:

- Service Area 1: the legal Delta within the boundary of the Sacramento District of the U.S. Army Corps of Engineers
- Service Area 2: the area bounded by the Sacramento River on the northwest, State Route 12 on the north, State Route 99 on the east, and the legal Delta boundary within the boundary of the Sacramento District of the U.S. Army Corps of Engineers
- Service Area 3: an area generally centered on the Delta
- Service Area 4: the Sacramento River to River Mile 200

Service Area Counties: portions of Sacramento, Alameda, Contra Costa, San Joaquin, Solano, Yolo, depending on the service area

Kimball Island Mitigation Bank (continued)

Bank Information: (continued)

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: Performance Bond

Financial Assurances for Maintenance Period: Combination Performance Bond and Letter of Credit

Financial Assurances for Long-term management: Endowment

Signatory Agencies: US Army Corps of Engineers, US Fish & Wildlife Service, National Marine Fisheries Service, CA Department of Fish and Game

Biological Information:

Bank Site Goals

Restore fish and wildlife habitat, provide and enhance habitat connectivity, diversity, and structure

Percentage of Goals Achieved

Habitat development is progressing as expected. All created habitats met or exceeded third year performance standards.

Wetland Habitat Functions:

Functions Before Bank Creation

Little or no habitat function
Short-term water storage

Functions Created at the Bank Site

Plant habitat
Fish and wildlife habitat
Short-term water storage

Total Wetland Acres Established (restored):

80.7 acres emergent marsh

10.64 acres riparian willow scrub

35,706 linear feet and 6.56 acres shaded riverine aquatic

11.67 acres riverine aquatic bed

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): 2000

Annual monitoring requirement: 5 years

Annual monitoring completed: 5 years (2001, 2002, 2003, 2004, 2005)

Success criteria fully met (date): June 2006

Current status of established wetland habitat: Target vegetation types and amounts are established, and overall the habitat is developing as intended.

Kimball Island Mitigation Bank (continued)

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

Data not reported¹

Credit Sales Summary:

Credits Sold To:

Credits Sold:

| | |
|---------------|--|
| Private Party | 41.891 acres Emergent Marsh |
| Private Party | 10.85 acres Riverine Aquatic Bed |
| Private Party | 5,010.89 linear feet Shaded Riverine Aquatic |
| Private Party | 0.548 acres Riparian Habitat |
| Government | 34.608 acres Emergent Marsh |
| Government | 0.22 acres Riverine Aquatic Bed |
| Government | 29,855 linear feet Shaded Riverine Aquatic |
| Government | 9.918 acres Riparian Habitat |

Total Credits Sold: (as of May 2007)

76.55* acres Emergent Marsh
11.06* acres Riverine Aquatic Bed
34,895 linear feet Shaded Riverine Aquatic
10.46 acres (57,009 linear feet) Riparian Habitat

* 29.11 acres Emergent Marsh and 0.052 acres of Riverine Aquatic Bed were closed out of the books unsold

Laguna (Carinalli) Mitigation Bank

Contact Information:

Bank Owner: Domenico and Lynda Carinalli
Address: 4905 Gravenstein Highway South
City, State, Zip: Sebastopol, CA 95472
Phone Number: (707) 795-7052

Bank Operator: Vernal Pool Technologies
Nathan Botwinik
Address: 475 Noonan Ranch Lane
City, State, Zip: Santa Rosa, CA 95403
Phone Number: (707) 569-9404
Website: www.wetlandservices.com/bank/html

Bank Information:

Bank Creation Date: 5/20/2001
Total Bank Acreage: 28

Total Credits Established: 55.0
Total Credits Sold: 55.0
Total Credits Remaining For Sale: 0.0 (as of Nov 2002)

General location of the bank: Sonoma County, at 2800 Llano Road; two miles southwest of the City of Santa Rosa and adjacent to Laguna de Santa Rosa

Service Area Description: the Santa Rosa Plain
Service Area Counties: portions of Sonoma, Napa, Marin

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: Other Security Interest*
Financial Assurances for Maintenance Period: Other Security Interest*
Financial Assurances for Long-term management: Endowment Fund

Signatory Agencies: US Army Corps of Engineers, US Environmental Protection Agency, US Fish & Wildlife Service, CA Department of Fish and Game

Biological Information:

Bank Site Goals

Restore/enhance vernal pools, valley oak savannah, and native grassland

Percentage of Goals Achieved

44%. Additional habitat work to be performed.

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Fish and wildlife habitat
Short-term water storage
Maintenance of high-water table

Functions Created at the Bank Site

Plant habitat
Fish and wildlife habitat
Short-term water storage
Maintenance of high-water table

* The term "other security interest" as used here, encompasses various assurance options, but is typically some form of a security interest in property such as a certificate of deposit or other cash equivalent, government or corporate bonds, a mortgage, etc. Some of these types of assurance options may have been accepted in the past, but are not currently accepted by the agencies.

Laguna (Carinalli) Mitigation Bank (continued)

Biological Information: (continued)

Total Wetland Acres Established: 5.5 (restored)

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): October 2000; additional habitat work to be performed

Annual monitoring requirement: 5 years

Annual monitoring completed: 3 years (2000-01, 2001-02, 2002-03)

Success criteria fully met (date): N/A - monitoring still in progress

Current status of established wetland habitat: 2.4 acres have been successfully established (2004).

3.1 acres were not meeting success criteria, and additional habitat work will be performed on property adjacent to the existing bank to establish a total of 5.5 acres.

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

1.9

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|----------------------------|------------------------|-------------------------|------------------------|
| Private Party | 10.0 | Private Party | 4.0 |
| Private Party | 8.5 | Private Party | 16.0 |
| Private Party | 1.0 | Private Party | 5.5 |
| Private Party | 6.0 | Private Party | 4.0 |
| Total Credits Sold: | 55.0 | | |

Orchard Creek Conservation Bank

Contact Information:

Bank Owner: Wildlands, Inc.
Address: 3855 Atherton Rd.
City, State, Zip: Rocklin, CA 95765-3715
Phone Number: (916) 435-3555

Bank Operator: Same as Owner

Website: <http://www.wildlandsinc.com>

Bank Information:

Bank Creation Date: 01/22/1997
Total Bank Acreage: 632.2

Total Credits Established: 74.556
Total Credits Sold: 74.552
Total Credits Remaining For Sale: 0.004
(as of Dec 2003)

General location of the bank: Placer County, generally northwest of the City of Roseville in Placer County; the site fronts on Industrial Avenue to the east and is near Athens Avenue to the south

Service Area Description: South boundary: the Highway 50/80 corridor. North boundary: an east-west line, set at the north boundary of the south eastern Sacramento Valley vernal pool region, as identified by DFG. East boundary: the 2500 foot elevation on the west slope of the Sierra Nevada mountain range. West boundary: the Sacramento River.

Service Area Counties: portions of Sutter, Yuba, Nevada, Placer, and Sacramento

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: N/A (wetlands preservation only)
Financial Assurances for Maintenance Period: Not Specified in the Agreement
Financial Assurances for Long-term management: Endowment

Signatory Agencies: US Fish & Wildlife Service, CA Department of Fish and Game

Biological Information:

Bank Site Goals

Preserve existing wetland and riparian habitat types in the area.

Create seasonal wetland and riparian habitat along Orchard Creek.

Percentage of Goals Achieved

The management and subsequent condition of the site are consistent with the habitat preservation objectives.

Created seasonal wetland habitat is progressing toward the 5-year goal for percentage of total cover.
Created riparian habitat has exceeded the 5-year goal for plant survival.

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Fish and wildlife habitat
Short-term water storage

Functions Created at the Bank Site

Plant habitat
Fish and wildlife habitat
Short-term water storage

Orchard Creek Conservation Bank (continued)

Biological Information: (continued)

Total Wetland Acres Established: 25.35
Total Wetland Acres Preserved: 85.1

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): fall/wtr 2003 (Riparian Corridor project at the bank)

Annual monitoring requirement: 5 years (Riparian Corridor project at the bank)

Annual monitoring completed: Three years (2004, 2005, 2006) on the Riparian Corridor project at the bank)

Success criteria fully met (date): (Riparian Corridor project at the bank - N/A - monitoring still in progress.)

Current status of established wetland habitat: Target vegetation types and amounts are established or are becoming established, and overall the habitat is developing as intended.

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

Data not reported¹

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | #Credits Sold: |
|-------------------------|------------------------|-------------------------|-----------------------|
| Government | 2.056 | Government | 0.100 |
| Government | 0.320 | Government | 0.180 |
| Government | 1.020 | Government | 1.060 |
| Government | 0.060 | Government | 0.216 |
| Government | 0.0206 | Government | 0.850 |
| Government | 1.700 | Government | 2.320 |
| Government | 0.016 | | |

(continued)

Orchard Creek Conservation Bank (continued)

Operational Information (continued):

Credit Sales Summary (continued):

| Credits Sold To: | # Credits Sold: | Credits Sold To: | #Credits Sold: |
|-------------------------|------------------------|-------------------------|-----------------------|
| Private Party | 0.064 | Private Party | 0.040 |
| Private Party | 1.473 | Private Party | 0.236 |
| Private Party | 0.371 | Private Party | 0.020 |
| Private Party | 0.520 | Private Party | 0.240 |
| Private Party | 0.200 | Private Party | 0.080 |
| Private Party | 0.460 | Private Party | 9.020 |
| Private Party | 0.008 | Private Party | 0.684 |
| Private Party | 1.380 | Private Party | 0.180 |
| Private Party | 1.980 | Private Party | 0.080 |
| Private Party | 0.040 | Private Party | 0.438 |
| Private Party | 1.395 | Private Party | 2.702 |
| Private Party | 0.240 | Private Party | 0.954 |
| Private Party | 11.040 | Private Party | 0.800 |
| Private Party | 0.100 | Private Party | 0.064 |
| Private Party | 0.006 | Private Party | 0.120 |
| Private Party | 1.080 | Private Party | 3.230 |
| Private Party | 0.210 | Private Party | 0.128 |
| Private Party | 0.720 | Private Party | 0.036 |
| Private Party | 0.964 | Private Party | 2.140 |
| Private Party | 0.220 | Private Party | 5.020 |
| Private Party | 0.906 | Private Party | 0.760 |
| Private Party | 0.448 | Private Party | 5.678 |
| Private Party | 0.360 | Private Party | 0.940 |
| Private Party | 0.758 | Private Party | 0.360 |
| Private Party | 0.460 | Private Party | 2.350 |
| Private Party | 0.120 | Private Party | 0.540 |
| Private Party | 1.810 | Private Party | 0.460 |

Total Credits Sold: 74.552

Pilgrim Creek Mitigation Bank

Contact Information:

Bank Owner: CA Department of Fish and Game **Bank Operator:** Same as Bank Owner
South Coast Region
Address: 4949 Viewridge Ave
City, State, Zip: San Diego, CA 92123
Phone Number: (858) 467-4201

Bank Credits are managed by SANDAG, Attn: Dean Hiatt, 401 B Street, Ste 800, San Diego, CA 92101-4231, (619) 699-6978, <http://www.sandag.org>

Bank Information:

| | |
|--------------------------------------|--|
| Bank Creation Date: 3/16/2000 | Total Credits Established: 49.8 |
| Total Bank Acreage: 121 | Total Credits Sold: 43.39 |
| | Total Credits Remaining For Sale: 6.41 (as of May 2007) |

General location of the bank: San Diego County, in Oceanside at the intersection of Douglas Drive and Via Cibola and east of Camp Pendleton

Service Area Description: the northern half of coastal San Diego County
Service Area Counties: a portion of San Diego County

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: No formal financial assurances. Caltrans funded habitat establishment activities
Financial Assurances for Maintenance Period: No formal financial assurances. Caltrans funded habitat establishment activities
Financial Assurances for Long-term management: Endowment

Signatory Agencies: US Army Corps of Engineers, CA Department of Fish and Game, CA Department of Transportation (Caltrans), San Diego Association of Governments

Biological Information:

Bank Site Goals

Restore freshwater marsh and willow
Scrub

Percentage of Goals Achieved

Habitat continues to develop as intended.
Desired vegetation continued to increase in Years 2 through 6. Target species are present.

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Short-term water storage
Nutrient cycling
Retention of inorganic sediments

Functions Created at the Bank Site

Plant habitat
Fish and wildlife habitat
Short-term water storage
Retention of inorganic sediments

Pilgrim Creek Mitigation Bank (continued)

Biological Information: (continued)

Total Wetland Acres Established: 49.8 (created/enhanced)

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): 1996

Annual monitoring requirement: 5 years

Annual monitoring completed: 6 years (1997-2003)

Success criteria fully met (date): 2004

Current status of established wetland habitat: Target vegetation types and amounts have become established, desired animal species have been observed, and overall the habitat continues to develop as intended.

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

13

Pilgrim Creek Mitigation Bank (continued)

Operational Information (continued):

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|----------------------------|------------------------|-------------------------|------------------------|
| Government | 27.8 | Private Party | 0.25 |
| Government | 1.20 | Private Party | 0.69 |
| Government | 1.60 | Private Party | 0.22 |
| Government | 1.41 | Private Party | 0.50 |
| Government | 1.00 | Private Party | 0.56 |
| Government | 0.90 | Private Party | 1.80 |
| Government | 0.85 | Private Party | 0.22 |
| Government | 0.48 | Private Party | 0.04 |
| Government | 1.19 | Private Party | 0.31 |
| Government | 0.04 | Private Party | 0.15 |
| | | Private Party | 0.34 |
| | | Private Party | 0.22 |
| | | Private Party | 0.30 |
| | | Private Party | 0.16 |
| | | Private Party | 0.66 |
| | | Private Party | 0.10 |
| | | Private Party | 0.40 |
| Total Credits Sold: | 43.39 | | |

Rancho Jamul Mitigation Bank

Contact Information:

Bank Owner: Wildlands, Inc.
Address: 3855 Atherton Rd.
City, State, Zip: Rocklin, CA 95765-3715
Phone Number: (916) 435-3555

Bank Operator: Same as Owner

Website: www.wildlandsinc.com

Bank Information:

Bank Creation Date: 11/29/2000
Total Bank Acreage: 109

| | |
|--|-------------------------|
| Total Credits Established: | 56.34 |
| Phase 1A | 47.76 |
| Phase 1B | 8.58 |
| Total Credits Sold: | 33.235 |
| Phase 1A | 28.114 |
| Phase 1B | 5.121 |
| Total Credits Remaining For Sale: | 14.521 (as of Apr 2007) |
| Phase 1A | 11.062 |
| Phase 1B | 3.459 |

General location of the bank: San Diego County, along Dulzura and Jamul Creeks on the Rancho Jamul Property bordering and south of Highway 94 and its junction with Otay Lakes Road

Service Area Description:

Primary Service Area: The area draining into San Diego Bay, including the Otay River, Sweetwater River, and Chollas Creek watersheds, for all in-kind mitigation of impacts to wetlands/waters of the U.S.

Secondary Service Area: The area draining into Mission Bay, including the San Diego River, Rose Creek, San Clemente Creek, and Tecolote Creek watersheds, for all in-kind mitigation in excess of 1:1 replacement for freshwater wetland, intermittent waters, and temporary impacts, or 2:1 replacement for jurisdictional riparian habitat.

Service Area Counties: a portion of San Diego County

Financial Assurance Type:

Financial Assurances for Wetlands Establishment ("Construction"): Performance Bond
Financial Assurances for Maintenance Period ("Habitat Establishment"): Contingency Security
Financial Assurances for Long-term management: Endowment

Signatory Agencies: US Army Corps of Engineers, US Environmental Protection Agency, US Fish & Wildlife Service, CA Department of Fish and Game

Rancho Jamul Mitigation Bank (continued)

Biological Information:

Bank Site Goals

Restore/enhance floodplain, riparian habitat connectivity; increase species diversity; assist in Least Bell's vireo recovery.

Percentage of Goals Achieved

Phase 1A: Met Year 3 success criteria for cover and Year 5 success criteria for species diversity
Phase 1B: Met success criteria for Year 3 and is expected to meet success criteria for Year 5.

Wetland Habitat Functions:

Functions Before Bank Creation

Little to no wildlife habitat function
Diverted and incised channel

Functions Created at the Bank Site

Plant habitat and diversity
Wildlife habitat
Short-term water storage
Maintenance of high-water table

Total Wetland Acres Established (enhanced/restored):

Phase 1A - 46.47 acres:

depressional wetland 4.70
riparian wetland 25.70
non-wetland waters/unvegetated streambed 0.85
enhancement of existing riparian wetland 8.02
oak riparian forest/sycamore woodland 7.20

Phase 1B – 10.1 acres:

depressional wetland 1.30
riparian wetland 8.80

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): Phase 1A - Feb. 2001
Phase 1B - Jan. 2003

Annual monitoring requirement: 1-5 years for each phase

Annual monitoring completed: 6 years for Phase 1A; 4 years for Phase 1B

Success criteria fully met (date): N/A - monitoring in progress.

Phase 1A: Monitoring results show Phase 1A meeting success criteria for Year 3 success criteria for cover and Year 5 success criteria for species diversity

Phase 1B: Monitoring results show Phase 1B meeting success criteria for Year 3 and is expected to meet success criteria for Year 5.

Current status of established wetland habitat: The established wetland habitat continues to develop and function as intended. Habitat enhancement activities (exotic vegetation removal) continue to be successful.

Rancho Jamul Mitigation Bank (continued)

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

Data not reported¹

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | #Credits Sold: |
|-------------------------|------------------------|-------------------------|-----------------------|
| Private Party | 0.250 | Private Party | 0.020 |
| Private Party | 0.342 | Private Party | 0.100 |
| Private Party | 0.150 | Private Party | 0.420 |
| Private Party | 0.140 | Private Party | 0.620 |
| Private Party | 0.060 | Private Party | 0.100 |
| Private Party | 4.860 | Private Party | 0.280 |
| Private Party | 0.100 | Private Party | 0.828 |
| Private Party | 0.680 | Private Party | 0.068 |
| Private Party | 0.702 | Private Party | 0.330 |
| Private Party | 0.130 | Private Party | 0.860 |
| Private Party | 0.450 | Private Party | 0.110 |
| Private Party | 0.007 | Private Party | 0.250 |
| Private Party | 0.090 | Private Party | 0.012 |
| Private Party | 0.510 | Private Party | 0.060 |
| Private Party | 0.060 | Private Party | 0.260 |
| Private Party | 0.376 | Private Party | 0.045 |
| Private Party | 0.040 | Private Party | 0.068 |
| Government | 2.21 | Government | 15.9 |
| Government | 0.040 | Government | 0.900 |
| Government | 0.046 | Government | 0.060 |
| Government | 0.630 | Government | 0.080 |
| Government | 0.0131 | Government | 0.030 |
| Government | 0.016 | | |

Total Credits Sold: 33.235

Southwest Santa Rosa Vernal Pool Preservation Bank

Contact Information:

| | | | |
|--------------------------|--|--------------------------------------|---------------------------------------|
| Bank Owner: | California Department of Fish & Game Central Coast Region | Previous Bank Owner/Operator: | Sonoma Vernal Pool, Inc. Ron Engel |
| Address: | P. O. Box 47 | | 3397 St. Helena Highway |
| City, State, Zip: | Yountville, CA 94599 | | St. Helena, CA 94574 |
| Phone Number: | (707) 944-5500 | | (800) 654-1485 |

Bank Information:

| | | | |
|----------------------------|------------|--|--------------------|
| Bank Creation Date: | 6/2/1997 | Total Credits Established: | 251.24 |
| Total Bank Acreage: | 39.4 | Total Credits Sold: | 251.24 |
| Bank Closed: | 12/27/2002 | Total Credits Remaining For Sale: | 0 (as of Jul 2002) |

General location of the bank: Sonoma County, at 1187 Todd Road, Santa Rosa; southwest of the City of Santa Rosa, approximately 2 miles from existing city limits

Service Area Description: Sonoma County
Service Area Counties: Sonoma

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: Not specified in the Agreement
Financial Assurances for Maintenance Period: Not Specified in the Agreement
Financial Assurances for Long-term management: Endowment

Signatory Agencies: US Army Corps of Engineers, US Environmental Protection Agency, US Fish & Wildlife Service, CA Department of Fish and Game

Biological Information:

Bank Site Goals

Preserve vernal pools and endangered species populations

Percentage of Goals Achieved

Hydrology and vegetation performance criteria have been met for Year 4 (2003).

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Fish and wildlife habitat
Short-term water storage

Functions Created at the Bank Site

Plant habitat
Fish and wildlife habitat
Short-term water storage

* Sonoma Vernal Pool Inc. created and previously owned the bank. After all credits were sold, title to the bank property was transferred to the Department of Fish and Game (12/27/02).

Southwest Santa Rosa Vernal Pool Preservation Bank (continued)

Biological Information: (continued)

Total Wetland Acres Established: 4.3 (restored)

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): 1999

Annual monitoring requirement: 5 years

Annual monitoring completed: 4 years

Success criteria fully met (date): N/A - monitoring still in progress

Current status of established wetland habitat: Hydrology and vegetation criteria met for Year 4 (2003).

Constructed vernal pool habitat is developing as expected and is performing/functioning comparable to the reference vernal pools.

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

Data not reported¹

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|------------------|-----------------|------------------|-----------------|------------------|-----------------|
| Private Party | 1.4 | Private Party | 2.0 | Private Party | 3.0 |
| Private Party | 2.0 | Private Party | 7.0 | Private Party | 24.0 |
| Private Party | 4.0 | Private Party | 13.5 | Private Party | 42.0 |
| Private Party | 2.5 | Private Party | 1.0 | Private Party | 15.0 |
| Private Party | 1.0 | Private Party | 4.0 | Private Party | 4.0 |
| Private Party | 2.5 | Private Party | 4.0 | Private Party | 2.5 |
| Private Party | 10.0 | Private Party | 4.0 | Private Party | 1.0 |
| Private Party | 4.5 | Private Party | 3.0 | Private Party | 2.0 |
| Private Party | 1.0 | Private Party | 25.0 | Private Party | 0.5 |
| Private Party | 8.5 | Private Party | 2.0 | Private Party | 2.0 |
| Private Party | 1.0 | Private Party | 29.0 | Private Party | 2.0 |
| Private Party | 7.0 | Private Party | 2.0 | Private Party | 15.0 |
| Private Party | 8.5 | Private Party | 1.0 | | |
| Government | 1.0 | Government | 3.5 | Government | 2.0 |
| Government | 3.0 | Government | 1.0 | | |

Total Credits Sold: 251.24

Springtown Natural Communities Reserve

Contact Information:

Bank Owner: Huffman-Broadway Group, Inc.* **Bank Operator:** Same as Owner
Terry Huffman
Address: 828 Mission Avenue
City, State, Zip: San Rafael, CA 94901
Phone Number: (415) 925-2000

Bank Information:

| | |
|--------------------------------------|--|
| Bank Creation Date: 1/17/1997 | Total Credits Established: 517.4 |
| Total Bank Acreage: 51.74 | Total Credits Sold: 246.1 |
| | Total Credits Remaining For Sale: 271.3 (as of Jul 2007) |

General location of the bank: Alameda County, north of the City of Livermore and approximately 40 miles southeast of the City of San Francisco

Service Area Description: 40 mile radius around the bank

Service Area Counties: portions of Alameda, Contra Costa, Santa Clara, Santa Cruz, San Mateo, San Francisco, Marin, Solano, Napa, Sacramento, San Joaquin, Stanislaus

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: Escrow Account
Financial Assurances for Maintenance Period: Escrow Account
Financial Assurances for Long-term management: Endowment

Signatory Agencies: CA Department of Fish and Game

Biological Information:

Bank Site Goals

Preserve existing alkali meadow and provide habitat for the CA tiger salamander. Protect, preserve, and enhance populations of bird's beak.

Percentage of Goals Achieved

Soils and hydrology criteria were met for year 5. Vegetation criteria were met for Year 5 the graded restored habitat. Bird's beak has increased in the restored areas during the period from 2003-2006.

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Fish and wildlife habitat
Short-term water storage

Functions Created at the Bank Site

Plant habitat
Fish and wildlife habitat
Short-term water storage

Total Wetland Acres Established: 35.25 (restored)

* Environmental Restoration Exchange Company created the bank. The company was later merged into Huffman & Associates, Inc./Huffman-Broadway Group, Inc.

Springtown Natural Communities Reserve (continued)

Biological Information: (continued)

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): Fall 2001

Annual monitoring requirement: 5 years

Annual monitoring completed: 5 years

Success criteria fully met (date): Soils and hydrology criteria were met as of April 2006. Vegetation criteria were met as of April 2006.

Current status of established wetland habitat: Habitat development is progressing. Soils and hydrology criteria were met for Year 5. Vegetation criteria were met in Year 5. Bird's beak population has increased in the restored areas during the period from 2003-2006.

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

Data not reported¹

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|----------------------------|-----------------|------------------|-----------------|
| Government | 9.0 | Private Party | 156.0 |
| | | Private Party | 2.0 |
| | | Private Party | 7.0 |
| | | Private Party | 6.6 |
| | | Private Party | 8.7 |
| | | Private Party | 1.0 |
| | | Private Party | 20.0 |
| | | Private Party | 11.8 |
| | | Private Party | 7.0 |
| | | Private Party | 15.0 |
| | | Private Party | 1.0 |
| Total Credits Sold: | 246.1 | | |

Stillwater Plains Mitigation Bank

Contact Information:

Bank Owner: Stillwater Plains Mitigation Bank, Inc. **Bank Operator:** Same as Owner
Address: 21923 Dersch Rd. P.O. Box 52
City, State, Zip: Anderson, CA 96007 Palo Cedro, CA 96073
Phone Number: (530) 365-4233

Bank Information:

| | |
|-------------------------------------|---|
| Bank Creation Date: 5/8/2000 | Total Credits Established: Phase I 65.024** |
| Total Bank Acreage: 834 | Total Credits Sold: Phase I 18.442 |
| (Phase I - 260) | Total Credits Remaining For Sale: Phase I 46.582 (as of Feb 2005) |

General location of the bank: Shasta County, south of State Hwy 44 between Deschutes Road and Stillwater Creek, approximately 2 miles southeast of the City of Redding

Service Area Description: The bank has two service areas:

- The primary service area is bounded on the north by the southern edge of the Shasta-Trinity National Recreation Area (Shasta Reservoir), on the south by State Highway 36, on the east by Mineral Road and the western edge of Latour State Forest, and on the west by the eastern edge of the Shasta-Trinity National Recreation Area (Whiskeytown Reservoir), Mule Town Road, and Plantina Road.
- For special-status plant species known to occur on the Bank Site (*Orcuttia tenuis*, *Legenere limosa*, *Gratiola heterosepala*, and *Juncus leiospermus* var. *leiospermus*), those portions of Shasta, Tehama, Butte, Yuba, and Sutter counties within the Northeast Sacramento Valley Vernal Pool Region as identified in the CDFG Vernal Pool Assessment (Keeler-Wolf, et al, 1998*).

Service Area Counties: Primary service area: portions of Shasta and Tehama; Special-status plant species service area: portions of Shasta, Tehama, Butte, Yuba, Sutter

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: Performance Bond
Financial Assurances for Maintenance Period: Performance Bond
Financial Assurances for Long-term management: Endowment

Signatory Agencies: US Army Corps of Engineers, US Environmental Protection Agency, US Fish & Wildlife Service, CA Department of Fish and Game

Biological Information:

Bank Site Goals

Preserve existing vernal pools.
Establish additional vernal pool habitat.

Percentage of Goals Achieved

The majority of the constructed wetlands have met their third-year success criteria. Several have met all of the success criteria.

* Keeler-Wolf, Todd, D.R. Elam, K. Lewis, and S.A. Flint. 1998. California Vernal Pool Assessment Preliminary Report. California Department of Fish and Game. May 1998.

** Adjusted value, based on success criteria met.

Stillwater Plains Mitigation Bank (continued)

Biological Information: (continued)

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Fish and wildlife habitat
Short-term water storage

Functions Created at the Bank Site

Plant habitat
Fish and wildlife habitat
Short-term water storage

Total Wetland Acres Established: Phase I
Wetland acres established: 15.924
(Wetland acres preserved : 28.224)

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): 2001, 2004

Annual monitoring requirement: 5 years

Annual monitoring completed: 3 years

Success criteria fully met (date): N/A - monitoring still in progress

Current status of established wetland habitat: Overall the constructed wetlands are doing well. Target vegetation types and amounts are established or are becoming established, desired animal species have been observed, and overall the habitat is developing as intended.

Stillwater Plains Mitigation Bank (continued)

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

Data not reported¹

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|----------------------------|------------------------|-------------------------|------------------------|
| Private Party | 0.495 | Private Party | 0.21 |
| Private Party | 1.96 | Private Party | 1.21 |
| Private Party | 1.4 | Private Party | 0.179 |
| Private Party | 0.42 | Private Party | 0.063 |
| Private Party | 1.68 | Private Party | 0.8 |
| Private Party | 1.16 | Private Party | 0.33 |
| Private Party | 0.006 | Private Party | 0.141 |
| Private Party | 0.276 | Private Party | 1.834 |
| Private Party | 0.63 | Private Party | 1.395 |
| Private Party | 0.179 | Private Party | 0.256 |
| Private Party | 0.058 | Private Party | 2.46 |
| Government | 0.03 | Government | 0.12 |
| Government | 1.15 | | |
| Total Credits Sold: | 18.442 | | |

Swift-Turner Mitigation Bank

Contact Information:

Bank Owner: Harvey Rich
Davis Preserve, LLC
336 Bon Air Center, Box 232
Greenbrae, CA 94904
(415) 472-1086

Bank Operator: Same as Bank Operator

Bank Information:

| | | | |
|----------------------------|-----------|--|-----------------------|
| Bank Creation Date: | 12/1/2006 | Total Credits Established: | 7.44 |
| Total Bank Acreage: | 34.18 | Total Credits Sold: | 0 |
| | | Total Credits Remaining For Sale: | 7.44 (as of Jun 2007) |

General location of the bank: Sonoma County, at 1222 Butler Avenue (Swift Parcel) and 1221 Butler Avenue (Turner Parcel), Santa Rosa.

Service Area Description: The Santa Rosa Plain. (The potential range of the Sonoma County California Tiger Salamander.)

Service Area Counties: a portion of Sonoma county

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: N/A
Financial Assurances for Maintenance Period: N/A
Financial Assurances for Long-term management: Endowment

Signatory Agencies: US Army Corps of Engineers, US Environmental Protection Agency, US Fish & Wildlife Service, CA Department of Fish and Game

Biological Information:

Bank Site Goals

Maintain habitat values for seasonal wetland habitat, California tiger salamander, and special-status plant species that may be present at the bank.

Percentage of Goals Achieved

Data not available*

Swift-Turner Mitigation Bank (continued)

Biological Information: (continued)

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Wildlife habitat
Short-term water storage
Maintenance of high-water table

Functions Created at the Bank Site

Plant habitat and diversity
Wildlife habitat
Short-term water storage
Maintenance of high-water table

Total Wetland Acres Established: 0 (preservation only)

Total Wetland Acres (preservation): 7.44

Overall Wetland Habitat Success

Progress toward meeting success criteria: N/A – preservation only

Habitat establishment work completed (date): N/A – preservation only

Annual monitoring requirement: Bank Sponsor responsible in perpetuity

Annual monitoring completed: Data not available*

Success criteria fully met (date): N/A – preservation only

Current status of preserved wetland habitat: Data not available*

Operational Information:

Credit Sales Summary:

Total Credits Sold: 0

* Information not available at the time this report was produced.

Wikiup Mitigation Bank

Contact Information:

Bank Owner: California Department of
Fish & Game*
Central Coast Region
Address: P.O. Box 47
City, State, Zip: Yountville, CA 94599
Phone Number: (707) 944-5500

Previous Bank Operator:
Wikiup Builders, LP
Ilan Silberstein
987 Airway Court, Ste 44
Santa Rosa, CA 95403
(707) 571-7659

Bank Information:

| | |
|--------------------------------------|---|
| Bank Creation Date: 7/28/1995 | Total Credits Established: 60.0 |
| Total Bank Acreage: 12 | Total Credits Sold: 60.0 |
| Bank Closed: 4/13/2000 | Total Credits Remaining For Sale: 0.0 (as of Oct 1999) |

General location of the bank: Sonoma County, in the Larkfield-Wikiup area just east of U.S. Highway 101 between the Town of Windsor and the City of Santa Rosa

Service Area Description: the Santa Rosa Plain
Service Area Counties: portions of Sonoma, Napa, and Marin

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: Cash
Financial Assurances for Maintenance Period: Trust Account
Financial Assurances for Long-term management: Endowment Fund

Signatory Agencies: US Army Corps of Engineers, US Environmental Protection Agency, US Fish & Wildlife Service, CA Department of Fish and Game

Biological Information:

Bank Site Goals

Provide a habitat that resembles the natural Santa Rosa Plain and provides habitat for native amphibians, water associated birds and aquatic invertebrates.

Percentage of Goals Achieved

100%. Success criteria met in fourth year after habitat establishment work was completed.

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Fish and wildlife habitat

Functions Created at the Bank Site

Plant habitat
Fish and wildlife habitat
Short-term water storage
Nutrient cycling

Wikiup Mitigation Bank (continued)

Biological Information: (continued)

Total Wetland Acres Established: 6.0 (created)

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): September 1995

Annual monitoring requirement: 5 years

Annual monitoring completed: 5 years

Current status of established wetland habitat: wetland performing/functioning like a regionally typical seasonal wetland

Success criteria met (date): approx. September 2000

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

Data not reported¹

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|----------------------------|------------------------|-------------------------|------------------------|
| Private Party | 3.0 | Private Party | 6.5 |
| Private Party | 1.0 | Private Party | 5.5 |
| Private Party. | 4.0 | Private Party | 3.5 |
| Private Party | 1.5 | Private Party | 1.0 |
| Private Party | 1.5 | Private Party | 2.0 |
| Private Party | 1.5 | Private Party | 1.5 |
| Private Party | 3.5 | Private Party | 1.0 |
| Private Party | 4.0 | Private Party | 2.5 |
| Private Party | 13.5 | Private Party | 0.5 |
| Private Party | 1.0 | Private Party | 1.0 |
| Private Party | 0.5 | | |
| Total Credits Sold: | 60.0 | | |

Wildlands Mitigation Bank

Contact Information:

Bank Owner: Sheridan Mitigation Corp.
Address: 6935 South Forbes Rd.
City, State, Zip: Lincoln, CA 95648
Phone Number: (916) 408-2290

Bank Operator: Wildlands, Inc.
Address: 3855 Atherton Rd
City, State, Zip: Rocklin, CA 95765-3715
Phone Number: (916) 435-3555
Website: <http://www.wildlandsinc.com>

Bank Information:

Bank Creation Date: 10/14/1994
Total Bank Acreage: 615
Phase I 78
Phase II 119
Phase III 118
Phase IV 300

Total Bank Established: 334.069
Total Credits Sold: 284.33
Total Credits Remaining For Sale: 49.74 (as of Dec 2006)

General location of the bank: Placer County, west of State Route 65, approximately one mile northwest of the town of Sheridan

Service Area Description: basically a 40-mile radius around the bank site, with a few areas extending beyond the 40-mile radius: northward to five miles north of Chico, west to three miles west of Interstate 5, and east to approximately 1000-foot elevation and excluding Butte County meadowfoam vernal pool complexes; southward to south of State Route 12, west to Interstate 5, and east to the Amador County line; westward, three miles on each side of Interstate 80 to its junction with Interstate 680.

Service Area Counties: Sutter and portions of Glenn, Colusa, Butte, Yuba, Nevada, Placer, El Dorado, San Joaquin, Solano, Yolo, Sacramento

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: Phase I-III - Performance Bond & Letter of Credit;
Phase IV - Letter of Credit
Financial Assurances for Maintenance Period: Phase I-III - Not Specified in the Agreement,
Phase IV - Letter of Credit
Financial Assurances for Long-term management: Phase I-IV - Endowment

Signatory Agencies: US Army Corps of Engineers, US Fish & Wildlife Service, CA Department of Fish and Game

Biological Information:

Bank Site Goals

Establish wetland and riparian habitat types in the area and restore native vegetation to the upland buffer areas.

Percentage of Goals Achieved

100% for Phase I - III
Phase IV, Year 3 monitoring:
Vernal pools have met vegetation performance standards. Seasonal and perennial marsh habitats have met or exceeded performance standards. Riparian habitat is meeting performance standards overall.

Wildlands Mitigation Bank (continued)

Biological Information: (continued)

Wetland Habitat Functions:

Functions Before Bank Creation

Little or no habitat function

Functions Created at the Bank Site

Plant habitat
Fish and wildlife habitat
Short-term water storage

Total Wetland Acres Established: 312.97

| | |
|-----------|--------|
| Phase I | 59.70 |
| Phase II | 84.81 |
| Phase III | 51.32 |
| Phase IV | 117.14 |

Overall Wetland Habitat Success

Progress toward meeting success criteria:

Habitat establishment work completed (date): Phase I - July 1995
Phase II - 1998
Phase III - 1998
Phase IV - 2002

Annual monitoring requirement: 5 years (all Phases)

Annual monitoring completed: Phase I - 5 years
Phase II - 5 years
Phase III - 5 years
Phase IV - 3 years

Success criteria fully met (date): Phase I - 2001
Phase II - 2002
Phase III - 2003 (all but 3.684 acres)
Phase IV - N/A, monitoring still in progress

Current status of established wetland habitat:

Phases I, II - The established wetland habitat continues to persist and function as intended.

Phase III - Success criteria fully met in 2003 on all but 3.684 acres. Remediation work is being conducted as part of the Phase IV habitat establishment work.

Phase IV - Target vegetation types and amounts are established or are becoming established, and overall the habitat is developing as intended.

Wildlands Mitigation Bank (continued)

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

Data not reported¹

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|-------------------------|------------------------|-------------------------|------------------------|-------------------------|------------------------|
| Private Party | 8.17 | Private Party | 0.02 | Private Party | 0.04 |
| Private Party | 0.5 | Private Party | 0.49 | Private Party | 1.68 |
| Private Party | 2.31 | Private Party | 0.3 | Private Party | 0.1 |
| Private Party | 0.1516 | Private Party | 0.21 | Private Party | 0.14 |
| Private Party | 1.25 | Private Party | 0.14 | Private Party | 2.11 |
| Private Party | 0.006 | Private Party | 0.08 | Private Party | 0.37 |
| Private Party | 0.03 | Private Party | 0.3 | Private Party | 0.02 |
| Private Party | 0.002 | Private Party | 0.013 | Private Party | 0.23 |
| Private Party | 0.52 | Private Party | 3.49 | Private Party | 0.635 |
| Private Party | 0.64 | Private Party | 0.09 | Private Party | 5.595 |
| Private Party | 3.14 | Private Party | 0.32 | Private Party | 0.1 |
| Private Party | 0.023 | Private Party | 0.028 | Private Party | 0.032 |
| Private Party | 0.02 | Private Party | 0.34 | Private Party | 5.06 |
| Private Party | 0.01 | Private Party | 0.711 | Private Party | 0.08 |
| Private Party | 0.33 | Private Party | 2.52 | Private Party | 0.104 |
| Private Party | 0.18 | Private Party | 0.99 | Private Party | 1.96 |
| Private Party | 0.34 | Private Party | 0.56 | Private Party | 0.1 |
| Private Party | 0.04 | Private Party | 2.5 | Private Party | 4.62 |
| Private Party | 0.004 | Private Party | 0.02 | Private Party | 0.13 |
| Private Party | 0.654 | Private Party | 2.6 | Private Party | 0.188 |
| Private Party | 0.04 | Private Party | 0.09 | Private Party | 4.29 |
| Private Party | 0.14 | Private Party | 1.28 | Private Party | 1.88 |
| Private Party | 0.02 | Private Party | 0.42 | Private Party | 0.02 |
| Private Party | 0.02 | Private Party | 0.039 | Private Party | 0.08 |
| Private Party | 1.018 | Private Party | 0.06 | Private Party | 0.1 |
| Private Party | 0.49 | Private Party | 0.86 | Private Party | 0.33 |
| Private Party | 0.04 | Private Party | 0.21 | Private Party | 1.61 |
| Private Party | 1.711 | Private Party | 0.333 | Private Party | 2.34 |
| Private Party | 0.94 | Private Party | 0.28 | Private Party | 0.9 |
| Private Party | 1.5 | Private Party | 0.29 | Private Party | 0.31 |
| Private Party | 0.095 | Private Party | 0.2 | Private Party | 0.598 |
| Private Party | 0.11 | Private Party | 3.06 | Private Party | 0.155 |
| Private Party | 0.34 | Private Party | 0.14 | Private Party | 0.4 |

(continued)

Wildlands Mitigation Bank (continued)

Operational Information (continued):

Credit Sales Summary (continued):

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|-------------------------|------------------------|-------------------------|------------------------|-------------------------|------------------------|
| Private Party | 5.83 | Private Party | 0.19 | Private Party | 1.1 |
| Private Party | 0.05 | Private Party | 0.203 | Private Party | 7.33 |
| Private Party | 0.071 | Private Party | 0.57 | Private Party | 0.57 |
| Private Party | 0.21 | Private Party | 0.6 | Private Party | 0.01 |
| Private Party | 0.55 | Private Party | 2.67 | Private Party | 3.7 |
| Private Party | 0.02 | Private Party | 0.28 | Private Party | 0.02 |
| Private Party | 0.69 | Private Party | 0.297 | Private Party | 0.006 |
| Private Party | 0.03 | Private Party | 0.49 | Private Party | 0.1 |
| Private Party | 0.05 | Private Party | 0.05 | Private Party | 1.0 |
| Private Party | 0.08 | Private Party | 0.02 | Private Party | 0.85 |
| Private Party | 0.06 | Private Party | 0.14 | Private Party | 0.435 |
| Private Party | 0.25 | Private Party | 0.07 | Private Party | 0.29 |
| Private Party | 0.02 | Private Party | 0.1 | Private Party | 2.95 |
| Private Party | 0.05 | Private Party | 0.577 | Private Party | 0.2 |
| Private Party | 0.85 | Private Party | 0.18 | Private Party | 0.3 |
| Private Party | 0.482 | Private Party | 0.003 | Private Party | 0.01 |
| Private Party | 0.17 | Private Party | 1.07 | Private Party | 0.0009 |
| Private Party | 0.11 | Private Party | 1.01 | Private Party | 0.067 |
| Private Party | 0.15 | Private Party | 3.0 | Private Party | 0.122 |
| Private Party | 0.046 | Private Party | 0.23 | Private Party | 0.082 |
| Private Party | 0.04 | Private Party | 0.38 | Private Party | 0.453 |
| Private Party | 0.2 | Private Party | 0.38 | Private Party | 0.03 |
| Private Party | 0.13 | Private Party | 0.748 | Private Party | 0.23 |
| Private Party | 0.07 | Private Party | 0.38 | Private Party | 0.12 |
| Private Party | 1.43 | Private Party | 0.06 | Private Party | 0.025 |
| Private Party | 0.1 | Private Party | 0.19 | Private Party | 0.32 |
| Private Party | 0.14 | Private Party | 0.12 | Private Party | 1.18 |
| Private Party | 0.085 | Private Party | 0.23 | Private Party | 0.12 |
| Private Party | 0.22 | Private Party | 0.022 | Private Party | 0.05 |
| Private Party | 0.1 | Private Party | 0.43 | Private Party | 0.016 |
| Private Party | 0.03 | Private Party | 0.04 | Private Party | 0.024 |
| Private Party | 1.024 | Private Party | 0.055 | Private Party | 0.03 |
| Private Party | 0.223 | Private Party | 0.08 | Private Party | 0.47 |
| Private Party | 0.86 | Private Party | 0.44 | Private Party | 1.23 |
| Private Party | 0.1 | Private Party | 0.1 | Private Party | 0.32 |
| Private Party | 0.08 | Private Party | 0.01 | Private Party | 0.9 |

(continued)

Wildlands Mitigation Bank (continued)

Operational Information (continued):

Credit Sales Summary (continued):

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|-------------------------|------------------------|-------------------------|------------------------|-------------------------|------------------------|
| Private Party | 0.21 | Private Party | 0.47 | Private Party | 0.06 |
| Private Party | 0.03 | Private Party | 0.36 | Private Party | 0.09 |
| Private Party | 0.23 | Private Party | 0.03 | Private Party | 0.06 |
| Private Party | 2.97 | Private Party | 0.07 | Private Party | 0.109 |
| Private Party | 0.31 | Private Party | 0.088 | Private Party | 0.24 |
| Private Party | 0.07 | Private Party | 0.08 | Private Party | 0.064 |
| Private Party | 0.47 | Private Party | 1.75 | Private Party | 0.073 |
| Private Party | 0.97 | Private Party | 0.45 | Private Party | 0.036 |
| Private Party | 1.235 | Private Party | 0.269 | Private Party | 0.697 |
| Private Party | 3.89 | Private Party | 0.343 | Private Party | 0.16 |
| Private Party | 11.67 | Private Party | 0.33 | Private Party | 0.057 |
| Private Party | 0.06 | Private Party | 0.1 | Private Party | 0.22 |
| Private Party | 0.309 | Private Party | 0.002 | Private Party | 0.15 |
| Private Party | 0.5 | Private Party | 0.16 | Private Party | 0.07 |
| Private Party | 0.03 | Private Party | 0.044 | Private Party | 0.051 |
| Private Party | 2.857 | Private Party | 0.474 | Private Party | 0.225 |
| Private Party | 0.288 | Private Party | 2.1 | Private Party | 0.613 |
| Private Party | 1.175 | Private Party | 0.075 | Private Party | 0.513 |
| Private Party | 0.175 | Private Party | 0.325 | Private Party | 1.783 |
| Private Party | 0.55 | Private Party | 0.338 | Private Party | 0.038 |
| Private Party | 0.354 | Private Party | 0.525 | Private Party | 0.013 |
| Private Party | 0.069 | Private Party | 0.1375 | Private Party | 1.625 |
| Private Party | 0.025 | Private Party | 0.0004 | Private Party | 0.325 |
| Private Party | 0.075 | Private Party | 0.063 | Private Party | 0.4625 |
| Private Party | 0.6875 | Private Party | 0.975 | Private Party | 11.7288 |
| Private Party | 0.0938 | Private Party | 0.025 | Private Party | 0.16875 |
| Private Party | 0.5625 | Private Party | 0.225 | Private Party | 0.95 |
| Private Party | 0.02 | Private Party | 0.20875 | Private Party | 0.5625 |
| Private Party | 0.5775 | Private Party | 1.225 | Private Party | 0.01575 |
| Private Party | 0.0625 | Private Party | 0.125 | Private Party | 1.2 |
| Private Party | 0.3625 | Private Party | 0.8925 | Private Party | 7.1375 |
| Private Party | 0.125 | Private Party | 0.30625 | Private Party | 0.0625 |
| Private Party | 0.0225 | Private Party | 5.625 | Private Party | 0.0625 |
| Private Party | 0.55 | Private Party | 0.03125 | Private Party | 0.125 |
| Private Party | 4.7375 | Private Party | 0.0875 | Private Party | 1.875 |
| Private Party | 0.2 | Private Party | 0.06 | Private Party | 2.88 |
| Private Party | 0.38 | Private Party | 0.04 | Private Party | 0.017 |
| Private Party | 0.06 | Private Party | 0.1 | Private Party | 0.03 |

(continued)

Wildlands Mitigation Bank (continued)

Operational Information (continued):

Credit Sales Summary (continued):

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|-------------------------|------------------------|-------------------------|------------------------|-------------------------|------------------------|
| Private Party | 0.14 | Private Party | 0.1 | Private Party | 0.423 |
| Private Party | 3.0 | Private Party | 0.356 | Private Party | 0.217 |
| Private Party | 1.36 | Private Party | 0.95 | Private Party | 0.38 |
| Private Party | 0.02 | Private Party | 0.038 | Private Party | 6.0 |
| Private Party | 0.094 | Private Party | 0.012 | Private Party | 0.26 |
| Private Party | 0.06 | Private Party | 0.93 | Private Party | 0.21 |
| Private Party | 0.575 | Private Party | 0.32 | Private Party | 4.33 |
| Private Party | 0.22 | Private Party | 0.96 | Private Party | 0.1 |
| Private Party | 0.013 | Private Party | 0.004 | Private Party | 0.18 |
| Private Party | 0.22 | | | | |
| Government | 2.98904 | Government | 0.91837 | Government | 0.7 |
| Government | 0.29704 | Government | 0.368 | Government | 0.13 |
| Government | 0.15306 | Government | 0.42 | Government | 0.05 |
| Government | 2.34 | Government | 0.45 | Government | 0.04 |
| Government | 0.02449 | Government | 0.0155 | Government | 0.15 |
| Government | 0.3 | Government | 0.1 | Government | 1.01 |
| Government | 0.95 | Government | 0.03 | Government | 0.13 |
| Government | 0.12 | Government | 0.25 | Government | 0.108 |
| Government | 0.18 | Government | 0.575 | Government | 0.33 |
| Government | 0.0103 | Government | 0.242 | Government | 0.089 |
| Government | 0.575 | Government | 0.023 | Government | 0.42 |
| Government | 0.08 | Government | 0.08 | Government | 0.49 |
| Government | 0.15 | Government | 0.11 | Government | 1.59 |
| Government | 0.32 | Government | 0.08 | Government | 0.14 |
| Government | 0.02 | Government | 0.1 | Government | 0.08 |
| Government | 3.718 | Government | 0.62 | Government | 0.13 |
| Government | 0.739 | Government | 0.02 | Government | 0.49 |
| Government | 9.0 | Government | 0.198 | Government | 1.063 |
| Government | 0.211 | Government | 4.271 | Government | 0.925 |
| Government | 0.688 | Government | 3.75 | Government | 0.3125 |
| Government | 0.025 | Government | 0.2375 | Government | 2.5125 |
| Government | 2.535 | Government | 0.1013 | Government | 0.0163 |
| Government | 0.076 | Government | 0.185 | Government | 0.05 |
| Government | 0.048 | | | | |

Total Credits Sold: 284.33

Wright Mitigation Bank

Contact Information:

Bank Owner: California Department of
Fish & Game
Central Coast Region
Address: P.O. Box 47
City, State, Zip: Yountville, CA 94599
Phone Number: (707) 944-5500

Bank Operator:
Bank Owner and
Sotoyome Resource Conservation District
P.O. Box 11526
Santa Rosa, CA 95406
(707) 569-1448

Bank Information:

| | |
|--------------------------------------|--|
| Bank Creation Date: 12/4/1997 | Total Credits Established: 600.0 |
| Total Bank Acreage: 174 | Total Credits Sold: 125.5* |
| | Total Credits Remaining For Sale: 0* (as of Sep 2004) |

General location of the bank: Sonoma County, at the western edge of the City of Santa Rosa.

Service Area Description: the County of Sonoma (projects outside the service area could be eligible upon approval of the Parties to the agreement)

Service Area Counties: Sonoma

Financial Assurance Type:

Financial Assurances for Wetlands Establishment: N/A (preservation only)
Financial Assurances for Maintenance Period: funded from credit sales
Financial Assurances for Long-term management: Endowment Fund

Signatory Agencies: US Army Corps of Engineers, US Environmental Protection Agency, US Fish & Wildlife Service, CA Department of Fish and Game

Biological Information:

Bank Site Goals

Protection and maintenance of habitat for endangered species and species of special concern.

Percentage of Goals Achieved

100%

Wetland Habitat Functions:

Functions Before Bank Creation

Plant habitat
Fish and wildlife habitat
Short-term water storage
Nutrient cycling

Functions Created at the Bank Site

Plant habitat
Fish and wildlife habitat
Short-term water storage
Nutrient cycling

* The 600 credits were combination wetland/CTS credits. 125.5 were sold as wetland credits and 474.5 were sold as CTS credits.

Wright Mitigation Bank (continued)

Biological Information: (continued)

Total Wetland Acres Established: 0 (preservation only)

Total Wetland Acres (preservation): 48.5

Overall Wetland Habitat Success

Progress toward meeting success criteria: N/A - preservation bank

Habitat establishment work completed (date): N/A - preservation bank

Annual monitoring requirement: indefinitely

Annual monitoring completed: 8 years

Current status of preserved wetland habitat: The wetland habitat is performing/functioning like a regionally typical seasonal wetland.

Success criteria met (date): N/A - preservation bank

Operational Information:

Impacts Mitigated by Bank:

Wetland Functions Lost:

Data not reported¹

Wetland Acres Lost:

Data not reported¹

Credit Sales Summary:

| Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: | Credits Sold To: | # Credits Sold: |
|----------------------------|------------------------|-------------------------|------------------------|-------------------------|------------------------|
| Private Party | 1.0 | Private Party | 1.0 | Private Party | 2.0 |
| Private Party | 4.0 | Private Party | 2.0 | Private Party | 1.0 |
| Private Party | 3.0 | Private Party | 4.0 | Private Party | 4.0 |
| Private Party | 1.5 | Private Party | 1.0 | Private Party | 8.0 |
| Private Party | 2.0 | Private Party | 3.0 | Private Party | 0.5 |
| Private Party | 0.5 | Private Party | 6.5 | Private Party | 14.0 |
| Private Party | 6.5 | Private Party | 2.0 | Private Party | 12.0 |
| Private Party | 13.5 | Private Party | 19.5 | Private Party | 1.0 |
| Private Party | 2.0 | Private Party | 2.5 | | |
| Government | 6.0 | Government | 1.0 | Government | 0.5 |
| Total Credits Sold: | 125.5 | | | | |

Appendix B. Official Policy on Conservation Banks, April 7, 1995

California Environmental Protection Agency

555 Capitol Mall, Suite 235
Sacramento, CA 95814
PHONE (916) 445-3846
FAX (916) 445-6401



PETE WILSON
GOVERNOR

The Resources Agency

1416 Ninth Street, Suite 1311
Sacramento, CA 95814
PHONE (916) 653-5656
FAX (916) 653-8102

TO: All Departments, Commissions, Boards and Conservancies
("Departments")

FROM: Douglas P. Wheeler
The Resources Agency

James M. Strock
California Environmental Protection Agency

Handwritten signatures of Douglas P. Wheeler and James M. Strock.

DATE: April 7, 1995

SUBJ: Official Policy on Conservation Banks

The executive and legislative branches have endorsed the use of conservation banks as a means to accomplish important resource management goals. This document provides formal policy guidance on how to achieve this directive.

INTRODUCTION

A conservation bank is a single parcel, or a series of contiguous or non-contiguous parcels, of habitat which is managed for its natural resource values. The resource benefits derived from this management regime are sold as "credits" to project proponents who seek mitigation opportunities to compensate for

resource impacts elsewhere. Credits may be generated to meet any number of resource conservation needs, including compensation for impacts to wetlands, threatened or endangered species, Environmentally Sensitive Habitat Areas, mudflats, sub-tidal areas, and less sensitive resources.

Conservation banks, if properly established and managed, serve several useful functions. First and foremost, banks provide for the conservation of important habitats and/or habitat linkages.

Second, they provide a viable alternative to the current practice of requiring piecemeal mitigation for individual project impacts. Individualized mitigation projects which have little connection with their surrounding ecosystem are often much more prone to failure than a mitigation project which is incorporated into a larger, ecosystem-based conservation bank or regional conservation plan.

Third, conservation banks can take advantage of economies of scale that are often not available to individualized mitigation projects.

Fourth, conservation banks provide significant incentives for private landowner participation and represent one of the best examples of private/public partnerships in an era of shrinking budget resources.

Fifth, conservation banks can be a major funding component for the creation of an ecosystem preserve under a regional conservation plan.

Sixth, and finally, conservation banks simplify the regulatory compliance process while achieving greater conservation goals.

CONSERVATION BANKING

For purposes of providing guidance on conservation banking, all Departments shall designate and train personnel to actively work with potential bank developers in accordance with the following precepts:

1. The priority for mitigation should be to accomplish it at a site which provides for the long-term conservation of habitat and species. As such, off-site mitigation is specifically sanctioned in the context of an otherwise permissible conservation bank.
2. A bank may be established pursuant to regulatory permit or contract between the bank developer and the appropriate regulatory agency(s). Where a bank is established pursuant to contract, care must be taken to create a legally enforceable instrument.

3. There is no minimum or maximum size of a conservation bank and it may be divided into clearly defined subareas. However, the bank and each of its subareas (if any) should be large enough to be ecologically self-sustaining or part of a larger conservation strategy that has a reasonable expectation of being accomplished.

4. Upon sale of the first credit in the bank or subarea, the land in the bank or subarea must be permanently protected through fee title or conservation easement. The land-use restrictions should run with the land and be recorded in the appropriate county(s) of jurisdiction.

5. Before selling bank credits, a proposed conservation bank should be approved by the appropriate resource management agency(s). Basic elements in any approvable bank proposal should include, but are not limited to:

- a. identification of a bank manager;
- b. identification of the geographical boundaries of the bank and the service area of the bank;
- c. provision for fundamental property protection measures (e.g., fencing some or all of the bank property if deemed appropriate,

control of off-road vehicle use, etc.);

- d. provisions for the resolution of current or prospective land use conflicts involving the bank lands (e.g., rights-of-way issues, existing use issues, adjacent land-use issues);
- e. provisions requiring an annual report by the bank manager to be submitted to the appropriate regulatory agency(s).

6. Prior to the sale of credits, a resource management plan should be approved by the appropriate regulatory agency(s). A sufficient level of funding with acceptable guarantees (e.g., cash, letters of credit, public charity, public funding mechanism) should be provided to fully ensure the operation and maintenance of the bank as may be required.

7. Provision should be made for long term management of bank lands after all the mitigation credits have been awarded. Generally, land management responsibilities should ultimately vest in a resource management agency or qualified non-profit organization, although a private entity may be an acceptable long-term manager.

8. Provision should be made for ensuring implementation of the resource

management plan in event of non-performance by the bank owner and/or operator.

9. Provisions should be made in any bank establishment for the monitoring and reporting of identified species/habitat management objectives.

10. An easement or other agreement should be established at the bank in favor of appropriate resource management agency(s) guaranteeing the agency's right of entry onto bank lands for the following purposes:

- a. Inspections;
- b. Specified resource management responsibilities;
- c. Quality Assurance/Quality Control review with regard to bank management and operation;
- d. Resource management should the bank operator fail to implement prescribed resource management responsibilities.

11. Bank credits should be established by reference to an environmental baseline which may, but need not be, assessed at the time of the bank creation. This baseline will be used to establish credits for a number of categories requiring

resource management, including, but not limited to, the following:

- a. Resource Preservation (the preservation of specified resources through acquisition or other appropriate means);
- b. Resource Enhancement (the enhancement of a degraded resource);
- c. Resource Restoration (the restoration of a resource to its historical condition);
- d. Resource Creation (the creation of a specified resource condition where none existed before).

12. The award of bank credits should be negotiated on a case-by-case basis between the project proponent in need of the subject credits, the regulatory agency(s) of jurisdiction, and the bank manager. Generally:

- a. Credits may be negotiated for available or prospective resource value establishment.
- b. Credits may be based on habitat acreage, habitat quality,

contribution to a regional conservation strategy that has been approved by the appropriate regulatory agency(s), or any other basis acceptable to the regulatory agency(s).

- c. Actual awards of bank credits need not be withheld pending full realization of the targeted resource value at the bank. Credit availability may vary in accordance with agreed upon performance criteria for the development of the resource value in question.
- d. Awarded bank credits, subject to the approval of the regulatory agency(s), should be made transferrable.

13. Whether out-of-kind mitigation credit will be allowed at a particular bank will require a fact-specific inquiry on a case-by-case basis for the project creating the impacts.

14. The creation of any conservation bank should be listed with the Resources Agency in accordance with forthcoming guidance for purposes of maintaining a statewide bank inventory.

CONCLUSION

Conservation bank agreements developed between the bank developer and the appropriate regulatory agency(s) in accordance with the preceding precepts shall be considered consistent with state policy regarding conservation banks, assuming no violation of federal and state laws. Training manuals on this subject are forthcoming.

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