

COMBINED AGENCY COMMENTS FROM DECEMBER 2014 AND MARCH 2015

DRAFT BEI SUBMITTED AUGUST 1, 2014

**COMMENTS AND RESPONSES
GRASSLANDS MITIGATION BANK**

DOCUMENT SECTION	IRT COMMENT	RESPONSES TO IRT COMMENTS ARE NUMBERED, ADDITIONAL REVISIONS ARE IDENTIFIED AS “REVISION”
GENERAL COMMENT(S)	<ol style="list-style-type: none"> 1. CDFW-I was unable to find discussion of where and when spoils from pond management would be placed. There is discussion of doing it when dry and during the active season; we'll also want to spec where the spoils would be placed. I think the concept is generally in there but it might just need to be stated more clearly. 	<ol style="list-style-type: none"> 1. Page 22 of the Exhibit D-5 Long Term Management Plan Task A.2.3 Replacement or Repair of Water Control Facilities the following language was added. <i>“The spoil materials from removal of sediment or vegetation will only be placed in uplands away from canal banks or wetland edges where GGS are most likely to occur.”</i>
BEI	<ol style="list-style-type: none"> 1. CDFW-Creation credit release schedule: the proposal is to allow the first 40% release based on as-builts only, no performance criteria for actual demonstrated value for GGS. Total of 70% release when 1 GGS observed. These fall short of what I would expect for an ITP's mitigation performance criteria to meet our fully mitigated standard, for a project that would in fact take the species and displace habitat. We will need to discuss how to relate demonstrated value for GGS to releasing credits for GGS. 2. CDFW-Change signature block for CDFW to “Jeffrey R. Single, PhD.” 	<ol style="list-style-type: none"> 1. This issue was discussed in detail at a January 9 2015 meeting with Westervelt, CDFW, and USFWS in attendance. The option of allowing the first 70% of credit releases to go only for the Department of Water Resources impacts without the necessity of meeting the GGS Utilization Performance Standards was proposed as a solution. Instead of modifying the BEI, which would trigger additional legal review, Westervelt agreed to provide a map and discussion of the type of habitats impacted by DWR work, and has included this information within Exhibit B, Service Area Maps and Descriptions 2. BEI Signature Block for CDFW changed to “<i>Jeffrey R. Single, PhD.</i>”, <p>REVISION: The CDFW Implementation Fees were updated to the 2015 amount: \$61,144.43 (page 15)</p>

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		REVISION: Section Q USACE Provision was added to page 32 "...the BEI is not a contract..."
EXHIBIT A – BANK LOCATION MAPS		
A-1 VICINITY MAP		
A-2 PROPERTY MAP		
A-3 NEARBY CONSERVED LANDS		REVISION: Exhibit A-3 was revised to show neighboring property in USFWS conservation easement, which was omitted from previously submitted exhibit.
EXHIBIT B - SERVICE AREA MAPS & DESCRIPTIONS		
B-1.1 GGS SERVICE AREA MAP		1 At the request of CDFW, an additional GGS Service Area Map was developed showing the DWR impact areas within the GGS Service Area (Exhibit B-1.1.1)
B-1.2 SEASONAL WETLANDS SERVICE AREA MAP	<ol style="list-style-type: none"> 1. CDFW- Map shows wetland service area extending well into the Diablos, outside of the California Central Valley Ecoregion, but the description on page 2 of B-2 says "The proposed Wetlands Service Area includes the extent of the USDA Major Land Resource Area (California Central Valley Ecoregion) that lies within the two 6-digit HUCs..." 2. USACE- Remove the portion of the service area in San Benito County. This location is within the San Francisco district and would require the San Francisco district to be signatory to the bank. 	<ol style="list-style-type: none"> 1. The Seasonal Wetland Service Area Maps (Exhibit B-1.2, B-1.3, B-1.4, B-2.2, and Service Area Hydrologic Analysis Figure 2) have been revised to reflect the limit of the Major Land Resource Area that lies within the 6-Digit HUCS... 2. The revised Seasonal Wetlands Service Area Map exhibits omit any area within San Benito County, thus eliminating the requirement that the San Francisco District be signatory to the Bank.

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		Additionally the Seasonal Wetlands Service Area Maps (B-1.2 , B-1.2 , and B-1.4) were revised to show the western boundary of the Service Area corresponding with the boundary of the Central Valley Eco-Region.
B-1.3 SEASONAL WETLANDS SERVICE AREA NORTH DETAIL		
B-1.4 SEASONAL WETLANDS SERVICE AREA SOUTH DETAIL		
B-2 SERVICE AREA DESCRIPTIONS		At the request of CDFW language was added on page 1 to identify that the first 70% of GGS credit releases are to only be used for DWR-related impacts within the Service Area (Exhibit B-1.1.1)
B-2 ATTACHMENT A SEASONAL WETLANDS SERVICE AREA ANALYSIS		
EXHIBIT C - DEVELOPMENT PLAN	<p>1. CDFW-Is there a planting plan and palette for GGS habitat? Couldn't find one. Wasn't sure if the plan was for passive recruitment or kickstarting it with some transplants of Typha or Scirpus or something.</p>	<p>1. There is no specific planting palette for the GGS aquatic habitat other than transplanting <i>Scirpus Schoenoplectus</i> clumps ("tule") transplants as stated within Development Plan Section E.2.a Planting Plan page 45. The soil seed bank is typically adequate to provide further diversity of perennial and annual emergent wetland plants along pond edges and in between transplanted tule clumps. Bulrush and cattail seeds are readily spread though wind and water transportation, and at our Sutter Basin GGS bank we met the vegetation standards early due to extremely rapid colonization of the marsh.</p>

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	2. CDFW-In G.1.a: one summer flight is proposed to monitor extent of aquatic habitat. How will seasonal duration of that habitat be monitored for the extent of active period (May-Sept)?	2. Water level records are kept throughout the year for each wetland unit at each water level control structure. Those water levels can be directly related to the pond bottom design elevations and as-built drawings to measure the extent of aquatic habitat through the active period. Those design elevations and recorded elevations will be included in the Annual Report.
C-1 DEVELOPMENT PLAN	<p>1. EPA- Groundwater influence and soils: There needs to be clarification about whether the reference site and proposed site have similar hydrology (including groundwater inputs) and soils, and are therefore comparable sites.</p> <p>2. EPA- The Development Plan states that the reference wetlands appear to have formed mainly in response to shallowly perched groundwater rather than under strictly a precipitation-driven regime, and that this groundwater comes from coastal range runoff and managed waterfowl habitat (p. 15, 18-19 of Development plan describes perched water table in reference wetland). However this is not mentioned in the proposed bank’s wetland hydrology, which discusses only precipitation. Will the seasonally high groundwater table exist in the restored wetlands? Will the existing ditches surrounding the proposed site prevent this water table from forming?</p>	<p>1. During a January 14 meeting with USACE and USEPA, Westervelt discussed the absence of protected reference wetlands with similar soils and hydrology. The group decided that it would be better not to use the Design Reference Site under the Uniform Performance Standards, but to utilize the reference site only as a design analog for landforms, and to utilize absolute values of the various Success Criteria for the Performance Standards.</p> <p>2. The influence of shallow-perched groundwater was discussed and compared to the water-holding capability of the soils of the restoration site. The group agreed that the soils and precipitation alone present at the restoration site would likely meet the standard USACE hydrology and vegetation criteria for wetlands and utilizing the design reference wetlands as the performance standard would not accurately measure the progress of the restored wetlands toward the target ecological functions.</p>

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	<p>3. EPA-There should also be more data regarding soils at both the reference sites and proposed site. NRCS soil data should be ground-truthed with soil pit data that shows actual soil types and depth of the hardpan.</p> <p>4. EPA-Design: Please provide information on how the density and placement of wetlands was chosen. It’s not clear if it’s based on historical photos or on reference sites.</p>	<p>3. Additional soil pits were dug at the restoration site after submission of the Draft BEI, and a map and data sheets are included in the Development Plan Appendix B Soils Report for the Property. No soil pits were dug at the Design Reference Site, as it is private property not available to WES. Instead, the use of a Reference Site for meeting Performance Standards will be replaced by the use of absolute values as Performance Standards.</p> <p>4. The following language was added to the Development Plan Section D.3 Characteristics of Design Reference Site D.3.b Hydrology Topography on page 15. <i>“Although a majority of the landscape with the same soil series as the restoration site is completely inundated with applied water for waterfowl hunting, the underlying contours of the historic landscape remain largely intact. Accordingly, the Design Reference Site was employed as an appropriate surrogate to generate layout and density of wetland features within the restoration site. The density of wetlands in the Design Reference Site was determined from analysis of aerial photography and applied to the design of the restored wetlands. The arrangement and density of Seasonal Wetlands to be restored reflects the roughly 50% upland to 50% wetland ratio reflected in the historic landforms of the site from historic aerials (Figure 4) as well as existing vegetation and landforms in the surrounding landscape and Reference Site. The restored seasonal wetlands have been arranged on the site to take</i></p>

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	<p>5. EPA- Performance requirements: Patch structure; Please include a description of how patch structure will be monitored. There is no mention in the monitoring plan, Section G p.53.</p> <p>6. EPA-Uniform Performance Standards require 90% of the number of structural types as compared to the reference site. Please provide justification for why only 75% is proposed.</p>	<p><i>advantage of the slope and drainage patterns within the existing landscape to meet the 50% upland to 50% wetland ratio.”</i></p> <p>5. The Performance Standards for Patch Structure have been modified (Page 52) to include the following language: <i>The By year 1, the Seasonal Wetlands shall contain a minimum of 3 of the structural patch types listed in the CRAM Depressional Wetlands Field Book. These patch types may include open water, swales, and convoluted shorelines. By year 5, the Seasonal Wetlands shall contain a minimum of 7 of the structural patch types listed in the CRAM Depressional Wetlands Field Book, including the original patch types created by construction and additional patch types that may develop over time including concentric high water marks, soil cracks, submerged vegetation and non-vegetated bare ground. A Separate Monitoring Method for Patch Structure was added under section G.1.b with the following language: “Patch Structure monitoring will be completed as part of the annual and monthly monitoring visits. Visual inspection of the wetlands and ground level photography from the monitoring photo-points will be used to document the Patch Structure elements of the restored wetlands.”</i></p> <p>6. At the January 14 meeting, the group agreed to abandon use of the Design Reference Wetlands for Performance Standards, and is utilizing the above absolute Performance Standard for the Physical Structure Success Criteria.</p>

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	<p>7. EPA- Hydrology: Currently the plan calls for 23 days of inundation as a performance criteria. There needs to be a maximum amount of inundation as well. EPA recommends using the Uniform Performance Standards (UPS) of within 10% of reference site range, which I assume to mean within 10% of the reference site in that monitoring year. This would require monitoring of the reference site each year as well. EPA would like to further discuss this with the Corps and bank sponsor.</p> <p>8. EPA-Plan calls for upper 6 inches of saturated soil (wetland criteria from the JD manual). EPA suggests being consistent with UPS and say inundation or saturation should be to a depth within 10% within the reference site range of that monitoring year.</p> <p>9. EPA- Considering importance of perched water table, perhaps the following from UPS should be a criteria: Wet and Dry Season Depth to Groundwater - The permittee shall ensure that the depth to groundwater is within the range of reference wetland conditions.</p> <p>10. EPA-Flora: Since the vegetation criteria is a percentage of what will be on the reference wetlands, there is no need to do the FAC inclusion. If it's a dry year, the reference site will have a high percentage of FAC plants too, and a lower percentage of the OBL and FACW plants.</p>	<p>7. At the January 14 meeting the group discussed that the Seasonal Wetlands are designed to create a diversity of wetland types, and are not designed specifically as vernal pools. The group agreed that the Seasonal Wetlands should meet the 23 day minimum criteria for jurisdictional wetlands and not utilize the Uniform Performance Standard model.</p> <p>8. Similarly to item 7 above, the group decided to utilize the minimum standards for jurisdictional wetlands instead of utilizing the Design Reference Wetlands as the Performance Standard and agreed to let the language stand in the document.</p> <p>9. Similar response to items above;</p> <p>10. Flora 1. The group agreed to modify this Performance Standard to the Number of co-dominant wetland species (OBL, FACW, or FAC) in keeping with the standards for jurisdictional determinations.</p> <p>11. This is the Flora 2 Success Criteria. The group agreed to maintain these as absolute values of relative</p>

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	<p>11. EPA-Native hydrophytic plants: the plan currently states 50% of reference by year 5. UPS says it should be 75% of reference. Please justify why it should be lower.</p> <p>12. EPA-Contingency: Make clear that if there is agreement to extend monitoring period, there will be a corresponding delay in credit releases.</p> <p>13. EPA- Please add an explanation to the Development Plan regarding why the reference sites were not used for Performance Standards for the wetlands, and the rationale behind choosing the Performance Standards that we ultimately agreed upon.</p> <p>14. USACE- F.1.b. Success Criteria and Table 7 -Flora 1 – Remove the references to the Prevalence Index scores. This can be accomplished just using the % of the absolute cover of the reference wetlands</p> <p>-Flora 2 – Use the reference wetlands for the performance criteria with the year 5 requirement of 75% of the reference wetlands.</p> <p>-Flora 3 – Create a separate success criterion for invasive species. The performance standard should be the same as currently identified in Flora 2, no more than 10% absolute cover. Parameters can be used for</p>	<p>cover as the Performance Standards instead of using the values from the UPS.</p> <p>12. Under section J Potential Contingency Measures, page 56, language was added: <i>“In the event that the monitoring period is extended in order to meet Success Criteria, there will be a corresponding delay in credit releases.”</i></p> <p>13. Language was added under section F.1.b explaining why the Design Reference Sites were not used for Performance Standards and why we used CRAM Success Criteria for our Performance Standards</p> <p>14. Flora 1 Reference to Prevalence Index was removed from this Success Criteria, but the Performance Standard was revised to reflect the number of co-dominant species from the list of species from the CRAM module. Those species have been listed in the revised document under Section G. Monitoring Methodologies.</p> <p>Flora 2 The group decided that the existing standards were adequate and should remain in the document</p> <p>Flora 3 A separate Success Criterion was created for non-native invasive species utilizing the CAL IPC List A for invasive species</p>

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	<p>the classification of “invasive species,” such as the CAL IPC List A.</p> <p>-Physical – Identify the existing patch types in the reference wetlands and which would be constructed and which would develop over time. The performance standard for years 2-5 should be adjusted to reflect the year that the patch types are reasonable expected to begin occurring. E.g. if 50% of the patch types are part of the actual construction design (i.e. slope, benches, etc.) then year 2 should have most if not all of those patch types. This would allow the monitor to identify concerns with the design or construction early on.</p> <p>15. - Table 7 – Verify that is updated to accurately depict the final requirements as identified in the text. The table should be used in monitoring reports so that the reviewer can easily verify if the performance standard has been met for that year.</p> <p>16. USACE- Three years without human intervention – F.1.b must state that the seasonal wetlands must meet all of the performance standards for three years without human intervention. This would include any remediation work or other manipulation that would assist the seasonal wetlands to meet the performance standards.</p>	<p>Physical See comment #5, above.</p> <p>15. Table 7 was modified to accurately depict the final Success Criteria and Performance Standards identified in the text.</p> <p>16. Language was added at the end of Section F.1.b “<i>If remedial actions are implemented to achieve the Seasonal Wetlands Success Criteria, the Performance Standards must be met for 3 years without human intervention.</i>”</p> <p>REVISION: During the January 14 meeting the group decided to remove the Fauna Success Criteria and any related Performance Standards. Those edits have been completed in the revised documents.</p>

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APPENDIX A REFERENCE SITE INFORMATION	1. EPA- See Above	1. The need for additional information on the Design Reference Site has been dropped due to the agreed-upon changes in the Performance Standards.
APPENDIX B BANK SOILS REPORT	1. EPA- There should be more data regarding soils at both the reference sites and proposed site. NRCS soil data should be ground-truthed with soil pit data that shows actual soil types and depth of the hardpan.	1. An explanation is provided under the response to Item #3 of C-1 Development Plan , above.
APPENDIX C BANK PLANT LIST		
APPENDIX D HYDROLOGY ANALYSIS	<p>EPA- Hydrology Analysis</p> <ol style="list-style-type: none"> Due to the importance of groundwater in maintaining the wetlands at the reference site, the Hydrology Analysis should include groundwater inputs. The goal of the restored wetlands is not only to get enough hydrology to make jurisdictional wetlands, but to get enough hydrology to replicate the reference wetlands. Assuming the reference wetlands are appropriately chosen and the proposed site has similar groundwater inputs and perched groundwater table, there needs to be a more thorough analysis. The analysis should contain: <ul style="list-style-type: none"> A more detailed analysis of the reference sites that includes groundwater inputs and losses. Actual inundation monitoring data for the reference sites, not assumed inundation periods using precipitation and 	1. & 2. An explanation is provided under the response to Items 7,8, and 9 of C-1 Development Plan, above.

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	<p>evapotranspiration calculations.</p> <ul style="list-style-type: none"> ▪ A water budget for dry, medium, and wet years for the proposed site. If the proposed site will depend on perched groundwater for success, the water budget should include groundwater inflow and outflow (percolation) and impacts from ditches. If the proposed site will not require perched groundwater for success, percolation should still be included in the analysis. ETo is probably not the only loss. Include information on the depth of the impermeable layer compared to the depth of ditches. ▪ Groundwater monitoring data from both sites would be helpful in showing that the proposed site could meet success criteria. <p>2. EPA-The Hydrology Analysis requires a minimum of 17 days to meet hydrology design criteria (p. 5, based on the JD manual requirements) and bases the amount of precipitation needed for the proposed wetlands on this calculation. While this criteria needs to be met as a minimum to be a wetland, the purpose of the restored wetlands is to replicate the hydrology of the reference wetlands, not just satisfy general hydrology criteria. EPA suggests doing hydrology monitoring as soon as possible at the reference site so that the analysis can base water input needs on actual conditions.</p>	
APPENDIX E FORMAT FOR REPORTS	1. USACE-I(3) is specific to permittee responsible mitigation. The monitoring reports should not include impacts, just the status of the mitigation	1. The language “ <i>Not applicable to Banks</i> ” was added to this subsection of the document

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	bank site and the performance of the constructed features.	
C-2, C-3 CONSTRUCTION AND PERFORMANCE SECURITIES		
EXHIBIT D - BANK MANAGEMENT & OPERATION PLANS		
D-1 INTERIM MANAGEMENT SECURITY ANALYSIS AND SCHEDULE; EXPLANATION OF COSTS	<p>1. CDFW-No funds allocated for 3rd year GGS monitoring to determine if performance criterion of 1 snake is met. It includes a five-year monitoring cost for GGS, but that would be beyond the interim management period.</p> <p>2. USACE- D.2.1 – How would the Sr Tech lead a site tour in only three hours? This should include travel.</p> <p>3. USACE-Is there a line item for accompanying</p>	<p>1. The Bank Sponsor (Westervelt) is entirely responsible for all costs (including all GGS and other monitoring and management tasks) during the Interim Management Period. The Interim Management Period lasts through achievement of all Performance Standards, receipt of final credit releases and full funding of the Endowment for three years. As specified in the BEI Section VI.C., the Interim Management Security is designed to cover the costs of <i>only the first three years</i> of management and maintenance after Bank establishment. This security is only to be utilized if the Bank Sponsor defaults on the management and monitoring of the Bank. The spreadsheet model averages costs over the first three years of the Interim Management Period, and then multiplies that number to calculate the cost for the first 3 years.</p> <p>2. and 3. Eight hours have been added for the Land Manager to lead two of these site visits. Educational and Scientific site visits are often combined with trips scheduled for other purposes, including IRT</p>

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	<p>IRT members on a compliance site inspection?</p> <p>4. USACE-Who are the field crew members? Are they qualified to complete vegetative monitoring of the seasonal wetlands? The cost per hour appears low for qualified biologists or field techs. Are monthly monitoring visits done all year long? The endowment only includes 57 hours for this action. Is that sufficient for monthly visits? This appears to only be sufficient for one person to visit 7 times.</p>	<p>compliance site inspections, thus reducing total travel time for each separate task.</p> <p>4.The field crew members are typically skilled laborers, who conduct the ground-level activities. Field Crew members are not typically qualified to complete vegetation monitoring. Vegetative Monitoring (Task E.2.1) is scheduled to be conducted by Technicians who possess 4-year degrees and are experienced in botanical monitoring. The \$75/ hour rate scheduled for Technicians is a market rate for qualified biologists that are hired by Westervelt. Monthly visits are completed all year long, and during those visits are other tasks are typically completed such as water management, trash removal, vegetation management etc.</p>
<p>D-2 ENDOWMENT FUND ANALYSIS AND SCHEDULE; EXPLANATION OF COSTS</p>	<p>1. CDFW-Funds for GGS monitoring/surveying are allocated for every 5 years. What if success criteria for GGS occupation are not met in the first survey cycle, which is year 4, and more surveys need to be done in successive years to meet the success criteria?</p> <p>2. CDFW-Since GGS criteria are to be met in year four, that would be the first year of long-term management. Does the endowment fund account for spending the GGS monitoring amount in year 1 of long-term management (year 4 over all), or in year 5, after accruing interest for eight years?</p>	<p>1. The Endowment Fund Analysis is designed to estimate funds needed to manage and monitor the Bank <i>after</i> all Performance Standards are met (including GGS Utilization). If Performance Standards are not met according to the schedule, then the Interim Management Period is extended and the Bank Sponsor continues to pay out-of-pocket for all annual expenses, leaving the Endowment Fund untouched.</p> <p>2. The Interim Management Period is defined as lasting until <i>all</i> Success Criteria are achieved, including both GGS and Wetlands <i>and</i> the Endowment has been fully funded for three years. Typically, the Endowment will be funded corresponding to the schedule in the BEI, and is increased over time as credits are released. The Endowment will not be</p>

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	3. USACE- Same comments as above for Interim Management Endowment Analysis.	<p>fully funded until the fourth credit release, then the Endowment will have to mature for three more years before it is called on to provide funds for management and monitoring.</p> <p>3. Eight hours have been added for the Land Manager to lead two of these site visits. Educational and Scientific site visits are often combined with trips scheduled for other purposes, including IRT compliance site inspections.</p> <p>The field crew members are typically skilled labors, but often with associate degrees who conduct the ground activities. Vegetative Monitoring (Task E.2.1) is conducted by Technicians who possess 4-year degrees and are experienced in botanical monitoring. Monthly visits are completed all year long, and during those visits are other tasks are typically completed such as water management, trash removal, vegetation management, etc...</p>
D-3 TRUST AGREEMENT	<p>1. CDFW-Second paragraph refers to Colusa Basin BEI, maybe elsewhere, too.</p> <p>2. CDFW-Signature block should be Jeffrey R. Single, PhD, Central Region Manager, not Tina Bartlett.</p> <p>3. USACE- Change "Colusa Basin" to "Grasslands" in pg 1, Paragraph 2.</p>	1.2.3. Edits completed as requested. The template was updated to reflect the 2014 version developed specifically for mitigation banks.
D-4 INTERIM MANAGEMENT PLAN	1. CDFW-E.1 states GGS monitoring will occur twice in interim (which corresponds with the performance criteria), but the interim security analysis accounts for only one monitoring event.	1. The Interim Security Analysis was modified to include the cost of two GGS monitoring events during the Interim Management Period. The Interim Security Analysis is designed to calculate an <i>average</i> annual cost over the five years, and is then multiplied to cover 3 years of the average cost for management and monitoring.

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	<p>2. USACE- The interim management plan should be a stand-alone document that shows what is to be done during the interim period.</p> <p>3. USACE- Define the interim period.</p> <p>4. USACE- Include the performance standards for ease of monitoring and compliance from a single document. This can be done as an appendix.</p>	<p>2. The revised Interim Management Plan has been modified to be a stand-alone document that include all components of management, monitoring, and reporting.</p> <p>3. The revised Interim Management Plan includes the following language in Section IB “... <i>the Interim Management Period... lasts from the date of Bank Enabling Instrument signature and recording of the Conservation Easement through achieving all Performance Standards, and full funding of the Endowment for a period of three years.</i>”</p> <p>4. A copy of the Success Criteria, Performance Standards, and Monitoring Methods section from the Development Plan as well as the Credit Table and Credit Release Schedules and CDFW Implementation Fee Schedule are now included as Appendices to the Interim Management Plan.</p>
D-5 LONG-TERM MANAGEMENT PLAN	<p>1. CDFW-Pg 19: If <i>Gambusia</i> will be planted, then the CE language will have to be tweaked to allow introduction of non-native species (it is one of the prohibited uses in the CE template).</p> <p>2. USACE- A.1.1 – Are monthly monitoring visits done all year long? The endowment</p>	<p>1. Keeping the option of introducing <i>Gambusia</i> for mosquito control may be an important management need in the future. We have added language to the CE section 3(i) Prohibited Uses that would limit the introduction of non-native species to those species identified in the Management Plan. The language in the CE now reads: <i>Prohibited Uses: Planting, introduction or dispersal of non-native or exotic plant or animal species, except as specifically provided in the Development Plan or Management Plan</i>”</p> <p>2. Monthly monitoring visits are done all year long. Most monthly visits are combined with other</p>

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	<p>only includes 57 hours for this action. Is that sufficient for monthly visits? This appears to only be sufficient for one person to visit 7 times.</p> <p>3. USACE- Is field crew qualified to complete this task?</p> <p>4. USACE-Is hunting typically allowed on mitigation bank sites?</p> <p>5. USACE-D.2.1 – This should be clarified that there is no funding to conduct site visits, just coordination.</p>	<p>activities such as Water Management, Vegetation Management, Trash Removal, etc. thereby reducing travel times.</p> <p>3. Field Crew personnel are primarily laborers skilled in habitat work. They work hand-in-hand with the Technicians, Sr. Technicians, and the Land Manager and support the compilation of year-end information for the Annual Reports.</p> <p>4. Hunting has long been an approved and allowable compatible use on GGS and wetland banks. Westervelt Banks approved with hunting as an allowable use include Cosumnes Floodplain Mitigation Bank, Sutter Basin Conservation Bank (GGS), Burke Ranch Conservation Bank, Colusa Basin Mitigation Bank (GGS), Maxwell Mitigation Site (GGS).</p> <p>5. Text was added for the Land Manager to conduct 2 site visits. <i>"Eight hours of time for the Land Manager are included in the endowment calculation for these site visits. These site visits typically occur concurrently with other site visits for management and monitoring activities."</i></p>
ATTACHMENT A GRAZING PLAN		
D-6 BANK CLOSURE PLAN		
EXHIBIT E – REAL ESTATE RECORDS & ASSURANCES		

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E-1 TITLE REPORT, LEGAL DESCRIPTION, PARCEL MAP		
E-2 PROPERTY ASSESSMENT AND WARRANTY		
ATTACHMENT 1 TITLE REPORT		
ATTACHMENT 2 PRINTED COPIES OF EXCEPTIONS		
ATTACHMENT 3 EXPLANATION OF EXCEPTIONS		
ATTACHMENT 4 MAP OF EXCEPTIONS		
E-3 PLAT MAPS		
E-4 CONSERVATION EASEMENT	<p>1. USACE- Pg 12 should include "Attn: Chief, Regulatory Division" in the USACE address.</p>	<p>1. Edit made to Page 12 Notices "<i>Attn: Chief, Regulatory Division</i>" added to the USACE address, Footer changed to "Revised Draft BEI January 2015"</p> <p>REVISION: In response to CDFW's question regarding the introduction of <i>Gambusia</i> for mosquito control, the following language has been added to section 3(i) Prohibited Uses:"...except as specifically provided in the Development Plan or Management Plan."</p> <p>REVISION: The Draft BEI Exhibit C-4 did not contain a legal description for the Conservation Easement. A certified legal survey (legal description and plat maps of the exceptions) of the Conservation Easement Area has been recently completed (Exhibit</p>

DOCUMENT SECTION	IRT COMMENT	RESPONSES TO IRT COMMENTS ARE NUMBERED, ADDITIONAL REVISIONS ARE IDENTIFIED AS "REVISION"
		C to the Conservation Easement). The registered surveyor's calculations of the Conservation Easement Area is 273.55 acres. This revised acreage is reflected in the first page of the CE and other documents referring to the Bank Property acreage.
E-5 TITLE INSURANCE POLICY		
EXHIBIT F – BANK CREDITING & CREDIT TRANSFERS		
F-1 CREDIT EVALUATION AND CREDIT TABLE	1. CDFW-I recommend extending upland credits to 200 feet from the emergent wetland areas to align with typical impact assessment methods for GGS. This would capture part of the seasonal wetland area in the north half, but might cut out some small corners of uplands in the south half. We should discuss whether those small corners could be captured by buffering the water delivery canals on the east side and through the middle; I'm not clear on the aquatic habitat characteristics within those canals. E.g. will they hold water through the season or only during water delivery?	1. Based on this comment, and a similar comment from FWS, we have mapped all uplands within 200' of the emergent wetlands and delivery and drainage canals, and that buffer encompasses all of the uplands identified for GGS crediting in the updated Exhibit. The delivery and drainage canals will have water in them on a daily basis and will grow emergent vegetation on their edges, making them excellent GGS aquatic habitat. Observations of GGS at WES' other GGS bank indicate that the water control structures in the canals are heavily utilized as GGS feeding areas and the riprap and uplands bordering those delivery and drainage canals are heavily utilized by GGS for thermoregulation. This adjustment adds an additional 6 acres of uplands to GGS crediting (186). This change is reflected in all documents and figures with information on credit numbers.
F-2 CREDIT PURCHASE AGREEMENT		
F-3 RIBITS TRANSACTIONS		

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F-4 CREDIT LEDGER TEMPLATE		REVISION: The Credit ledger was updated to reflect the additional 6 acres of GGS habitat bringing the credit ledger to a total of 186 GGS credits and 46 Seasonal Wetland Credits, for a grand total of 232 credits for the Bank
F-5 CDFW IMPLEMENTATION FEE SCHEDULE		REVISION: The CDFW Implementation Fee Schedule was updated to reflect the new total of 186 GGS credits and the 2015 Implementation Fee of \$61,144.43
EXHIBIT G – PHASE I ENVIRONMENTAL SITE ASSESSMENT		
EXHIBIT H – BIOLOGICAL RESOURCES		
H-1 SUMMARY REPORT		
H-2 GGS SURVEYS		
H-3 BOTANICAL SURVEYS		
H-4 LISTED SPECIES		
EXHIBIT I – JURISDICTIONAL DETERMINATION & VERIFICATION LETTER		

DOCUMENT SECTION	IRT COMMENT	RESPONSES TO IRT COMMENTS ARE NUMBERED, ADDITIONAL REVISIONS ARE IDENTIFIED AS “REVISION”
EXHIBIT J – CULTURAL RESOURCES		
EXHIBIT K – OTHER DOCUMENTATION		