



**REPORT TO THE LEGISLATURE**

**CALIFORNIA  
CONSERVATION AND MITIGATION BANKING**

State of California  
Natural Resources Agency  
Department of Fish and Wildlife

January 2014



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## **EXECUTIVE SUMMARY**

A new statute (SB 1148, Pavley) was added to the California Fish and Game Code effective January 1, 2013. This statute (Chapter 7.9, "Conservation Bank and Mitigation Bank Applications and Fees," Section 1799(d)), requires that a report from the California Department of Fish and Wildlife (Department) on conservation and mitigation banking be submitted annually to the California Legislature.

Previously, six biennial reports on wetlands mitigation banking have satisfied a former (repealed) requirement of the Fish and Game Code (Section 1851). Those reports can be found at [http://www.dfg.ca.gov/habcon/conplan/mitbank/cmb\\_pubs.html](http://www.dfg.ca.gov/habcon/conplan/mitbank/cmb_pubs.html). The previous reports summarized data on all banks for which the Department is a signatory agency.

Pursuant to the requirements of new Fish and Game Code Section 1799(d), the present report details information from the period January 1, 2013 through October 31, 2013 regarding bank applications and fees collected, and it evaluates the efficiency and effectiveness of the Department's newly established Conservation and Mitigation Banking Program to date.

The first ten months of the new Banking Program were successful in terms of bringing in revenues and meeting review timelines. A sizable number (n=40) of applications of all types were received, and status determinations were made for all except one, a prospectus withdrawn from consideration. On the whole, our expectations were met concerning the ability of the fee-based program to support itself. California Department of Finance approved, in summer of 2013, spending authority and permanent positions for the Department over the next three years of the Banking Program. Phased implementation of the Program will allow the gradual dedication of staff levels commensurate with incoming revenues.

## **HISTORY AND BACKGROUND**

### **Purpose of Compensatory Mitigation**

Under existing state and federal statutes (e.g., California Environmental Quality Act, California Endangered Species Act, and Clean Water Act), any individual, firm, or public agency that undertakes activities that destroy, degrade, or adversely alter the environment may be required to compensate the public for impacts to natural resources. For example, compensatory mitigation is required if a proposed project will "substantially diminish habitat for fish, wildlife or plants," "take" (kill, capture, impact habitat, etc.) a threatened or endangered species, or alter or harm existing wetlands. Compensatory mitigation typically takes the form of permanently protecting sufficient habitat to offset the loss due to the impacts.

### **History of Conservation and Mitigation Banking in California**

Since the mid-1980s, the State of California and others have actively sought to prevent the inadequate, small, fragmented habitat reserves that often resulted from project-by-project mitigation. One approach has been the creation of conservation and mitigation banks. Banks are generally large, connected, ecologically meaningful areas of preserved, restored, enhanced, or constructed habitat (for example, wetlands) that is

set aside for the express purpose of providing mitigation for project impacts to habitats.

Banking by the State has been guided by various laws and policies:

- The Sacramento-San Joaquin Valley Wetland Mitigation Bank Act<sup>1</sup> (1993)
- The California Wetlands Conservation Policy<sup>2</sup> (1993)
- The Official Policy on Conservation Banks<sup>3</sup> (1995)

Since 1993 the Department has participated statewide in the planning, review, approval, establishment, monitoring, and oversight of 33 conservation banks (that provide mitigation for impacts to listed species and habitats) and 28 wetland mitigation banks (that primarily provide mitigation for wetland impacts) to which it is signatory.

Guidance for the federal agencies involved in banking, including U.S. Army Corps of Engineers (USACE), U.S. Environmental Protection Agency (USEPA), Natural Resources Conservation Service (NRCS), U.S. Fish and Wildlife Service (USFWS), and the National Oceanic and Atmospheric Administration (NOAA), has evolved over time:

- Formal policy on the establishment, use, and operation of mitigation banks<sup>4</sup> (1995)
- Formal policy on the establishment, use and operation of conservation banks<sup>5</sup> (2003)
- Federal Rule on Compensatory Wetland Mitigation (2003, 2008<sup>6</sup>)

As new guidance developed at the State and Federal levels, the State and Federal agencies saw the need for working closely together to align our processes and practices. Interagency working groups have successfully integrated our approaches and created joint procedures and templates to guide prospective bankers.

### **Benefits of Banking**

A bank is authorized to sell credits that represent habitat values that may either already exist or will be enhanced, restored, or created at the bank. Credits are sold to project proponents who need to provide compensation for unavoidable loss of habitat due to development or other impacts, where avoidance or on-site mitigation is not feasible or desirable.

For those parties needing to mitigate for project impacts, banks serve to streamline the regulatory process by providing a pre-established (i.e., in advance) mitigation site that the regulating state and federal agencies have already confirmed will provide adequate and appropriate mitigation for certain habitats or species (as specified in a bank

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<sup>1</sup> Fish and Game Code 2011: California Edition. Chapter 7.8. §1775.

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

<sup>3</sup> Resources Agency/California Environmental Protection Agency, Official Policy on Conservation Banks, April 7, 1995.

<sup>4</sup> "Federal Guidance for the Establishment, Use and Operation of Mitigation Banks." Federal Register 60:228 (November 28, 1995), p. 58605-58614.

<sup>5</sup> "Guidance for the Establishment, Use and Operation of Conservation Banks." U.S. Fish and Wildlife Service Director's Memorandum, May 2, 2003.

<sup>6</sup> 2008 Compensatory Mitigation for Losses of Aquatic Resources. Final Rule. Federal Register. Vol. 73, No. 70: pp.19594-19705.

agreement). By mitigating at a bank, project proponents can avoid the time and cost of searching for a suitable mitigation site and protecting it in perpetuity themselves.

In summary, mitigation banks have several advantages over project-by-project mitigation sites, including:

Advance Mitigation or Mitigation Before Impacts. Wetlands and other habitats can be protected or created prior to project impacts in order to reduce or eliminate temporal loss of habitat values and function.

Large Reserve Size. Mitigation required of many small isolated impacts can be consolidated into larger areas of permanently protected habitat in order to contribute to larger intact ecosystems, which are likely to withstand environmental changes, including climate change, better than smaller isolated areas.

Contribute to Conservation and Recovery. Banks can be established in strategic locations to add to already conserved lands, and provide critical habitat needs such as protecting core populations or linkages.

Improved Resources and Expertise. Banks can leverage and consolidate financial resources, planning, and biological expertise in order to improve the chance of successful establishment and long-term management of habitats protected to offset impacts.

## **ESTABLISHMENT OF NEW FEE-BASED CONSERVATION AND MITIGATION BANKING PROGRAM**

SB 1148 (Pavley, 2012), effective January 1, 2013, authorized the Department to charge fees to cover reasonable costs for its review of bank-related documents and other banking activities. In addition to review and approval of proposed banks, the Department provides monitoring and oversight of approved banks, and policy and program development in order to establish a stable, well-functioning program that will contribute to protection of critical fish and wildlife resources. The new program will enhance communication and partnerships with bank sponsors, stakeholders and other federal, state, and local agency partners.

## **REPORTING REQUIREMENTS**

California Fish and Game Code Section 1799(d)(1) now requires that the following specific information be reported to the California Legislature annually, by January 1, for the previous calendar year:

- Number of new bank applications received, including prospectuses, bank agreement packages, and amendments
- Number of bank applications that were approved, rejected because not complete, rejected because not acceptable, and withdrawn
- Name of new or existing bank, including geographic location, number of acres, number of credits approved for each habitat type or species, and number of credits sold

- An accounting of fees collected
- A statement of whether or not the timelines for bank review were met
- Other information determined by the Department to be relevant in assessing the effectiveness of the Department's Mitigation and Conservation Banking Program

These data are summarized in the sections that follow.

## **CONSERVATION AND MITIGATION BANKING JANUARY-OCTOBER 2013**

### **Number of Bank Applications Received**

Bank applications fall into four main categories or document types:

- 1) draft prospectus
- 2) prospectus
- 3) bank agreement package
- 4) amendment

An individual typically submits more than one type of application throughout the bank review process. For example, a person may begin the process submitting a draft prospectus, then prospectus, and finally a bank agreement package. However, a person may also choose to begin the process with a prospectus, thereby skipping the draft prospectus stage. In addition, all approved banks may submit one or more amendments.

The number of each type of application received by the Department is summarized in Table 1. A total of 40 applications were received along with appropriate fees, which represents applications for 30 individual banks.

**Table 1. Number of Bank Applications Received and Status Determination**

		Application Type				Totals
		Draft Prospectus	Prospectus	Bank Agreement Package	Amendment	
Reviewed		7				7
Not Complete			1*	2*	1	4
Complete	Acceptable		15**	8***	5	28
	Unacceptable		0	0	0	0
Withdrawn			1	0	0	1
<b>Total Applications</b>		<b>7</b>	<b>17</b>	<b>10</b>	<b>6</b>	<b>40</b>

\*May be in the process of being revised for resubmission.

\*\* Two of 15 prospectuses were initially deemed “not complete” and, after revision and resubmittal, “complete and acceptable”. These prospectuses were only counted once, as “complete and acceptable”.

\*\*\* One of 8 Bank Agreement Packages was initially deemed “not complete” and later “complete and acceptable”. This bank agreement package was only counted once, as “complete and acceptable”.

Three of the applications (two prospectuses and one bank agreement package) were originally determined to be “not complete” by the Department, but they were made “complete” and were resubmitted by the applicant (no additional fee required). (Although these three applications were “twice received”, in each case they were only counted once, as “complete and acceptable,” in Table 1.)

Most applications (n=24) were either prospectuses or draft prospectuses, both of which are conceptual proposals that contain key information that enables reviewers to ascertain in the very earliest stage whether a bank, as proposed, is appropriate. Ten bank agreement packages were received, as well as six amendments to existing banks.

### Status of Bank Applications Received

The new statute lays out a procedure for application review and status determination by the Department at key decision points. The Department notifies bank sponsors of its determination after reviewing all documents received. Appendix B gives a complete accounting of these determinations at the decision points of “complete” or “not complete,” and “acceptable” or “not acceptable” for every application except draft



prospectuses, which are simply evaluated and feedback provided. Each bank is identified by a unique tracking number to assure accurate statewide tracking of applications where bank names may be similar. Table 1 summarizes our actions for the bank documents submitted. Six of the 15 prospectuses deemed “complete and acceptable” led to bank agreement packages deemed “complete and acceptable”. Three deliverables that were deemed “not complete” were made complete by the bank sponsor and were resubmitted. Only one bank was withdrawn from the review process.

Bank applications came in throughout the year, and are at various stages of the process. Although six bank packages were deemed “complete and acceptable”, none of the banks completed the entire process as of October 31.

### **Bank Location, Size, Type of Credits, Number Credits Approved and Sold**

For each bank, Appendix C presents location by Department Region and county, size in acres, type of credits, number of credits approved (if bank has been finalized) and number of credits sold (if approved and released). For existing banks that were reported on in 2012, updated information on credits sold can be found in the USACE RIBITS database, available online at: <http://geo.usace.army.mil/ribits/index.html>.

### **Fees Collected**

Between January 1 and October 31, 2013, the Department received \$507,500 in fees for the new Banking Program. Table 2 lists fees received in association with specific application types.

These fees support two full time positions dedicated to the Banking Program and support portions of 8 additional positions to process the banking documents.

**Table 2. Fees Collected**

	Fees by Application Type				Totals
	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment	
Review Fee	\$10,500	\$165,500	\$250,000	\$62,500	\$488,500
Unsolicited Change Fee			\$10,000	\$0	\$10,000
Credit Release Fee					\$9,000
<b>Total Fees</b>	\$10,500	\$165,500	\$260,000	\$62,500	\$507,500

**Timelines for Bank Review**

For each application type there is now a review deadline (see Table 3), which marks the last date the Department can notify bank sponsors of its determination of the status of an application. Table 3 summarizes whether review timelines were met. In the first 10 months of the program there were only three exceptions to these review deadlines being met. One was because the due date fell on a weekend, and the second and third were each mutually agreed upon extensions of the timeline by the bank sponsor and the Department.

**Table 3. Were Review Timelines Met?**

	Application Type and Decision Point							Total
	Draft Prospectus (30 days)	Prospectus		Bank Agreement Package		Amendment		
		Is it Complete? (30 days)	Is it Acceptable? (90 days)	Is it Complete? (30 days)	Is it Acceptable? (90 days)	Is it Complete? (30 days)	Is it Acceptable? (30 days)	
Yes (# of Applications)	7	16	17*	10*	10	6	6	39
No (# of Applications)	0	1**	0	0	0	0	0	1
Total # of Applications	7	17		10		6		40

\*An extension to the timeline for one Prospectus and for one Bank Agreement Package was mutually agreed upon in each case by the Department and the bank sponsor.

\*\*Determination was sent one day after the due date because end of the 30 day review period fell on a weekend.

**Other Information: Bank Database and Data Sharing**

SB 1148 requires the Department to establish and maintain a new database of bank-specific information. A database is being developed to track the new bank program including applications received, due dates, fees and bank information. Bank information including locations, contacts, credits, etc., will be made public on the internet.

Additionally, the Department is coordinating with USACE in their endeavor to establish RIBITS, a nationwide database of mitigation banks, for which data are contributed by bank sponsors. More information on the RIBITS database is available at <http://geo.usace.army.mil/ribits/index.html>. Bank information posted on RIBITS is available to the public.

USACE and the USFWS have signed a Memorandum of Agreement (MOA) that will facilitate the addition of all federally-approved conservation banks to RIBITS. Since the Department is co-signatory to many federally approved conservation banks, this MOA will increase transparency of the banking program within the State of California. The Department has contributed data to this database, and will continue to assist the USACE, USFWS, and RIBITS as staffing allows. Links to and information exchanges with RIBITS will be further developed to satisfy data requirements of the Department’s new Banking Program.

## **CONCLUSION**

Over the last 10 months, the new fee-based conservation and mitigation banking program has proved to be a mutually beneficial strategy for bank sponsors and the Department.

The Department now has staff dedicated to banking funded by the newly collected fees. Bank proposals have generally been detailed and well thought out which aids the Department by streamlining workload. It assures that time spent on bank proposals is more likely to result in meaningful and long lasting conservation for sensitive resources.

With the new fee-based structure, Bank Sponsors are assured of timely and thorough responses to their bank applications. Providing bankers with clear guidance on what constitutes a complete bank application, and knowing that their proposals will receive a focused review and response has improved the bank review process. This has also improved the effectiveness of this program and will lead to more approved banks that sell credits.

In the coming months, the Department will again work with the banking community to assess ways to support and encourage conservation and mitigation banking. With continued open communication, responsiveness, and sharing success stories, we hope to approve new banks where private sector entrepreneurs will help us reach our conservation goals for sensitive resources.

## Appendix A

### Fish and Game Code – Reporting Requirements

#### 1799.

(d) By January 1, 2014, and annually thereafter, the department shall provide a report to the Legislature. The report shall include the following information based on data from the previous calendar year:

(1) Number of new bank applications, prospectuses, bank agreement packages, and amendments received.

(2) Number of bank applications approved, rejected because not complete, rejected because not acceptable, and withdrawn.

(3) Name of new or existing bank, geographic location, number of acres, number of credits approved for each habitat type or species, and number of credits sold.

(4) An accounting of fees collected pursuant to this chapter.

(5) A statement of whether or not the timelines for bank review in this chapter were met.

(6) Other information determined by the department to be relevant in assessing the effectiveness of the department's mitigation and conservation banking program.

*(Added by Stats. 2012, Ch. 565, Sec. 14. Effective January 1, 2013.)*



# Appendix B.

Complete Accounting of Bank Applications Received and Status Determination										
<b>Legend</b>										
R = Reviewed										
N = Not Complete (rejected or initially rejected and in the process of being revised)										
CA = Complete and Acceptable (may have been initially deemed not complete and later revised and deemed complete and acceptable)										
CU = Complete and Unacceptable (Not Acceptable, Rejected)										
W = Withdrawn										
<b>Note: Each bank is identified by a unique tracking number.</b>										
<b>1798-2013-004-R2</b>										
	Draft Prospectus	Prospectus			Bank Agreement Package			Amendment		
Status of Application Document		CA								
Review Fee		\$10,000.00								\$10,000.00
Unsolicited Change Fee										
Credit Release Fee										
<b>Fees Summed</b>		\$10,000.00								<b>\$10,000.00</b>
<b>1802-2009-012-02</b>										
	Draft Prospectus	Prospectus			Bank Agreement Package			Amendment		
Status of Application Document										
Review Fee										
Unsolicited Change Fee										
Credit Release Fee								\$9,000.00		\$9,000.00
<b>Fees Summed</b>								\$9,000.00		<b>\$9,000.00</b>
<b>1798-2013-001-R2</b>										
	Draft Prospectus	Prospectus			Bank Agreement Package			Amendment		
Status of Application Document		CA			CA					
Review Fee		\$10,000.00			\$25,000.00					\$35,000.00
Unsolicited Change Fee					\$10,000.00					\$10,000.00
Credit Release Fee										
<b>Fees Summed</b>		\$10,000.00			\$35,000.00					<b>\$45,000.00</b>
<b>1798-2013-003-R2</b>										
	Draft Prospectus	Prospectus			Bank Agreement Package			Amendment		
Status of Application Document		CA								
Review Fee		\$10,000.00								\$10,000.00
Unsolicited Change Fee										
Credit Release Fee										
<b>Fees Summed</b>		\$10,000.00								<b>\$10,000.00</b>
<b>1802-2000-049-2</b>										
	Draft Prospectus	Prospectus			Bank Agreement Package			Amendment		
Status of Application Document								N		
Review Fee								\$7,500.00		\$7,500.00
Unsolicited Change Fee										
Credit Release Fee										
<b>Fees Summed</b>								\$7,500.00		<b>\$7,500.00</b>

**1802-2009-001-02**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document				CA		
Review Fee				\$25,000.00		\$25,000.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>				\$25,000.00		\$25,000.00

**1798-2013-08-R3**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document	R					
Review Fee	\$1,500.00					\$1,500.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>	\$1,500.00					\$1,500.00

**1798-2013-07-R3**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document		CA				
Review Fee		\$10,000.00				\$10,000.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>		\$10,000.00				\$10,000.00

**1802-2012-012-03**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document			CA			
Review Fee			\$25,000.00			\$25,000.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>			\$25,000.00			\$25,000.00

**1798-2013-09-R3**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document			N			
Review Fee			\$25,000.00			\$25,000.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>			\$25,000.00			\$25,000.00

**1798-2013-01-R3**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document		CA				
Review Fee		\$10,000.00				\$10,000.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>		\$10,000.00				\$10,000.00



**1802-2004-008-04**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document			CA			
Review Fee				\$7,500.00		\$7,500.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>				\$7,500.00		\$7,500.00

**1798-2013-02-R3**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document			CA			
Review Fee			\$25,000.00			\$25,000.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>			\$25,000.00			\$25,000.00

**1802-2012-008-03**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document				CA		
Review Fee				\$7,500.00		\$7,500.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>				\$7,500.00		\$7,500.00

**1802-1999-036-03**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document				CA		
Review Fee				\$7,500.00		\$7,500.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>				\$7,500.00		\$7,500.00

**1798-2013-01-R4**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document	R					
Review Fee	\$1,500.00					\$1,500.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>	\$1,500.00					\$1,500.00

**1798-2013-02-R4**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document	R	CA	CA			
Review Fee	\$1,500.00	\$8,500.00	\$25,000.00			\$35,000.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>	\$1,500.00	\$8,500.00	\$25,000.00			\$35,000.00

**1798-2013-05-R4**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document	R					
Review Fee	\$1,500.00					\$1,500.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>	\$1,500.00					\$1,500.00

**1798-2013-06-R4**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document		N				
Review Fee		\$10,000.00				\$10,000.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>		\$10,000.00				\$10,000.00

**1798-2013-04-R5**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document	R				W	
Review Fee	\$1,500.00	\$8,500.00				\$10,000.00
Unsolicited Change Fee						
Credit Release Fee						
Status of Application Document		CA				
Review Fee		\$10,000.00				\$10,000.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>	\$1,500.00	\$18,500.00				\$20,000.00

**1798-2013-09-R5**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document				CA		
Review Fee				\$7,500.00		\$7,500.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>				\$7,500.00		\$7,500.00

**1798-2013-06-R5**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document	R	CA				
Review Fee	\$1,500.00	\$8,500.00				\$10,000.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>	\$1,500.00	\$8,500.00				\$10,000.00

**1798-2013-05-R5**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document		CA				
Review Fee		\$10,000.00				\$10,000.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>		\$10,000.00				\$10,000.00

**1798-2013-07-R5**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document		CA				
Review Fee		\$10,000.00				\$10,000.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>		\$10,000.00				\$10,000.00

**1798-2013-08-R5**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document	R					
Review Fee	\$1,500.00					\$1,500.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>	\$1,500.00					\$1,500.00

**1798-2013-01-R5**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document		CA	CA			
Review Fee		\$10,000.00	\$25,000.00			\$35,000.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>		\$10,000.00	\$25,000.00			\$35,000.00

**1798-2013-02-R5**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document		CA	CA			
Review Fee		\$10,000.00	\$25,000.00			\$35,000.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>		\$10,000.00	\$25,000.00			\$35,000.00

**1798-2013-03-R5**

	Draft Prospectus	Prospectus	Bank Agreement Package	Amendment		
Status of Application Document		CA	CA			
Review Fee		\$10,000.00	\$25,000.00			\$35,000.00
Unsolicited Change Fee						
Credit Release Fee						
<b>Fees Summed</b>		\$10,000.00	\$25,000.00			\$35,000.00

**1798-2013-01-R6**

	Draft Prospectus	Prospectus				Bank Agreement Package				Amendment					
Status of Application Document		CA				N									
Review Fee		\$10,000.00				\$25,000.00									\$35,000.00
Unsolicited Change Fee															
Credit Release Fee															
<b>Fees Summed</b>		\$10,000.00				\$25,000.00									\$35,000.00

**1798-2013-02-R6**

	Draft Prospectus	Prospectus				Bank Agreement Package				Amendment					
Status of Application Document		CA				CA									
Review Fee		\$10,000.00				\$25,000.00									\$35,000.00
Unsolicited Change Fee															
Credit Release Fee															
<b>Fees Summed</b>		\$10,000.00				\$25,000.00									\$35,000.00

**SUMMARY**

	Draft Prospectus	Prospectus				Bank Agreement Package				Amendment					
Status of Application Document	R	N	CA	CU	W	N	CA	CU	W	N	CA	CU	W		
Total Applications Received	7	1	15	0	1	2	8	0	0	1	5	0	0		40
Total Review Fee	\$10,500.00	\$165,500.00				\$250,000.00				\$62,500.00					\$488,500.00
Unsolicited Change Fee						\$10,000.00				\$0.00					\$10,000.00
Total Credit Release Fee														\$9,000.00	\$9,000.00
<b>Fees Summed</b>	\$10,500.00	\$165,500.00				\$260,000.00				\$62,500.00				\$9,000.00	<b>\$507,500.00</b>

**Legend**

R = Reviewed  
 N = Not Complete (rejected or initially rejected and in the process of being revised)  
 CA = Complete and Acceptable (may have been initially deemed not complete and later revised and deemed complete and acceptable)  
 CU = Complete and Unacceptable (Not Acceptable, Rejected)  
 W = Withdrawn  
**Note: Each bank is identified by a unique tracking number.**

Appendix C.

Table of Banks Active Pursuant to Fish and Game Code Sections 1797-1798: Name, Location, Size, Type of Credits, Number of Credits Approved and Sold								
CDFW Region	County	Bank Name	New or Existing	Acres	Habitat Type or Species	Credits Approved	Credits Sold	Balance
2	Amador	Buckeye Mitigation Bank	New	558.00	Riparian, Wetland, California Tiger Salamander, Vernal Pool Fairy Shrimp, Swainson's Hawk, Burrowing Owl	N/A	N/A	N/A
2	Butte	Meridian Ranch Mitigation Bank	New	530.00	Swainson's Hawk	322.13	32.10	290.03
					Created Wetland, Vernal Pool Branchiopods	31.34	3.13	28.21
					Preserved Wetland, Vernal Pool Branchiopods	24.17	0.00	24.17
2	Colusa	Colusa Basin Bank	New	215.00	Seasonal Wetland	N/A	N/A	N/A
2	Placer	Antonio Mountain Ranch Mitigation Bank	New	797.50	Wetland, Stream, Riparian, Perennial Marsh, Vernal Pool Fairy Shrimp, Tricolored Blackbird, Swainson's Hawk, Burrowing Owl	N/A	N/A	N/A
2	Sacramento	Bryte Ranch Conservation Bank	Amended	573.00	Vernal Pool	157.85	141.65	16.20
					Swainson's Hawk Foraging	431.18	231.75	199.43
					Burrowing Owl	N/A	N/A	N/A
2	Sacramento	Cosumnes Floodplain Mitigation Bank	Amended	493.00	Restored Floodplain Mosaic Wetland	299.14	94.95	204.19
					Restored Floodplain Riparian	121.47	65.55	55.92
					Restored Shaded Riverine Aquatic (linear feet)	45,782.00	11,663.00	34,119.00
					Enhanced Floodplain Riparian	38.13	16.81	21.32
					Enhanced Shaded Riverine Aquatic (linear feet)	10,759.00	0.00	10,759.00

3	Alameda	Brushy Peak Mitigation Bank	New	60.33	Western Burrowing Owl, California Tiger Salamander, San Joaquin Kit Fox	N/A	N/A	N/A
3	Alameda	Collier Creek Mitigation Bank	New	216.25	Wetland, California Tiger Salamander	N/A	N/A	N/A
3	Alameda	Ohlone West Conservation Bank	New	630.92	California Tiger Salamander, Alameda Whipsnake, Red-legged Frog	N/A	N/A	N/A
3	Contra Costa	Honker Bay Conservation Bank	New	125.69	Sacramento River Winter Run Chinook, Central Valley Spring Run Chinook, Central Valley Steelhead, Delta Smelt, Longfin Smelt, Green Sturgeon	N/A	N/A	N/A
3	Marin	North Bay Conservation and Mitigation Bank	New	873.45	Undetermined	N/A	N/A	N/A
3	Solano	Elsie Gridley Mitigation Bank Amendment #1	Amended	1,814.83	Vernal Pool, California Tiger Salamander, Swainson's Hawk Foraging, Burrowing Owl	N/A	N/A	N/A
3	Solano	Muzzy Ranch Conservation Bank	New	1,288.50	Undetermined	N/A	N/A	N/A
3	Solano	North Delta Fish Conservation	Amended	717.19	Salmonid or Smelt	203.68	0.00	203.68
3	Sonoma	Hale Mitigation Bank Amendment #2	Amended	75.00	Wetland, Vernal Pool, California Tiger Salamander, Sonoma Sunshine, Sebastopol Meadowforam	N/A	N/A	N/A
4	Madera	KS Ranch	New	640.00	Undetermined	N/A	N/A	N/A
4	Merced	Dutchman Creek	New	503.00	Undetermined	N/A	N/A	N/A
4	Merced	Yosemite Lake	New	392.50	Undetermined	N/A	N/A	N/A
4	Tulare	Sand Creek	New	498.00	Undetermined	N/A	N/A	N/A

5	Los Angeles	Santa Paula Creek Mitigation Bank	Amended	200.00	Preserved Wetland and Riparian, Coastal Sage Scrub, Chaparral	N/A	N/A	N/A
5	Los Angeles	Peterson Ranch Mitigation/Conservation Bank	New	3,785.00	Restored and Preserved Riparian and Marsh, Alluvial Fan Wash, Annual Grassland, Chaparral, Swainson's Hawk Foraging and Breeding	N/A	N/A	N/A
5	San Diego	Brook Forest Mitigation/Conservation Bank	New	226.00	Restored and Preserved Riparian, Annual Grassland, Coastal Sage Scrub, Chaparral, Engelmann Oak Woodland, Native Grassland	N/A	N/A	N/A
5	San Diego	Pala Del Norte Conservation Bank	New	235.00	Coastal Sage Scrub, Mafic Chaparral	N/A	N/A	N/A
5	San Diego	Miller Valley Ranch Mitigation/Conservation Bank	New	472.00	Enhanced Riparian, Chaparral, Annual Grassland	N/A	N/A	N/A
5	San Diego	Moosa Creek Mitigation/Conservation Bank	New	185.00	Re-established Riverine and Seasonal Wetland	N/A	N/A	N/A
5	San Diego	Ramona Conservation Bank	New	210.00	Annual Grassland, Burrowing Owl	190.00	0.00	190.00
					Preserved Vernal Pool (Basins and Watershed),	10.00	0.00	10.00
5	San Diego	San Luis Rey Mitigation Bank	New	56.00	Rehabilitated and Re-established Riverine	50.45	0.00	50.45
5	Santa Barbara	La Purisima Conservation Bank	New	2,804.00	California Tiger Salamander	N/A	N/A	N/A
6	San Bernardino	Fenner Valley Desert Tortoise Conservation Bank	New	7,435.00	Undetermined	N/A	N/A	N/A
6	San Bernardino	Soquel Canyon Mitigation Bank	New	303.00	Undetermined	N/A	N/A	N/A