



Issuing Office:

Department of the Interior
U.S. FISH & WILDLIFE SERVICE
Endangered Species Permit Office
2800 Cottage Way, Suite W-2606
Sacramento, CA 95825-1846
permitsR8ES@fws.gov

ENDANGERED SPECIES DIVISION CHIEF

Permittee:

CITY OF COSTA MESA
77 FAIR DRIVE
COSTA MESA, CA 92626
U.S.A.

Name and Title of Principal Officer:

BALTAZAR MEJIA - ACTING PRINCIPAL ENGINEER

Authority: Statutes and Regulations: 16 USC 1539(a); 50 CFR 17.22, 50 CFR 13.

Location where authorized activity may be conducted:

ON LANDS SPECIFIED WITHIN THE ATTACHED SPECIAL TERMS AND CONDITIONS

Reporting requirements:

ANNUAL REPORT DUE: 01/31

See permit conditions for reporting requirements

Authorizations and Conditions:

A. General conditions set out in Subpart B of 50 CFR 13, and specific conditions contained in Federal regulations cited above, are hereby made a part of this permit. All activities authorized herein must be carried out in accordance with and for the purposes described in the application submitted. Continued validity, or renewal of this permit is subject to complete and timely compliance with all applicable conditions, including the filing of all required information and reports.

B. The validity of this permit is also conditioned upon strict observance of all applicable foreign, state, local tribal, or other federal law.

C. Valid for use by permittee named above.

SPECIAL TERMS AND CONDITIONS
City of Costa Mesa

1. Acceptance of this permit serves as evidence that the permittee understands and agrees to abide by the “General Permit Procedures and Permit Regulations for Native Endangered and Threatened Wildlife Species Permits,” 50 CFR Part 13, 50 CFR 17.21 and 17.22 (endangered wildlife) and/or 50 CFR 17.31 and 17.32 (threatened wildlife), as applicable found at: <http://www.fws.gov/carlsbad/r8permits/permitprocedures-regulations.htm>
2. The permittee must have all other applicable State and Federal permits prior to the commencement of activities authorized by this permit. In addition, this permit does not authorize access to Federal, Tribal, State, local government, or private lands as it is the responsibility of the permittee to obtain land owner permission prior to commencing permitted activities on such lands.
3. The permittee is authorized to take (conduct habitat restoration and maintenance, collect inoculum, harass by survey, capture, handle, release, and collect adult vouchers) the Riverside fairy shrimp (*Streptocephalus woottoni*) and San Diego fairy shrimp (*Branchinecta sandiegonensis*) (hereafter collectively referred to as listed large branchiopods) in conjunction with the following document:
 - a. *Fairview Park Vernal Pool Restoration and Long Term Maintenance Plan for Vernal Pools 5 and 6, and the Associated Watershed Areas Within the Jurisdiction of the United States Fish and Wildlife Service Pursuant to the Endangered Species Act, Fairview Park, Costa Mesa, California, dated June 8, 2018.*
4. Permitted activities are restricted to the following geographic areas in California:

Fairview Park located in the City of Costa Mesa in Orange County, California.

Notifications to conduct contouring and survey activities at the above authorized locations pursuant to this permit shall be submitted in writing to the Recovery Permit Coordinator at the appropriate Fish and Wildlife Office (FWO) of the U.S. Fish and Wildlife Service (Service) at least 15 days prior to conducting such activities. The appropriate FWO is determined as follows:

Carlsbad Fish and Wildlife Office (CFWO):

2177 Salk Avenue, Suite 250, Carlsbad, California 92008 (telephone: 760-431-9440).
The permit coordinator contact is Stacey Love (stacey_love@fws.gov).

Notifications shall include, as appropriate: (a) an explanation of the purpose of the study and a clear description of methods, including the names of field personnel and the number and dates of surveys; (b) the number of individuals proposed to be captured and/or collected; (c) a map (at a minimum, a 1:24,000 scale U.S. Geological Survey

(USGS) topographical map) depicting the location of the survey site(s); (d) the assessor's parcel number (APN) for the site (if possible); and (e) geographic information system (GIS) data depicting the survey site or global positioning system (GPS) coordinates (if possible). Information may be submitted electronically if pre-arranged with the Recovery Permit Coordinator.

Fifteen (15) days after the Service's receipt of the notification, the permittee may commence activities authorized by this permit unless authorization is denied by the Service. If the permittee is denied authorization to conduct the proposed activities or activities at the requested location(s), including previously authorized sites, a request for reconsideration may be submitted to the Endangered Species Division Chief at the Service's Regional Office for the Pacific Southwest Region (Region 8), 2800 Cottage Way, Room W-2606, Sacramento, California 95825-1846, as provided in 50 CFR 13.29. The procedures specified in 50 CFR 13.29(b) must be followed.

5. Authorized individuals:

Only individuals on the attached List of Authorized Individuals (List) are authorized to conduct activities pursuant to this permit. The List, printed on Service letterhead, may identify special conditions or circumstances under which individuals are authorized to conduct permitted activities and must be retained with these Special Terms and Conditions. Each named individual will be responsible for compliance with the terms and conditions of this permit.

To request changes to the List, the permittee must submit written requests to the Recovery Permit Coordinator at the CFWO at least 30 days prior to the requested effective date. The request must be signed and dated by the permittee and include:

- a. The permit number.
- b. The name of each individual to be appended to the List.
- c. The resume/qualifications statement of each person to be appended to the List, detailing their experience with each species and type of activity for which authorization is requested.
- d. The names, phone numbers and email addresses of a minimum of two references including letters of reference. Letters of reference should address the individual's qualifications for the specific activities to be conducted.
- e. The names of the individuals to be deleted from the List.

Note: This procedure is for personnel changes only. For requests to renew/amend this permit, a complete application must be submitted to the Region 8 office.

6. Taking of listed large branchiopods:

The permittee is authorized to conduct habitat restoration and maintenance, collect inoculum, harass by survey, capture, handle, release, and collect adult vouchers activities for the listed branchiopods specified in condition number 3 above within the geographic boundaries specified above, and the time limitation specified in the permit, provided that:

- a. For habitat restoration and maintenance:
 - i. Contouring, collection and redistribution of inoculum, and trash and debris removal will only be conducted when soils are dry.
 - ii. Inoculum collection from vernal pool 1 will be conducted after contouring of vernal pool 6 is completed. Immediately following collection, inoculum will be hand-broadcast over the surface of vernal pool basin 6, followed by light raking.
 - iii. Maintenance crews may only remove non-native annual grasses while soils are dry and outside the perimeter of vernal pool basins 5 and 6. Maintenance crews may not enter the pool basins, except as described in 7(a)(iv) below.
 - iv. If needed, weeding within vernal pool basins 5 and 6 will be conducted by persons identified on the permit or other supervised personnel provided they are accompanied by persons identified on the permit.
 - v. Removal of non-native upland and invasive aquatic plant species will be performed by hand only within 25 feet of the outer extent of vernal pool basins 5 and 6.
 - vi. Use of herbicides and pesticides is prohibited within the fenced area.
- b. The permittee conducts all surveys in accordance with the approved *Survey Guidelines for the Listed Large Branchiopods* (Guidelines), dated May 31, 2015, unless authorized in advance by the Recovery Permit Coordinator at the appropriate FWO. The current approved survey guidelines can be retrieved at the following address: (http://www.fws.gov/sacramento/es/Survey-Protocols-Guidelines/es_survey.htm)
- c. As specified in the Guidelines, sampling/collecting of hatched individuals or resting eggs is not authorized at any specific location until the permittee requests approval from the appropriate FWO.
- d. For identification and collection of voucher specimens:

- i. Incidentally captured branchiopods that will not be collected as voucher specimens will be returned in good condition to the feature where they were found as quickly as possible.
- ii. For surveys:
 1. Voucher specimens should be collected from each individual feature sampled during a single wet season. Note that a single feature would include all habitat that is hydrologically connected at the time of sampling and permittees should verify the extent of each surveyed feature to prevent taking duplicate voucher specimens. Additional specimens may be taken from individual features if new cohorts of branchiopods are observed, previously undetected species are found, or at the direction of the CFWO.
 2. The number of voucher specimens authorized to be collected and preserved is limited to no more than 20 hatched individuals of each species from each feature per sampling visit, or less than 50 percent of the estimated subpopulation present in the water column, whichever is the lesser amount. For a standard survey we anticipate that primarily males will be collected for identification, but a sample should include no less than three specimens of either sex, and both male and female taxonomic characteristics shall be observed for proper identification.
 3. With written authorization from the CFWO, once the expected listed branchiopod(s) have been documented within a given feature, surveys may cease for that feature.
 4. With written authorization from the CFWO, a single voucher only of each listed species found within a vernal pool complex (as determined by the FWO) may be taken (e.g., to minimize take where branchiopod numbers are limited).
 5. Multiple similar branchiopod species may occupy the same feature in varying numbers. To increase the detectability of a rare species under these circumstances, where feasible, we recommend that 30 specimens, or less than 50% of the estimated subpopulation present in the water column, whichever is the lesser amount, be retained and preserved for identification during each sampling visit where new cohorts of branchiopods are observed (e.g., within Zone C, *B. lindahli* may occur with *B. lynchi* or *B. sandiegonensis*).
 6. Where multiple species within a genus co-occur, hybridization may be observed. Proper identification of hybrids may require the collection of approximately 10 to 15 additional female specimens

(e.g., hybrids between *B. lindahli* and *B. sandiegonensis* are more easily identified with female specimens). In Orange and San Diego County, if any variability in the characteristics of *B. lindahli* and *B. sandiegonensis* is observed, those specimens should be scored relative to a morphological hybrid index (Simovich et al. 2013). A revised version of the morphological hybrid index will be made available on the CFWO's website.

Simovich, M., K. Davis, and A. Bohonak. 2013. Landscape homogenization threatens the genetic integrity of the Endangered San Diego fairy shrimp *Branchinecta sandiegonensis* (Branchiopoda: Anostraca). *Journal of Crustacean Biology* 33(5): 730-740.

- e. The permittee will disinfect sampling and field gear as follows:
 - i. Remove mud, snails, algae, and other debris from nets, traps, boots, vehicle tires, and all other surfaces. Rinse cleaned items with sterilized (e.g., boiled or treated) water before leaving each survey site.
 - ii. Boots, nets, traps, hands, etc. will be scrubbed with either a bleach solution (0.5 to 1.0 cup per 1.0 gallon of water), Quat-128™ (1:60), or a 3 to 6 percent sodium hypochlorite solution and thoroughly rinsed clean with water. Equipment will be rinsed clean with water between study sites. Cleaning equipment in the immediate vicinity of aquatic habitats will be avoided (e.g., clean in an area at least 100 feet from aquatic features). Care will be taken so that all traces of the disinfectant are removed before entering the next aquatic habitat.
 - iii. In remote locations, clean all equipment as described above upon return to the lab or base camp. Elsewhere, when washing machine facilities are available, remove nets from poles and wash with bleach on the delicates cycle, within a protective mesh laundry bag.
 - iv. Used cleaning materials (liquids, etc.) will be disposed of safely at the lab. Used disposable gloves will be retained for safe disposal in sealed bags.
7. Minor deviation from the stipulated terms and conditions may be authorized on a case-by-case basis when approved by the applicable FWO unless an amendment to this permit would be required. Changes that would require an amendment to this recovery permit include but are not limited to changes in study plan or research proposal, location, activity, amount or type of take, or species to be covered by the permit.
8. This permit does not cover any activities authorized pursuant to a biological opinion or habitat conservation plan (HCP). All such activities must be authorized by the office that wrote the biological opinion, issued the section 10(a)(1)(B) incidental take permit based

on an HCP, or is the lead field office implementing the HCP. Note also that this permit is not to be construed as meaning that the permittee or other authorized individuals are qualified to conduct activities pursuant to a biological opinion or HCP except insofar as the activities are similar to those authorized in this permit. Their qualifications for activities to be done pursuant to the biological opinion are subject to review and written approval for the specific activities by the office that wrote the biological opinion, issued the section 10(a)(1)(B) incidental take permit based on an HCP, or is the lead field office implementing the HCP.

9. This permit does not authorize take of federally listed species that are not specifically authorized pursuant to this permit. However, the Service acknowledges that incidental take of a co-occurring federally listed species could potentially occur while conducting certain permitted activities for some species. When applicable, the following conditions now apply to all federally listed animals that the permittee is not authorized to take pursuant to this permit, but which may be incidentally sighted, encountered, captured, injured, or killed:
 - a. Each individual authorized pursuant to this permit shall be knowledgeable about potentially co-occurring listed species that may occur throughout the habitats in which permitted activities are conducted. Additionally, individuals must be observant and cautious to the extent practicable in order to minimize take.
 - b. Any federally listed animal that the permittee is not authorized to take pursuant to this permit, but is incidentally captured during the course of conducting authorized activities, shall be released immediately at the point of capture.
 - c. During the course of your permitted activities, if an incidental injury or mortality occurs to a federally listed species not authorized in this permit, the permittee shall follow instructions specified in condition 10 below.
 - d. Any incidental capture, injury or mortality of a federally listed species not authorized in this permit shall be recorded and reported in the annual report submitted pursuant to this permit.
 - e. All incidental encounters, sightings, capture, injury, or mortality of other federally listed species not authorized under this permit shall be recorded and reported in the annual report submitted pursuant to this permit. We request that it also be reported to the California Natural Diversity Database (CNDDDB) as specified in condition number 13 below.
10. The number of individuals allowed to be incidentally injured or killed during permitted activities is 5 individuals of each listed large branchiopod species (and an unquantifiable number of eggs) in any calendar year.
 - a. Any incidental injury or killing must be reported within 3 working days to the

Regional Recovery Permit Coordinator (telephone: 760-431-9440) and the Recovery Permit Coordinator at the CFWO.

- b. In the event that the number of individuals allowed to be incidentally injured or killed is exceeded during the performance of permitted activities, the permittee must:
 - i. Immediately notify the Regional Recovery Permit Coordinator and the Recovery Permit Coordinator at the CFWO. Within 3 working days, the permittee shall follow-up such verbal notification in writing to each office.
 - ii. With the written notification, the permittee is to provide a report of the circumstances that led to the injury or mortality. A description of the changes in protocols that will be implemented to reduce the likelihood of such injury or mortality from happening again should be included, if appropriate. A copy of this report shall also be sent to the California Department of Fish and Wildlife (CDFW), Attention: Permitting Biologist, Wildlife Branch, 1812 Ninth Street, Sacramento, California 95811 (telephone: 916-445-3764).
 - c. Dead specimens and/or appropriate parts of dead specimens that are incidentally taken pursuant to this section shall be preserved in accordance with standard museum practices. Within 120 days, the preserved specimen(s) shall be properly labeled and deposited with one of the designated repositories specified below. Specimens must be accessioned with complete collecting data. The permittee shall supply the repository with a copy of this permit to validate that the specimens supplied to the museum were taken pursuant to a permit. Collection data (e.g., dates and location) and deposition of carcasses by the permittee must be reported in the subsequent annual report.
11. The permittee is authorized to salvage all authorized species' carcasses and provide them to one of the designated repositories within 120 days by following condition number 10.c above. Any specimens salvaged will be documented and specified in the annual report submitted to the appropriate field office.
 12. Designated repositories:

The California Academy of Sciences, Golden Gate Park, San Francisco, California; the Los Angeles County Museum of Natural History, Los Angeles, California; the Bohart Museum, University of California, Davis, California or any other institution designated in writing by the appropriate FWO.
 13. California Natural Diversity Database forms shall be completed, as appropriate, for each listed species addressed herein and submitted to the Biogeographic Data Branch, CDFW, 1416 9th Street, Suite 1266, Sacramento, California 95814 (also accessible online

at: <https://www.wildlife.ca.gov/Data/CNDDDB>). Copies of the form can be obtained from the CDFW at the above address (telephone: 916-322-2493). The appropriate field office will be notified via email when the forms are submitted. This can consist of a one sentence email simply stating the forms were submitted.

14. All reports or other documents that include information gathered under the authority of this permit (e.g., reports prepared by consulting firms for their clients, theses, or scientific journal articles) shall reference this permit number. Copies of such documents shall include a transmittal letter and be provided to the Recovery Permit Coordinator at the appropriate FWO upon their completion. Draft documents, raw/field data, and other information resulting from work conducted under the authority of this permit shall be submitted to the Service upon request.

15. Annual reports:

Two types of annual reports shall be submitted to the Recovery Permit Coordinator at the appropriate FWO by January 31, following each year this permit is in effect as specified below. Note electronic reporting requirements below.

- a. Annual summary report:

In order to track, document, and assess all activities conducted pursuant to this permit, we are requiring an annual summary report be submitted that summarizes all of the activities conducted pursuant to this permit during the previous calendar year. Activities that are continuous (i.e., overlapping in two or more calendar years), must be reported each year the activity is in effect. The annual summary report shall be in the following format to include and not be limited to the following:

- i. Permittee name and number with date of expiration;
- ii. A section listing all authorized activities conducted for each permitted species during the previous calendar year. This information can be in tabular format and should provide a summary of each activity for each species authorized in this permit. This section shall include but not be limited to:
 - A. The name and title of each permitted activity conducted during the previous calendar year (preferably the same title as the reports previously or concurrently being submitted to the Service as specified in condition 15(b) below);
 - B. The specific location of the project site, including the County;

- C. The common and scientific names of the listed species for which the permitted activity was conducted;
 - D. Whether or not the species was observed;
 - E. The date and name of the Service office where each individual report(s) have been or will be submitted;
 - F. Whether or not GIS data was submitted; and
 - G. The version of each activity report (draft or final) and the report date. If a draft report was submitted, indicate the reason (ongoing activities; processing/analysis of data, final report in review, final report in progress, etc.) and the anticipated final report finish date.
- iii. Number of individuals incidentally injured and/or killed, including dates, locations, circumstances of take, and depository receiving the preserved specimen(s). If no injuries or mortalities occurred, please state this in writing in your annual summary report.
 - iv. Other pertinent observations made regarding the status or ecology of the species.
 - v. Planned future activities, if authorized under this permit.
 - vi. If no activities were conducted with any or all species authorized under the permit during the previous year within any field office jurisdiction, you must state this in writing in your annual summary report to that field office.
- b. Comprehensive project reports:
- i. For each project-specific activity, the permittee shall submit a comprehensive annual report to the appropriate FWO in the following format:
 - (i) an introduction section addressing reasons and objectives for performing the activity; (ii) a methodology section which includes an overview of the methods used to collect and analyze data and/or perform habitat management; (iii) a results section that provides and summarizes the data collected and areas where habitat management was performed, including information on any other federally listed species detected while conducting activities authorized under this permit; and (iv) a conclusion section that specifically provides recommendations for recovery of the species and any plans for future studies. Activities that are continuous (i.e., overlapping in two or more calendar years), must be reported each

year the activity is in effect to the appropriate FWO. Information may be submitted electronically if pre-arranged with the Recovery Permit Coordinator. The annual report shall include, but not be limited to:

- A. On the cover page of the report, include the title, location, permit number, permittee name, date and time frame of the activity, and date of preparation on the report.
- B. Summary presentations and brief discussions of survey and monitoring results;
- C. Locations sampled or study area(s) delineated on a 7.5 minute U.S. Geological Survey topographic map at 1:24,000 scale. The name of the USGS map identified;
- D. The names of all personnel conducting the activity and associated permit numbers.
- E. The results of all sampling efforts, including the numbers and life stage of each listed species observed, dates of observation, and estimates of population sizes; and
- F. Other pertinent observations made during sampling efforts regarding the status or ecology of the species.

16. Electronic Reporting requirements:

All reports must be submitted electronically. Electronically submitted reports must be sent using the following conditions:

- a. Hard copy reports are no longer accepted.
- b. Each report must be saved as one PDF only. Zipped files, other file formats, and Excel spreadsheets are not accepted. One exception: Statements of no activity may still be sent in the body of an email.
- c. Each report must “stand alone” from any correspondence or transmittal, and must contain the permittee name and permit number at minimum.
- d. Emails are limited to 25 megabytes in size. If emails with attachments exceed this size limitation, please: (1) send the attachments in separate emails (but do not break up individual reports; again, only one PDF per report), or (2) submit them on a DVD or CD. Again, do not zip the file(s) and do not send file formats other than PDF. Links for file download and thumb drives are not accepted.
- e. Unless a report is revised, please send each report only once. Do not send duplicates.
- f. Please only send GIS files if the field office Recovery Permit Coordinator previously arranged for receipt of these data from you.

- g. Please include your recovery permit number in the subject line or body of all emails.
17. Failure to comply with reporting requirements of this permit may result in non-renewal or suspension/revocation of this permit.

Acting Endangered Species Division Chief



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Pacific Southwest Region
2800 Cottage Way, Suite W-2606
Sacramento, California 95825-1846

LIST OF AUTHORIZED INDIVIDUALS TE-87580B-0

1. Individual authorized to independently supervise restoration of damaged areas (i.e., reestablish contours) of vernal pools 5 and 6 for listed large branchiopods pursuant to this permit:

Tony Bomkamp.

Other individuals (e.g., grading contractors) may conduct activities pursuant to this permit only under the direct, on-site supervision of an independently authorized individual specified above. For this activity only, “on-site supervision” is defined as an unauthorized person conducting activities within sight of an authorized individual.

2. Individuals authorized to independently conduct wet season surveys and inoculum collection for listed large branchiopods pursuant to this permit:

Kevin Livergood and David Moskovitz.

3. Individual authorized to independently conduct hydrology monitoring for listed large branchiopods pursuant to this permit:

David Moskovitz.

4. Individuals authorized to independently conduct vegetation maintenance and monitoring within vernal pool basins 5 and 6 for listed large branchiopods pursuant to this permit:

Shahzad Asgari, Tony Bomkamp, Kevin Livergood and David Moskovitz.

Other individuals may conduct activities pursuant to this permit only under the direct, on-site supervision of an independently authorized individual specified above. “On-site supervision” is defined as an unauthorized person conducting activities within 3 meters (9.8 feet) of an authorized individual.

Acting Endangered Species Division Chief

This List is only valid if it is dated on or after the permit issuance date.

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RESOLUTION

RESOLUTION NO. 17-52

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE HABITAT CONSERVATION FUND PROGRAM

THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA DOES
HEREBY RESOLVE AS FOLLOWS:

WHEREAS, the people of the State of California have enacted the California Wildlife Protection Act of 1990, which provides funds to the State of California for grants to local agencies to acquire, enhance, restore or develop facilities for public recreation and fish and wildlife habitat protection purposes; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the HCF Program, setting up necessary procedures governing project application under the HCF Program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the applicant will enter into a contract with the State of California to complete the project(s);

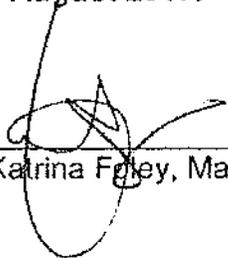
NOW, THEREFORE, BE IT RESOLVED that the City Council of Costa Mesa hereby:

SECTION 1. APPROVES: the filing of an application for the Habitat Conservation Fund Program; and certifies that said applicant has or will have available, prior to commencement of any work on the project included in this application, the required match and sufficient funds to complete the project; and certifies that the applicant has or will have sufficient funds to operate and maintain the project(s), and certifies that the

applicant has reviewed, understands, and agrees to the provisions contained in the contract shown in the grant administration guide; and delegates the authority to the Public Services Director to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the project, and agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

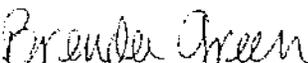
SECTION 2. The City Clerk shall certify to the passage and adoption hereof.

PASSED AND ADOPTED this 1st day of August 2017.



Katrina Foley, Mayor

ATTEST:



Brenda Green, City Clerk

APPROVED AS TO FORM:



Thomas Duarte, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, Brenda Green, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 17-52 and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 1st day of August, 2017, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS: MANSOOR, STEPHENS, GENIS, FOLEY

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: RIGHEIMER

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 2nd day of August, 2017.

Brenda Green
BRENDA GREEN, CITY CLERK

GRANT SCOPE/COST ESTIMATE

GRANT SCOPE/Cost Estimate Form

GRANT SCOPE:
Restoration of 3-acres of degraded vernal pools at Fairview Park. Installation of educational signage.

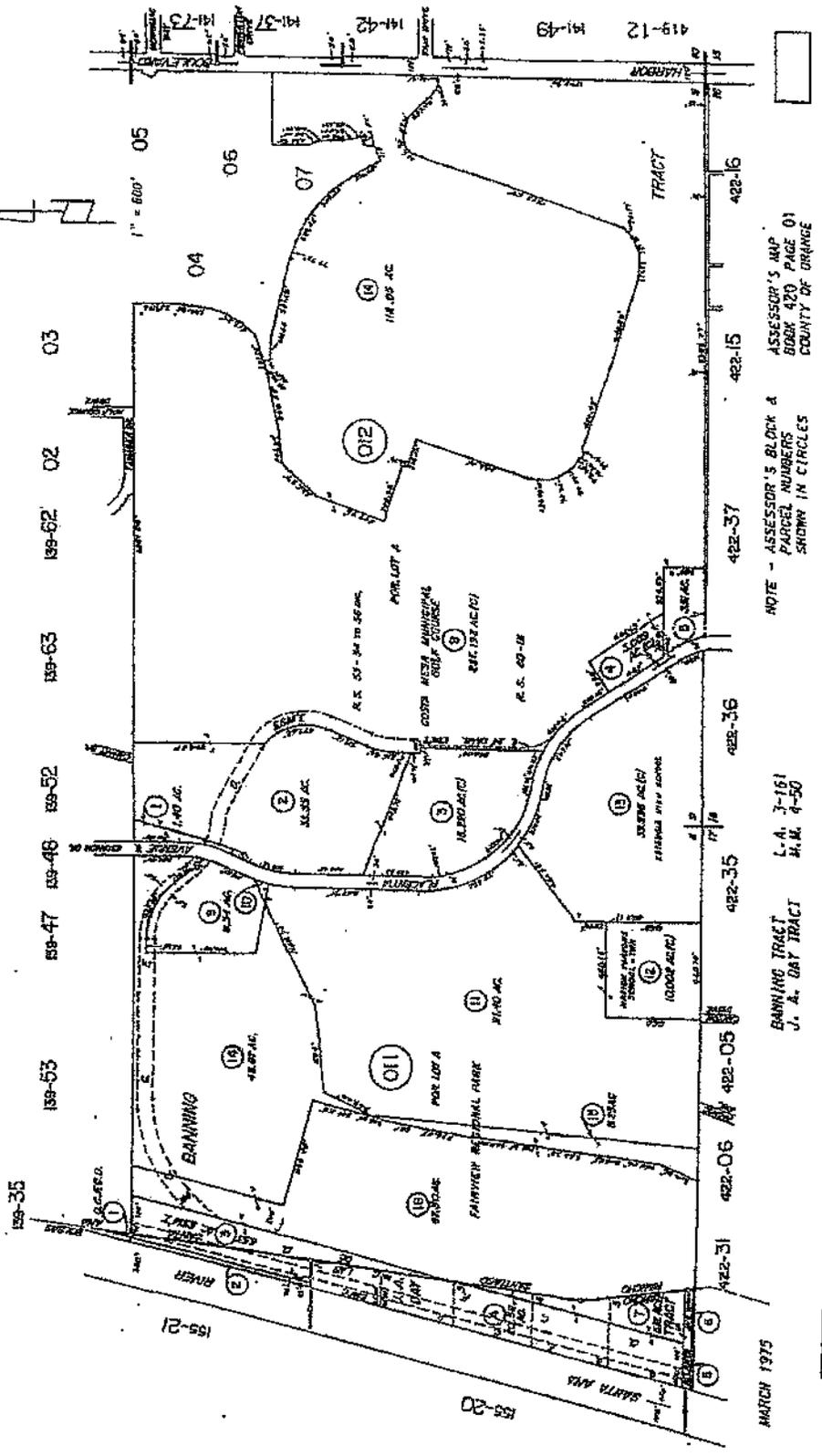
GRANT SCOPE Items – PRE-CONSTRUCTION COSTS	HCF Grant	Required Match	Total
Biologist-Restoration plan	\$7,500	\$7,500	\$15,000
Permits	\$2,500	\$2,500	\$ 5,000
	Subtotal:		
	\$10,000	\$10,000	\$20,000
GRANT SCOPE Items –CONSTRUCTION COSTS	HCF Grant	Required Match	Total
Restore 3 acres of vernal pools	\$135,000	\$135,000	\$270,000
Signage-6 signs	\$ 5,000	\$ 5,000	\$ 10,000
	Subtotal:		
	\$140,000	\$140,000	\$280,000
TOTAL PROJECT COST			\$300,000

APPLICANT'S MATCH Sources (by name and date committed)	
City of Costa Mesa FY 17/18 Park Development Funds	\$150,000
Total of MATCH Sources	\$150,000

LAND TENURE

THIS MAP SHOULD BE USED FOR REFERENCE PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. PARCELS MAY NOT COMPLY WITH OCCASIONAL SURVEY OR BOUNDARY RECORDS.

THIS MAP WAS PREPARED FOR DIVISION OF COUNTY ASSESSOR'S OFFICE. THE ACCURACY OF THE DATA SHOWN IS NOT GUARANTEED. ANY DISCREPANCIES SHOULD BE REFERENCED TO THE ORIGINAL RECORDS OF THE COUNTY ASSESSOR'S OFFICE.



NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES

BANNING TRACT J. A. DAY TRACT L.A. 3-161 M.M. 4-50

MARCH 1975



TICOR TITLE COMPANY

OF CALIFORNIA

18302 Irvine Blvd, Suite 100
Tustin, CA 92780
(714) 289-3300

Issuing Policies of Ticor Title Insurance Company

ORDER NO.: 897941- 12

CITY OF COSTA MESA
77 FAIR D
COSTA MESA, CA 92626
ATTN: BRAD EDWARDS

Title Officer: Cindy Fern
Title Officer Phone: (714) 289-3306
Title Officer Fax: (714) 289-7105
Title Officer Email: cfern@ticortitle.com

YOUR REF: FAIRVIEW PARK
PROPERTY: FAIRVIEW PARK, COSTA MESA, CA

PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein, Ticor Title Company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

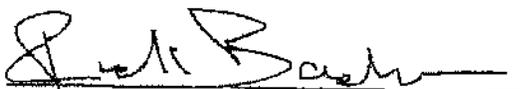
The policy(s) of title insurance to be issued hereunder will be policy(s) of Ticor Title Insurance Company, a California Corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Ticor Title Company

BY

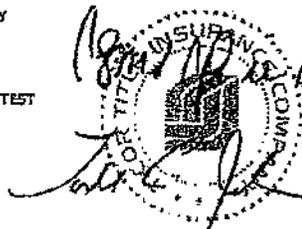


Authorized Signatory

Ticor Title Insurance Company

BY

ATTEST



President

Secretary



TICOR TITLE COMPANY
OF CALIFORNIA

PRELIMINARY REPORT

EFFECTIVE DATE: August 23, 2007, 7:30am

The form of policy or policies of title insurance contemplated by this report is:

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A FEE

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS **VESTED IN:**

CITY OF COSTA MESA, A MUNICIPALITY

3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

THAT PORTION OF LOT A OF THE BANNING TRACT, IN THE RANCHO SANTIAGO DE SANTA ANA, AS SHOWN ON A MAP OF SAID TRACT FILED IN ACTION NO. 6385, IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF LOS ANGELES, BEING AN ACTION FOR PARTITION, ENTITLED HANCOCK BANNING AND OTHERS VS. MARY H. BANNING AND ALSO THAT PORTION OF LOTS 3, 4 AND 5 OF THE J.A. DAY TRACT, RECORDED IN BOOK 4 PAGE 50 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND MORE PARTICULARLY SHOWN ON A MAP FILED IN BOOK 53 PAGES 34 TO 36 OF RECORD OF SURVEY IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF FAIRVIEW FARMS, AS SHOWN ON A MAP RECORDED IN BOOK 8 PAGE 71 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY AND THE CENTER LINE OF PLACENTIA AVENUE, AS SAID CENTER LINE IS SHOWN ON THE MAP OF TRACT NO. 2215 RECORDED IN BOOK 106 PAGE 34, MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY; THENCE ALONG THE NORTHERLY LINE OF SAID FAIRVIEW FARMS, SOUTH 89° 27' 30" WEST 2640.02 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 0° 32' 30" WEST 660.00 FEET; THENCE NORTH 89° 27' 30" EAST 660.14 FEET; THENCE NORTH 0° 32' 30" WEST 209.11 FEET; THENCE NORTH 51° 50' 47" EAST 662.84 FEET; THENCE NORTH 37° 15' 16" EAST 30.00 FEET TO A POINT ON A CURVE, CONCAVE NORTHEASTERLY SAID POINT BEING ON THE CENTERLINE OF PLACENTIA AVENUE, HAVING A RADIUS OF 800.00 FEET; A RADIAL LINE FROM SAID POINT BEARS NORTH 37° 15' 16" EAST; THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 52° 31' 27", AN ARC DISTANCE OF 733.38 FEET; THENCE NORTH 0° 13' 17" WEST 426.91 FEET TO THE NORTHWEST CORNER OF PARCEL "F" AS SHOWN ON SAID RECORD OF SURVEY; THENCE SOUTH 68° 48' 33" EAST 997.43 FEET ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL "F" TO THE SOUTHEASTERLY CORNER OF PARCEL "E" AS SHOWN ON SAID RECORD OF SURVEY; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL "E", NORTH 0° 12' 30" WEST 98.24 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 550.00 FEET; THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 22° 30' 00", AN ARC DISTANCE OF 215.98 FEET; THENCE NORTH 22° 17' 30" EAST 317.12 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 350.00 FEET; THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 78° 13' 11" AN ARC DISTANCE OF 477.82 FEET TO A POINT; A RADIAL LINE FROM SAID POINT BEARS SOUTH 34° 04' 19" WEST; THENCE NORTH 0° 12' 30" WEST 890.81 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT A OF THE BANNING TRACT; THENCE ALONG THE NORTHERLY LINE OF SAID LOT A, SOUTH 89° 28' 13" WEST 3164.10 FEET TO A POINT ON A LINE PARALLEL WITH AND DISTANT EASTERLY 455.00 FEET MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF THE SANTA ANA RIVER CHANNEL, AS SAID CENTER LINE IS SHOWN ON A MAP FILED IN BOOK 12 PAGE 25 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF ORANGE, STATE OF CALIFORNIA; THENCE SOUTH 13° 24' 49" WEST ALONG SAID PARALLEL LINE, 4034.61 FEET TO THE NORTHERLY LINE OF SAID FAIRVIEW FARMS; THENCE NORTH 89° 27' 30" EAST 2260.02 FEET ALONG THE NORTHERLY LINE OF SAID FAIRVIEW FARMS TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM PARCEL H-1 AS SHOWN ON A MAP FILED IN BOOK 53 PAGES 34 TO 36 OF RECORD OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN INSTRUMENTS OF RECORD.

TOGETHER WITH ALL OF GRANTOR'S RIGHT, TITLE AND INTEREST IN AND TO SUCH EASEMENT OR EASEMENTS AS ARE SHOWN ON RECORD OF SURVEY MAP FILED IN BOOK 53 PAGES 35 AND 36 OF RECORD OF SURVEY AND ACQUIRED BY GRANTOR UNDER THAT CERTAIN AGREEMENT RECORDED IN BOOK 4152 PAGE 223, OFFICIAL RECORDS AND DEED RECORDED IN BOOK 6799 PAGE 513, OFFICIAL RECORDS AS IT AFFECTS SUBJECT PROPERTY.

THIS CONVEYANCE IS SUBJECT TO THE EXPRESS CONDITION SUBSEQUENT THAT THE REAL PROPERTY CONVEYED SHALL BE USED ONLY FOR PARK AND RECREATION PURPOSES FOR A PERIOD OF 25 YEARS. SHOULD SAID EXPRESS CONDITION BE VIOLATED, THE STATE OF CALIFORNIA SHALL HAVE THE RIGHT TO RE-

LEGAL DESCRIPTION

EXHIBIT "A" (CONTINUED)

ENTER AND TAKE POSSESSION OF THE REAL PROPERTY, AND UPON SUCH RE-ENTRY, TITLE THERETO SHALL THEREUPON REVERT TO THE STATE OF CALIFORNIA.

PARCEL 2:

THAT PORTION OF LOT "A" OF THE BANNING TRACT, AS SHOWN ON A MAP ATTACHED TO THE REPORT OF THE REFEREES FILED APRIL 14, 1890 IN CASE NO 6385 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF LOS ANGELES, CALIFORNIA AND MORE PARTICULARLY DESIGNATED PARCEL "F" ON A MAP FILED IN BOOK 53 PAGES 34 TO 36 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID PARCEL "F", BEING THE SOUTHEASTERLY TERMINUS OF THAT CERTAIN CURVE IN THE BOUNDARY OF SAID PARCEL "F", CONCAVE SOUTHERLY AND HAVING A RADIUS OF 800.00 FEET, A RADIAL LINE OF SAID CURVE FROM SAID TERMINUS BEARS SOUTH 28° 22' 42" WEST; THENCE ALONG THE BOUNDARY OF SAID PARCEL "F" THE FOLLOWING COURSES:

NORTHWESTERLY AND WESTERLY ALONG SAID CURVE 229.45 FEET THROUGH A CENTRAL ANGLE OF 16° 25' 59"; THENCE TANGENT TO SAID CURVE, NORTH 78° 03' 17" WEST, 122.38 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 760.00 FEET; THENCE WESTERLY, NORTHWESTERLY AND NORTHERLY ALONG SAID CURVE 1086.76 FEET THROUGH A CENTRAL ANGLE OF 77° 50' 00"; THENCE TANGENT TO SAID CURVE, NORTH 0° 13' 17" WEST, 426.91 FEET; THENCE SOUTH 68° 48' 33" EAST, 997.43 FEET TO THE WESTERLY LINE OF THAT CERTAIN EASEMENT DEFINED AND DELINEATED IN BOOK 4761 PAGE 550 OF OFFICIAL RECORDS OF SAID ORANGE COUNTY; THENCE ALONG SAID WESTERLY LINE SOUTH 0° 12' 30" EAST, 64.91 FEET; THENCE NORTH 89° 47' 30" EAST, 37.00 FEET; THENCE SOUTH 0° 12' 30" EAST, 885.32 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

THAT PORTION OF LOT A OF THE BANNING TRACT, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP OF SAID TRACT FILED IN THE CASE OF HANCOCK BANNING AND OTHERS VS. MARY H. BANNING FOR PARTITION AND BEING CASE NO. 6385 UPON THE REGISTER OF ACTIONS OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF LOS ANGELES MORE PARTICULARLY DESIGNATED AS PARCEL H-1 ON A MAP FILED IN BOOK 53 PAGES 34 TO 36 OF RECORD OF SURVEY IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF ORANGE COUNTY, CALIFORNIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL H-1 THE FOLLOWING COURSES:

NORTH 79° 29' 00" WEST, 540.24 FEET; THENCE NORTH 0° 24' 54" WEST, 740.07 FEET TO A POINT ON THE CENTERLINE OF THAT CERTAIN EASEMENT DESCRIBED AND DELINEATED IN BOOK 4761 PAGE 550 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE ALONG SAID CENTERLINE AND CONTINUING NORTH 89° 35' 23" EAST, 97.28 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 500.00 FEET; THENCE SOUTHEASTERLY 447.40 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 51° 16' 07"; THENCE TANGENT TO SAID CURVE SOUTH 39° 08' 30" EAST, 134.28 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 500.00 FEET; THENCE SOUTHEASTERLY 171.06 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19° 36' 06" 800.00 FEET A RADIAL LINE OF SAID CURVE FROM SAID POINT BEARS NORTH 76° 37' 28" WEST; THENCE LEAVING THE CENTERLINE OF SAID EASEMENT DESCRIBED IN BOOK 4761 PAGE 550 OF OFFICIAL RECORDS AND CONTINUING ALONG THE BOUNDARY OF SAID PARCEL H-1, THE FOLLOWING COURSES:

SOUTHERLY 157.19 FEET ALONG SAID CURVE OF 800.00 FOOT RADIUS, THROUGH A CENTRAL ANGLE OF 11° 15' 29"; THENCE SOUTH 24° 38' 01" WEST, 145.87 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 800.00 FEET; THENCE SOUTHERLY 167.10 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11° 58' 04" TO THE POINT OF BEGINNING.

EXCEPT THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES, LYING BELOW A DEPTH OF 500 FEET, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN INSTRUMENTS OF RECORD.

LEGAL DESCRIPTION

EXHIBIT "A" (CONTINUED)

PARCEL 4:

A NON-EXCLUSIVE EASEMENT FOR STREET AND HIGHWAY PURPOSES OVER THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF LOT "A" OF THE BANNING TRACT, AS SHOWN ON A MAP OF SAID TRACT FILED IN THE CASE OF HANCOCK BANNING AND OTHERS VS. MARY H. BANNING FOR PARTITION AND BEING CASE NO. 6385 UPON THE REGISTER OF ACTIONS OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF LOS ANGELES AND MORE PARTICULARLY DESIGNATED ON A MAP FILED IN BOOK 53 PAGES 34 TO 36 OF RECORD OF SURVEY OF SAID COUNTY OF ORANGE, SITUATED WITHIN A 60 FOOT STRIP OF LAND LYING 30 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID LOT "A" AND THE EASTERLY LINE OF PARCEL H-2, ALL AS SHOWN ON SAID RECORD OF SURVEY; THENCE SOUTH 0° 31' 47" EAST, 301.45 FEET TO THE BEGINNING OF A CURVE, CONCAVE WESTERLY AND HAVING A RADIUS OF 800 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF 25° 09' 48", A DISTANCE OF 351.34 FEET; THENCE SOUTH 24° 38' 01" WEST, 145.87 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 800 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF 24° 51' 18", A DISTANCE OF 347.04 FEET THENCE SOUTH 0° 13' 17" EAST, 436.80 FEET.

THE SIDE LINES OF SAID STRIP SHALL BE LENGTHENED OR SHORTENED TO TERMINATE IN SAID NORTH LINE OF LOT "A", AND IN THE SOUTHERLY LINE, AND ITS WESTERLY PROLONGATION OF PARCEL "E" AS SAID SOUTHERLY LINE IS SHOWN ON SAID RECORD OF SURVEY.

EXCEPTING THEREFROM THAT PORTION INCLUDED WITHIN PARCEL 3.

AT THE DATE HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

A. **Property Taxes**, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2007-2008.

B. **Property Taxes** for the fiscal year shown below are PAID. For proration purposes, the amounts are:

APN:	420 011 09
Fiscal Year:	2006-2007
Code Area:	15182
1st Installment:	\$36.56 PAID
2nd Installment:	\$36.56 PAID
Land:	\$670,956.00
Improvements:	\$0.00
Exemption:	\$0.00 HOMEOWNERS

C. **Property Taxes** for the fiscal year shown below are PAID. For proration purposes, the amounts are:

APN and CODE AREA:	420 012 02/15082
Fiscal Year:	2006-2007
1st Installment:	\$2004.89 PAID
2nd Installment:	\$2004.89 PAID
Exemption:	\$0.00
Land:	\$14,667,472.00
Improvements:	\$0.00
Personal Property:	\$0

D. THE FOLLOWING APN# HAVE NOT TAXES DUE FOR THE FISCAL YEAR OF 2006-2007;
420-011-10, 420-011-11, 420-011-14, 420-011-15, 420-012-01, 420-012-03

E. **The lien of supplemental taxes**, if any, assessed pursuant to the provisions of Chapter 3.5 (Commencing with Section 75) of the Revenue and Taxation Code of the State of California.

1. AN EASEMENT FOR DRAINAGE DITCH OR PIPE LINE IN, ON AND UNDER A 30 FOOT STRIP OF LAND, AS DESCRIBED IN THE DEED TO TALBERT DRAINAGE DISTRICT RECORDED SEPTEMBER 27, 1938 IN BOOK 956 PAGE 591 OF OFFICIAL RECORDS AND AS PLOTTED ON A MAP FILED IN BOOK 53 PAGES 35 AND 36 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

2. AN EASEMENT OVER A STRIP OF LAND 12 FEET WIDE FOR ADAMS AVENUE STORM DRAIN FROM ADAMS AVENUE TO THE FAIRVIEW (D-4) CHANNEL, AS DESCRIBED IN THE DEED TO THE CITY OF COSTA MESA, RECORDED DECEMBER 6, 1962 IN BOOK 6350 PAGE 60, OFFICIAL RECORDS.

3. An easement for the purpose shown below and rights incidental thereto as set forth in a document

Purpose:	UNDERGROUND STORM DRAIN SYSTEM AND INCIDENTAL PURPOSES
Recorded:	APRIL 5, 1963 IN BOOK 6497 PAGE 931 OF OFFICIAL RECORDS
Affects:	A STRIP OF LAND 50 FEET WIDE

4. An easement for the purpose shown below and rights incidental thereto as set forth in a document

Purpose:	PIPELINE(S)
Recorded:	JANUARY 22, 1964 IN BOOK 7060 PAGE 198 OF OFFICIAL RECORDS
Affects:	A 10 FOOT STRIP OF LAND

And Recorded: MAY 26, 1964 IN BOOK 7060 PAGE 308 OF OFFICIAL RECORDS.

5. AN EASEMENT FOR STREET AND HIGHWAY PURPOSES AS CONDEMNED BY FINAL ORDER OF CONDEMNATION ENTERED SEPTEMBER 22, 1964 IN ACTION ENTITLED COSTA MESA UNION SCHOOL DISTRICT OF ORANGE COUNTY, CALIFORNIA VERSUS JOSEPH B. BANNING AND OTHERS, CASE NO. 107103 SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR ORANGE COUNTY, A CERTIFIED COPY OF WHICH ORDER WAS RECORDED SEPTEMBER 22, 1964 IN BOOK 7229 PAGE 427, OFFICIAL RECORDS AND AS DESCRIBED IN DEEDS TO THE CITY OF COSTA MESA, RECORDED DECEMBER 16, 1964 IN BOOK 7347 PAGES 880 AND 883 OF OFFICIAL RECORDS, MARCH 17, 1965 IN BOOK 7449 PAGE 229, OFFICIAL RECORDS, APRIL 7, 1965 IN BOOK 7474 PAGE 831, OFFICIAL RECORDS, APRIL 17, 1968 IN BOOK 8575 PAGE 832, OFFICIAL RECORDS, APRIL 23, 1968 IN BOOK 8580 PAGE 819, OFFICIAL RECORDS MAY 20, 1970 IN BOOK 9294, PAGE 113 OF OFFICIAL RECORDS.
6. AN EASEMENT TO CONSTRUCT, USE, MAINTAIN, ALTER, ADD TO, REPAIR AND REPLACE A CITY STREET, AS CONVEYED TO THE CITY OF COSTA MESA BY AN INSTRUMENT RECORDED OCTOBER 4, 1971 IN BOOK 9830 PAGE 314, OFFICIAL RECORDS, UPON THE TERMS, COVENANTS AND CONDITIONS CONTAINED THEREIN. REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS.
7. AN UNRECORDED LEASE DATED DECEMBER 1, 1970 EXECUTED BY STATE OF CALIFORNIA, DEPARTMENT OF GENERAL SERVICES, AS LESSOR AND ARCHAEOLOGICAL RESEARCH INC., AS LESSEE, UPON THE TERMS, CONDITIONS AND COVENANTS THEREIN CONTAINED, AS DISCLOSED BY AN INSPECTION OF SAID LAND. REFERENCE IS MADE TO SAID LEASE FOR FULL PARTICULARS.
8. A RIGHT OF WAY, IF ANY, FOR DITCH OF TALBERT DRAINAGE DISTRICT, AS RECITED IN DEED FROM JAMES A. DAY TO J. KUJAWSKY, RECORDED DECEMBER 27, 1906 IN BOOK 139 PAGE 250, OF DEEDS AND AS PLOTTED ON MAP FILED IN BOOK 53 PAGE 36 OF RECORD OF SURVEY IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
9. A NON-EXCLUSIVE RIGHT OF WAY AND EASEMENT OVER A 10-FOOT STRIP, AS DESCRIBED IN THE DEED TO THE IRVINE COMPANY, A CORPORATION RECORDED APRIL 24, 1941 IN BOOK 1089 PAGE 405 OF OFFICIAL RECORDS AND AS PLOTTED ON THE MAP FILED IN BOOK 53 PAGE 36 OF RECORD OF SURVEYS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
10. AN EASEMENT 30 FEET WIDE FOR INGRESS AND EGRESS, PIPES, POLES AND UTILITIES AS RESERVED IN THE FINAL ORDER AND DECREE OF CONDEMNATION ENTERED AUGUST 29, 1950 IN ACTION ENTITLED "STATE OF CALIFORNIA VS. GEORGE H. CAPRON AND OTHERS", CASE NO. 52195, SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR ORANGE COUNTY, A CERTIFIED COPY OF SUCH ORDER WAS RECORDED AUGUST 29, 1950 IN BOOK 2063 PAGE 534, OFFICIAL RECORDS AND AS SUCH EASEMENTS ARE SHOWN UPON THE MAP LAST HEREINABOVE MENTIONED AND UPON MAP FILED IN BOOK 60 PAGE 156 OF RECORD OF SURVEY IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
11. THE RIGHT OF UNITED CALIFORNIA BANK AND OTHERS TO CONSTRUCT DERRICKS, PUMPS, OIL STORAGE TANKS, PIPELINE(S), POWER LINES AND SUCH OTHER EQUIPMENT, STRUCTURES AND UTILITIES ON EACH OF SAID DRILLING SITES AS MAY BE NECESSARY OR CONVENIENT TO THE PURPOSES OF EXPLORING FOR, DRILLING FOR, AND CARRYING ON OPERATIONS FOR THE EXPLORATION, DISCOVERY AND PRODUCTION OF MINERALS, INCLUDING OIL AND GAS AND OTHER HYDROCARBONS, THE STATE OF CALIFORNIA TO HAVE THE RIGHT TO ENTER UPON SAID EASEMENTS AT SUCH TIME AS MAY BE CONVENIENT FOR ANY PURPOSE THAT WILL NOT INTERFERE WITH THE EXERCISE OF ANY OF THE RIGHTS OF SAID PARTIES (SUCCESSORS TO MARY BANNING NORRIS) AS RESERVED AND PROVIDED IN THE FINAL ORDER OF CONDEMNATION RECORDED AUGUST 29, 1950 IN BOOK 2063 PAGE 534, OFFICIAL RECORDS.

12. THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN NEWPORT DRAINAGE DISTRICT, TALBERT DRAINAGE DISTRICT, AND ORANGE COUNTY FLOOD CONTROL DISTRICT, RELATING TO THE MAINTENANCE, OPERATION, ETC., OF DRAINAGE DITCHES AND UNDERGROUND PIPELINE(S) FOR DRAINAGE OVER A PORTION OF SAID LAND, RECORDED DECEMBER 31, 1957 IN BOOK 4152 PAGE 223, OFFICIAL RECORDS.

NOTE 1: RECORDED NOVEMBER 12, 1963 IN BOOK 6799 PAGE 513, OFFICIAL RECORDS IS A QUITCLAIM DEED FROM ORANGE COUNTY FLOOD CONTROL DISTRICT TO THE STATE OF CALIFORNIA FOR CERTAIN RIGHTS CREATED UNDER THE ABOVE AGREEMENT.

NOTE 2: RECORDED APRIL 3, 1973 IN BOOK 10625 PAGE 278, OFFICIAL RECORDS IS A DEED FROM THE STATE OF CALIFORNIA TO THE OFFICIAL RECORDS HARBORS, BEACHES AND PARKS DISTRICT FOR CERTAIN RIGHTS CREATED UNDER THE ABOVE AGREEMENT.

13. AN EASEMENT FOR STORM DRAIN AND INCIDENTAL PURPOSES AS DESCRIBED IN THE DEED TO THE CITY OF COSTA MESA, RECORDED JUNE 17, 1959 IN BOOK 4761 PAGE 550 OFFICIAL RECORDS AND AS PLOTTED ON A MAP FILED IN BOOK 53 PAGES 35 AND 36 OF RECORD OF SURVEY IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

BY AN AGREEMENT AND GRANT OF EASEMENT, DATED JANUARY 3, 1961, RIGHTS OF THE CITY OF COSTA MESA THEREUNDER REFERRED TO IN SAID AGREEMENT AS "PROJECT D-4" PASSED TO ORANGE COUNTY FLOOD CONTROL DISTRICT; SAID GRANT WAS RECORDED FEBRUARY 3, 1961 IN BOOK 5618 PAGE 338, OFFICIAL RECORDS.

14. AN EASEMENT 16 FEET WIDE, IN FAVOR OF SOUTHERN COUNTIES GAS COMPANY AND A 60 FOOT RESERVATION AS SHOWN ON A MAP FILED IN BOOK 53 PAGE 36 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

15. THE EXPRESS CONDITION THAT SAID LAND SHALL BE USED ONLY FOR PARK AND RECREATION PURPOSES FOR A PERIOD OF 25 YEARS, AS CONTAINED IN THE DEED FROM THE STATE OF CALIFORNIA TO ORANGE COUNTY HARBORS, BEACHES AND PARKS DISTRICT RECORDED APRIL 3, 1973 IN BOOK 10625 PAGE 278, OFFICIAL RECORDS.

SAID DEED FURTHER RECITES: "SHOULD SAID EXPRESS CONDITIONS BE VIOLATED, THE STATE OF CALIFORNIA SHALL HAVE THE RIGHT TO RE-ENTER AND TAKE POSSESSION OF THE REAL PROPERTY AND UPON SUCH RE-ENTRY TITLE THEREOF SHALL THEREUPON REVERT TO THE STATE OF CALIFORNIA".

16. Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document;

Granted to: COSTA MESA COUNTY WATER DISTRICT AND THE CITY OF HUNTINGTON BEACH, A MUNICIPAL CORPORATION
Purpose: PIPELINE(S)
Recorded: JANUARY 22, 1964 IN BOOK 6894 PAGE 198 OF OFFICIAL RECORDS
Affects: THAT PORTION OF SAID LAND AS DESCRIBED THEREIN

17. Water rights, claims or title to water, whether or not disclosed by the Public Records.

18. A deed of trust to secure an indebtedness in the amount shown below, and any other obligations secured thereby

Amount: \$3,457,500.00
Dated: 04/02/1973
Trustor: ORANGE COUNTY HARBORS, BEACHES AND PARKS DISTRICT
Trustee: FIRST AMERICAN TITLE INSURANCE COMPANY
Beneficiary: THE STATE OF CALIFORNIA, ACTING THROUGH ITS DIRECTOR, DEPARTMENT OF GENERAL SERVICES
Recorded: APRIL 3, 1973 IN BOOK 10625 PAGE 282 OF OFFICIAL RECORDS
Affects: The herein described land and other land.

19. **Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document;
- Granted to: MESA CONSOLIDATED WATER DISTRICT
Purpose: PIPELINE(S)
Recorded: SEPTEMBER 1, 1989 AS INSTRUMENT NO. 89-471556 OF OFFICIAL RECORDS
Affects: THAT PORTION OF SAID LAND AS DESCRIBED THEREIN
20. **A document** entitled EASEMENT DEED AND AGREEMENT, dated 07/20/1993, executed by THE CITY OF COSTA MESA AND THE COUNTY OF ORANGE, subject to all the terms, provisions and conditions therein contained, recorded JULY 21, 1993 AS INSTRUMENT NO. 0484755 OF OFFICIAL RECORDS.
- Reference is hereby made to said document for full particulars.
21. **Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document;
- Granted to: THE COSTA MESA SANITARY DISTRICT
Purpose: SEWER
Recorded: AUGUST 18, 1999 AS INSTRUMENT NO. 19990602863 OF OFFICIAL RECORDS
Affects: THAT PORTION OF SAID LAND AS DESCRIBED THEREIN

END OF ITEMS

CEQA



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NOTICE OF EXEMPTION

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: City of Costa Mesa
Development Services Dept.
77 Fair Drive, P.O. Box 1200
Costa Mesa, CA 92628

County Clerk-Recorder
County of Orange
P.O. Box 238, Santa Ana, CA 92702-0238

\$43 Filing Fee Attached
 No Fee - City projects exempt from filing fee

30-2017-0923

Project Title: Fairview Park Vernal Pool Restoration

Project Location: 2525 Placentia Avenue

Project Location - City: Costa Mesa Project Location - County: Orange Co.

Description of Nature, Purpose, and Beneficiaries of Project: _____

The project proposes to restore the Fairview Park vernal pools with native habitat.

Name of Public Agency Approving Project: City of Costa Mesa

Name of Person or Agency Carrying Out Project: Costa Mesa Public Services Department

Exempt Status: (Check One)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Class I, Existing Facilities Section 15301
- Statutory Exemptions. State code number: _____

Reasons why project is exempt: The operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Lead Agency Contact Person: Robert Staples Phone: (714) 764-5305

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

SEP 14 2017

HUGH NGUYEN, CLERK-RECORDER

BY: CH DEPUTY

Signature: [Signature] Date: 9/12/17 Title: Contract Administrator

FISH & GAME FEES: Pursuant to Section 711.4(c)(2)(A) of the California Fish and Game Code, the project is exempt from fees since it is exempt from CEQA.

Signed by Lead Agency Date received for filing at OPR:
 Signed by Applicant

FILED

SEP 14 2017

Filed with the County Clerk: Yes No
Date Filed: _____

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: CH DEPUTY

**California Environmental Quality Act (CEQA)
CEQA Compliance Certification Form**

Grantee: City of Costa Mesa **Project Name:** Fairview Park Vernal Pool Restoration Project

Project Address: 2525 Placentia Avenue, Costa Mesa 92627

When was CEQA analysis completed for this Project? Date: 8/1/17

What document(s) were filed for this Project's CEQA compliance: (check all that apply)

- Initial Study Notice of Exemption Negative Declaration Mitigated Negative Declaration
 Environmental Impact Report Notice of Determination Other (letter, etc.):

Note: If a Master Environmental Impact Report was used to comply with CEQA you are certifying that the project is covered in adequate detail to allow the project's construction or acquisition.

Attach the Notice of Exemption or the Notice of Determination as appropriate. If these forms were not completed, attach a letter from the lead agency explaining why.

Lead Agency Contact Information:

Lead Agency Name: City of Costa Mesa Contact Person: Robert Staples

Mailing Address: 77 Fair Drive, Costa Mesa, CA 92626

Phone: (714) 754-5303 Email: robert.staples@costamesaca.gov

Certification:

I hereby certify that the lead agency listed above has determined that it has complied with the California Environmental Quality Act (CEQA) for the project identified above and that the project is described in adequate and sufficient detail to allow the project's construction or acquisition.

I represent and warrant that I have full authority to execute this CEQA Compliance Certification on behalf of the lead agency. I declare under penalty of perjury that the foregoing certification of CEQA Compliance for the above named project is true and correct.

Raja Sethuraman 8/2/17

Raja Sethuraman
Public Services, Director

Authorized Representative
(Signature)

Date

Authorized Representative
(Printed Name and Title)

**PROJECT COMPLETION
SCHEDULE**

**CITY OF COSTA MESA
FAIRVIEW PARK VERNAL POOL RESTORATION PROJECT
PROJECT COMPLETION SCHEDULE**

USFWS Permits	June 2018
Complete Bid Package	August 2018
Advertise for Bids	September 2018
Award Contract	November 2018
Begin Restoration	January 2019
Complete Restoration	April 2019
Begin One Year Plant Establishment, Maintenance	May 2019
End 1 st Year of Plant Establishment, Maintenance	May 2020
Complete Five Year Biological Monitoring	May 2024

SITE PLAN



MASTER PLAN

FAIRVIEW PARK

CITY OF COSTA MESA

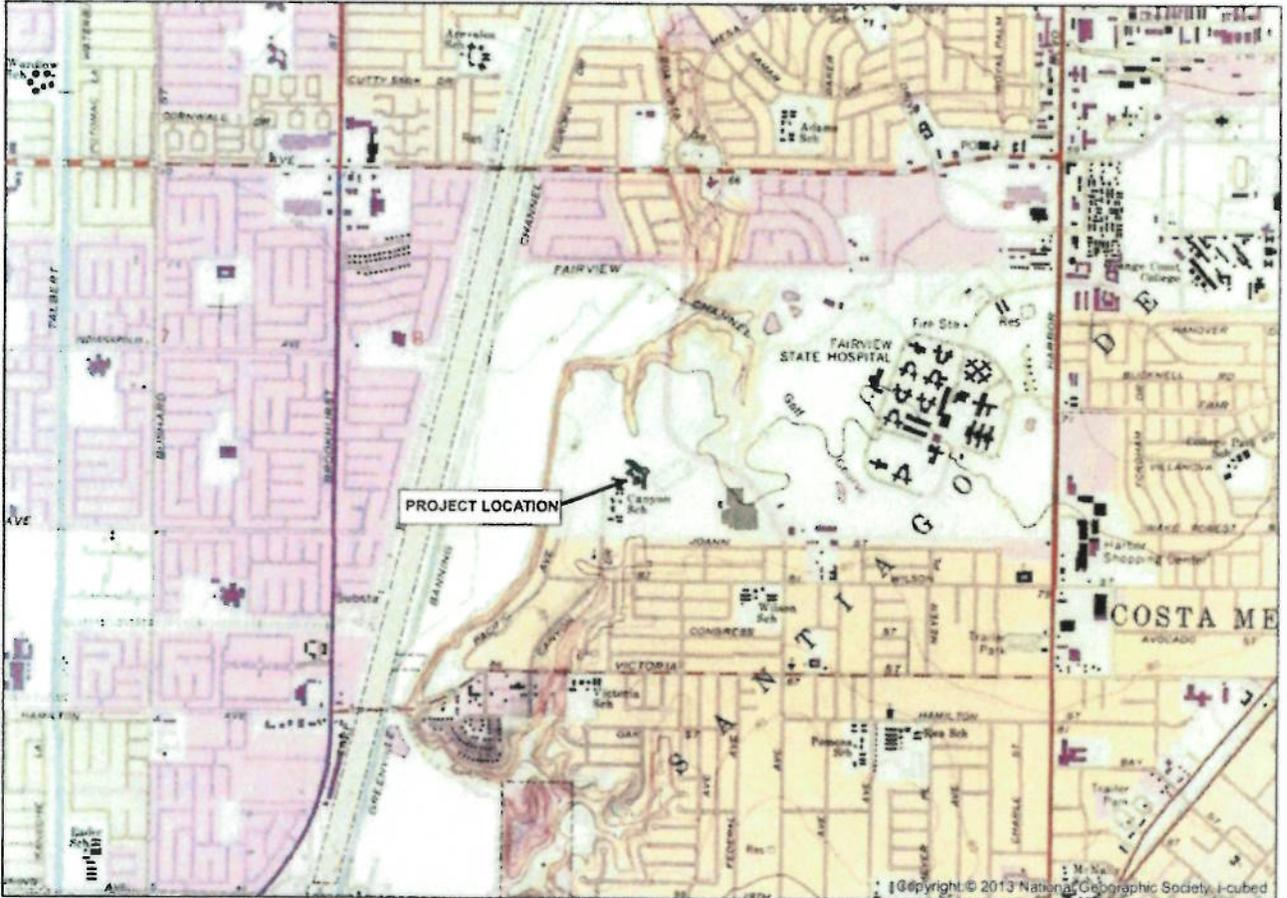
VERNAL POOL RESTORATION

Approved by City Council Staff on 11/18/10
 Revised February 2011
 Reapproved November 2012



TOPOGRAPHIC MAP

Adapted from USGS Newport Beach, CA quadrangle



FAIRVIEW PARK RESTORATION PROJECT
Vicinity Map

GLENN LUKOS ASSOCIATES

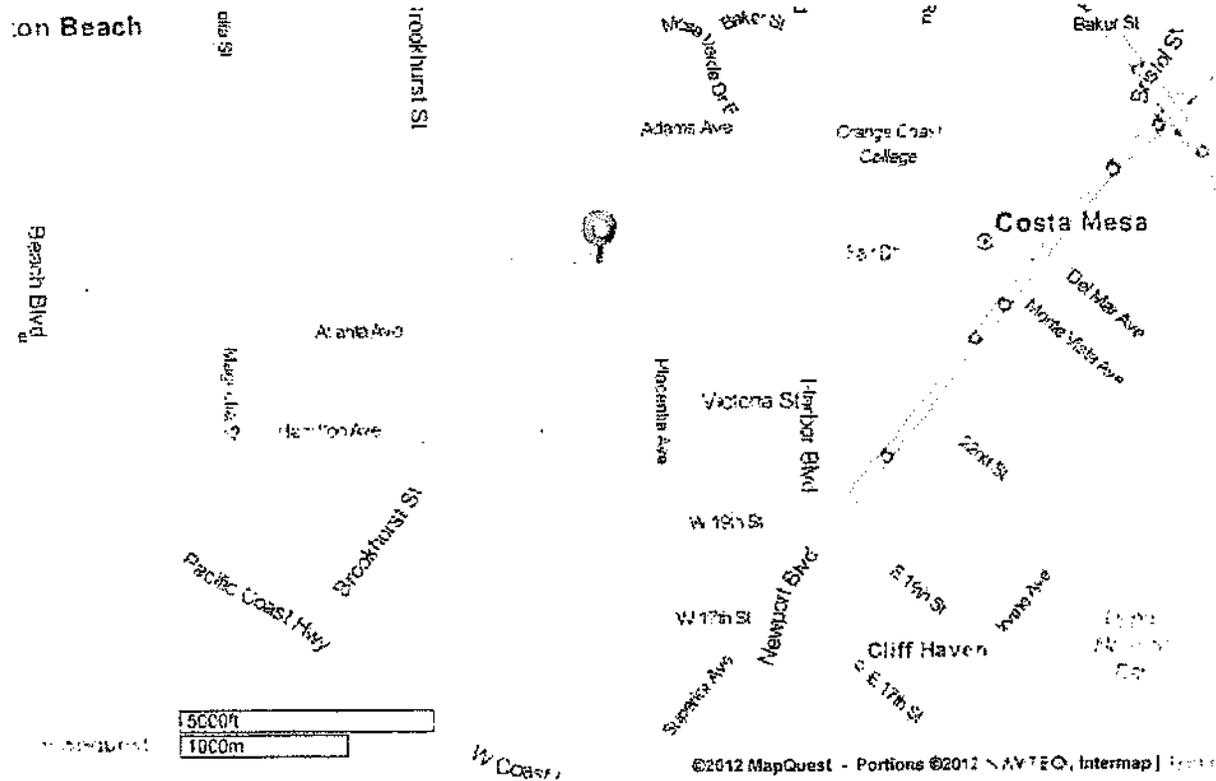


Exhibit 2

**PROJECT LOCATION
MAP**

mapquest
Map of:
2525 Placentia Ave
Costa Mesa, CA 92626

Notes
Fairview Park
2525 Placentia Avenue
Costa Mesa, CA



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PROJECT SUMMARY

PROJECT SUMMARY

Fairview Park is situated along the bluffs overlooking the Santa Ana River in the City of Costa Mesa, Orange County, California. The park is roughly bounded by Adams Avenue to the north, Santa Ana River to the west, Victoria Street to the south, and is bisected by Placentia Avenue. Land uses adjacent to the restoration sites include developed parkland to the north, Estancia High School with sports fields to the east, Waldorf School of Orange County and associated sports field to the south, and natural lands including a runway area used by Harbor Soaring Society for flying model planes and a previously restored vernal pool to the west. The topography of the site is flat.

This Restoration and Maintenance Plan includes: (1) restoration of the watershed for Vernal Pools 4, 5, 6, and 7 by restoring the elevation and contours to the conditions prior to installation of the foot path that also ensures that runoff from rainfall is directed toward Pool 5 rather than collecting on the foot path; (2) reestablishment of portions Vernal Pool 6 affected by installation of a foot path along the eastern edge and southern edges of Vernal Pool 6, which would be accomplished through grading to reestablish the original contours of Vernal Pool 6; (3) repair of the indentations associated with the placement and removal of telephone poles within the watershed of Vernal Pool 7; (4) removal of non-native weeds and establishment of native vegetation within the watersheds for Vernal Pools 4, 5, 6 and 7; and (5) removal of turf grass and irrigation within the watershed of Vernal Pool 5, including reestablishment of native coastal sage scrub shrubs and grasses to provide a natural vegetated buffer and remove the source of potential irrigation runoff. In addition, a Long-Term Management Plan (LTMP) will be implemented once the performance standards for the restoration plan have been achieved.

PROJECT PROPOSAL

1. Threat

The park's seven vernal pool basins and one vernal marsh basin meet federal wetlands criteria, and numerous wetland-dependent migratory birds use these areas for resting and foraging from fall through spring. The park's vernal pools, and patches of annual grassland between and around the pools, support several sensitive plants and the federally endangered San Diego Fairy Shrimp (*Branchinecta sandiegoensis*).

Restoration of the largest pool which covers 2.07 acres has been completed. The restoration of the remaining 3-acres of vernal pools are proposed to be restored.

The restoration of the vernal pools will address potential impacts associated with installation of a decomposed granite foot path in and adjacent to vernal pools (Vernal Pools 5 and 6) occupied by the federally listed endangered San Diego fairy shrimp (*Branchinecta sandiegonensis*). In addition, this plan addresses potential watershed impacts associated with preparation and use of the area surrounding Vernal Pool 7 as a parking lot and telephone poles that were placed in the vicinity of Vernal Pool 7 to prevent unauthorized vehicular access into the watershed surrounding Vernal Pools 4, 5, and 6. Placement of the telephone poles created shallow indentations in the soil surface. The foot path and telephone poles have been removed. This plan addresses restoration of the foot path (i.e., restoration of the area where the foot path was removed) to original elevation and topography so as to restore the watershed for Vernal Pools 4, 5 and 6, reestablishment of the impacted portions of Vernal Pool 6 in a manner that results in restoration of the previous functions, repair of indentations in the watershed associated with Vernal Pool 7 caused by the placement of telephone poles

and repair of disturbance related to use of the watershed area for parking. This plan also addresses the removal of turf and irrigation along the northern edge of the watershed for Vernal Pool 5 to prevent irrigation runoff from entering Vernal Pool 5, while also providing a natural buffer.

2. Site Access

Fairview Park is open seven days per week from dawn to dusk. Currently there are 151 parking spaces on site. There are an additional 145 parking spaces identified in the master plan. The Park is bordered by the Santa Ana River to the west, Estancia High School to the south, a residential neighborhood to the north and Costa Mesa Municipal Golf Course to the east. The park is a link in the larger ecosystem of Orange County. Below the bluffs and to the west of the park is the 90-acre Talbert Nature Preserve that is operated and maintained by the County of Orange. Bordering Talbert Nature Preserve is the Santa Ana River. The Friends of Harbors, Beaches and Parks (FHBP), a non-profit corporation, has included Fairview Park in the 1,000+-acre Orange Coast River Park (OCRP), a multi-agency coalition to preserve and restore precious ecosystems at the mouth of the Santa Ana River.

No fees are charged or will be charged to the public for the use of Fairview Park. All existing and planned facilities at the park are handicap accessible and comply with the Americans with Disability Act (ADA). Fairview Park is located on Placentia Avenue accessible via the 405 Freeway or the 55 Freeway. The Orange County Transportation Authority bus route runs along Adams Avenue north of the park and Hamilton Avenue to the south, thus enabling visitors from within the City and others from outside the City,

easy access to the regional park. Trails connect the park to the Santa Ana River Bicycle Trail which travels two miles to Huntington Beach to the south and north for approximately 30 miles to Corona.

3. Stakeholders

Restoration and development of Fairview Park is dictated by the Fairview Park Master Plan. The master plan includes the creation of accessible trails, habitat restoration, and interpretive signage. Through the Master Plan process, the citizens of Costa Mesa and their elected officials determined the course of planning for the land. On December 15, 1997 the City Council adopted Mitigated Negative Declaration with revisions, and adopted Resolution 97-102 approving PA-97-43, the Fairview Park Master Plan. At the same meeting the Council adopted Resolution 97-103, approving GP-97- 03A, amending the General Plan of the City of Costa Mesa incorporating the Master Plan references into the Parks, Recreation and Open Space Master Plan element.

One of the approved restoration projects at Fairview Park is the restoration of the park's vernal pools. City staff, a consulting team, and the Fairview Park Citizens Advisory Committee developed the master plan for the preservation and restoration of the park. The general public and citizens on the committee emphasized the preservation of the native plant community/habitat in the planning process. Many public meetings were held before the plan was approved by the Costa Mesa City Council. Additional public meetings and outreach were conducted during the conceptual design and design development phase of the project and gained the support of the Parks and Recreation Commission, local residents and homeowners associations.

4. Applicant Capacity

The City of Costa Mesa's Public Services Department, Parks Division will manage this project if grant funding is awarded. Grant funded projects managed to completion by staff have been funded by the California Department of Parks and Recreation's Proposition 12 and 40 Per Capita and Roberti Z'berg Programs, the Habitat Conservation Fund, Land and Water Conservation Fund, US Army Corps of Engineers, and California's Recreational Trail Program.

The Engineering Division plans, organizes and directs all functions of the division. This Division coordinates all capital improvement projects and all major construction projects involving City municipal facilities. The City's engineering staff consists of several engineers and construction inspectors who will monitor the construction contractor upon the award of bid. Staff has many years of experience overseeing public works capital improvement projects involving parks, parkways, streets, and infrastructure improvements.

Grant funded projects completed by the Public Services Department, Parks Division to date include:

Fairview Park Wetlands and Riparian Habitat Project Phase I - \$1.8 million. Creation of 17 acres of riparian habitat, grading, and irrigation installation. Funded by US Army Corps of Engineers, CA Department of Recreation Habitat Conservation Grant, and City of Costa Mesa Park Development Funds.

Fairview Park Wetlands and Riparian Habitat Project Phase II- \$3.3 million. Creation of 20 acres of wetland and riparian habitat, wetland treatment ponds, irrigation, and multipurpose trails. Funded by Orange County Transportation Authority, Environmental Mitigation Grant, CA Department of Recreation Habitat Conservation Grant, FTA funds, Miocean Foundation grant, City of Costa Mesa Park Development Funds.

Fairview Park Area D Restoration - \$450,000. Development of a nature trail, interpretive signage, bluff top stairs, vernal pool observation deck, benches, and fencing. Funded by a CA Department of Parks and Recreation Land and Water Conservation Grant and Costa Mesa Park Development Funds.

TeWinkle Park Angels Playground - \$1.7 million. Development of a 100% handicap accessible playground, restrooms and picnic areas. CA Department of Recreation grant funds, City of Costa Mesa Park Development Funds and partnership with Angels Charity.

TeWinkle Park Baseball Fields, \$3.5 million. Development of baseball fields, landscaping and parking. CA Department of Recreation Roberti-Z-Berg funds, City of Costa Mesa Park Development Funds.

Skate Park, \$1.5 million. Development of a skate park, fencing, hardscape, restrooms and landscaping. CA Department of Recreation Roberti-Z-Berg funds, City of Costa Mesa Park Development Funds.

Downtown Recreation Center, \$4 million. Construction of a recreation center and aquatic facility. Community Development Block Grant (CDBG) funds.

5. Species Presence

- a) Riverside fairy shrimp, *Streptocephalus woottoni*, FE, 8-03-93.
San Diego fairy shrimp, *Branchinecta sandiegonensis*, FE, 2-03-97.
Eryngium aristulatum var. *parishii* (San Diego button-celery), SE, 197907XX FE 19930803.
Orcuttia californica (California Orcutt grass), SE, 197909XX FE 19930803.
Endangered, Endangered G5T1/S1, 1B.1.
Hordeum intercedens, vernal barley, PMPOA, 380E0, G3G4/S3S4, 3.2.
Microseris douglasii ssp. *Platycarpha*, small-flowered microseris, PDAST6E062, G4T4/S4, 4.2.
Myosurus minimus ssp. *Apus*, little mousetail, PDRAN0H031, G5T2Q/S2, 3.1.
Nama stenocarpa, mud nama, PDHYD0A0H0, G4G5/S1S2, 2B.2.
Navarretia prostrata prostrate, vernal pool navarretia, PDPLM0C0Q0, G2/S2 1B.1.
- b) Attached.

Wet season surveys for San Diego fairy shrimp will be conducted by individuals holding a valid Section 10(a)(1)(A) permit for listed branchiopods in Restored Basins 5 and 6 for a minimum of 5 years in accordance with the accepted protocol for listed vernal pool branchiopods (*Survey Guidelines for Listed Large Branchiopods*)⁷ and until conditions allow for two complete wet season surveys. If ponding depth, duration, and quality are appropriate but San Diego fairy shrimp are not detected in Basin 5 or 6, the basin(s) will be inoculated with cysts collected from Restored Basin 1 or Restored Basin 4, as

proposed in the current Plan. In order to confirm the presence of San Diego fairy shrimp in Vernal Pools 1 and 4 and the absence of the versatile fairy shrimp, wet-season surveys would also be conducted during suitable rainfall years during the five year monitoring period. Should versatile fairy shrimp be confirmed in either Vernal Pools 1 or 4, such pool would not be used as a source for inoculum. The source inoculate will depend on wet season survey results and should be free of versatile fairy shrimp (*Branchinecta lindahli*). Monitoring will continue until at least two complete wet season surveys are conducted and result in positive detection of hatched San Diego fairy shrimp and gravid females in Vernal Pools 4, 5 and 6.

6. Invasive Plant Species

A Long-Term Management Plan (LTMP) will be implemented once the performance standards for the restoration plan have been achieved. The LTMP will include the following components: training of maintenance personnel, ongoing non-native vegetation control, general maintenance (e.g., trash and debris removal, repair of fencing) and annual reporting. Funding for the maintenance of the restoration will be Evaluation of treatment effectiveness, including discussion of the next year's anticipated growing season.

The goal of the Restoration and Maintenance Plan is to contribute to the recovery of the San Diego fairy shrimp through specific restoration and maintenance efforts described in detail below. The restoration plan proposes to restore the limited portions of the watershed associated with Vernal Pools 5 and 6 affected by footpath installation and

removal, which will ensure conservation of the San Diego fairy shrimp within this pool. The restoration plan goal will also be accomplished by reestablishment of Vernal Pool 6, portions of which were affected by installation of the foot path. While Vernal Pool 7 has not been documented to support the San Diego fairy shrimp (a dry-season survey conducted in summer of 2015 was negative for cysts), remediation of any potential damage to the watershed by placement of the telephone poles, and the preparation and use of this area for parking vehicles would ensure maintenance of existing habitat functions for Vernal Pool 7. The goals of the Long-Term Management Plan include ongoing control on non-native invasive species within the watershed areas of Vernal Pools 5, 6, and 7, which will be subject to restoration of native scrub and grasslands, maintenance of protective fencing, and regular removal of any trash or debris that makes it to the vernal pools or associated watersheds.

Protective fencing will be installed along the perimeter of the Vernal Pool 5, 6 and 7 complex coincident with installation of the fencing. Installation of the fencing will be monitored by a qualified biologist to ensure that no incursions occur into vernal pools. Signage prohibiting entry and educating the public of the sensitive habitat will be placed along the fencing at regular intervals.

7. Habitat Extent

Fairview Park is 208-acres in size. The site contains wetlands, coastal sage scrub habitat, native grasslands, riparian habitat, parking, restrooms, trails, and the vernal pools. Three acres of vernal pools are proposed to be restored.

8. Environmental Elements

To prevent irrigation runoff and migration of non-native plant material an approximately 0.37-acre area of turf grass along the northern edge of Vernal Pool 5 will be removed using mechanized equipment and hand tools as determined appropriate by the City. Following removal of the turf, the area will be treated through installation of black tarp to kill the remaining roots of the turf in a manner that has no potential for effects on Vernal Pool 5. If it is necessary to use chemicals, only chemicals approved for use around wetlands will be used and straw wattle will be placed at the lower edge of the restoration area to limit the potential for chemicals from reaching Vernal Pool 5. Following removal and necessary treatment, the area will be revegetated with native upland species per Table 1 below. The irrigation that currently exists will remain in place to establish the newly planted upland vegetation. During establishment, the water shall be carefully controlled to prevent excess water from entering Vernal Pool 5. The irrigation will be turned off after vegetation establishment which is anticipated to occur approximately 2-3 years after planting. In order to ensure that leakage from the irrigation system does not reach Vernal Pool 5, the irrigation system will be inspected twice annually for leaks and any leaks detected will be fixed immediately.

Following removal of turf grass and site preparation along the northern edge of Vernal Pool 5, the area will be planted with native coastal sage scrub using a combination of seed and container stock. The container stock and seed mix is provided below.

Table 1: Coastal Sage Scrub Plant Palette

Botanical Name	Common Name Container Stock	Plants/Acre
<i>Eriogonum fasciculatum</i>	California buckwheat (CSS)	200
<i>Artemisia californica</i>	California sagebrush (CSS)	200
<i>Isocoma menziesii</i> Coast	goldenbush (CSS and Grassland)	100
<i>Stipa lepida</i>	Foothill needlegrass (CSS and Grassland)	100
<i>Stipa pulchra</i>	Purple needlegrass (CSS and Grassland)	100
<i>Melica imperfecta</i>	Coast range melic (CSS and Grassland)	50
<i>Galium angustifolium</i>	Narrow-leaved bedstraw (CSS)	50
Seed		Lbs/Acre
<i>Encelia californica</i>	California bush sunflower (CSS and Grassland)	6.0
<i>Deinandra fasciculata</i>	Fascicled tarweed (Grassland)	1.0
<i>Lupinus bicolor</i>	Miniature lupine (CSS and Grassland)	2.0
<i>Lasthenia californica</i>	California goldfields (Grassland)	2.0

The restoration site will be monitored for five years following the completion of plant installation unless final success criteria are achieved. The monitoring activities will consist of the measurement of performance indicators and assessment of these indicators relative to established performance criteria. The Project Biologist along with other qualified habitat restoration specialists or biologists shall perform monitoring. Continuity within the personnel and methodology of monitoring shall be maintained insofar as possible to ensure comparable assessments. The City will submit a report (including topography maps and vernal pool locations) to the USFWS within 6 weeks of completion of basin grading and distribution of inoculum, describing as-built status of the restoration project. If the site grading and inoculation are not completed within six weeks of each other, separate reports will be submitted describing those specific as-built conditions (separation of grading and inoculum distribution would only occur if grading were to occur during July or early August and inoculum introduction did not occur until late September or early October).

9. Conservation Plan

The restoration of the vernal pools is covered in the Fairview Park Master Plan and the City's Open Space Master Plan of Parks and Recreation.

10. Conservation Corps Involvement

The City has contacted the Orange County Conservation Corps (OCCC) and they will assist with the non-native habitat removal during the restoration of the Fairview Park vernal pools. The OCCC has performed trail clearing and non-native plant removal over the past four years for the Fairview Park Wetlands and Riparian Habitat site.

PERMITS

City of Costa Mesa Fairview Park Vernal Pool Restoration Required Regulatory Permits

- City of Costa Mesa Encroachment Permit.
- United States Fish and Wildlife Service biological and cultural opinion.
- United States Fish and Wildlife Service Section 10(a)(1)(A) permit for listed branchiopods.

PHOTOS



 pilotsanddrones

Fairview Park Vernal Pools

Winter 2017





Photograph 1: View of foot path facing north. Note arrows pointing to depressions which will be smoothed to ensure positive drainage to Vernal Pools 5 and 6. The restored foot path will be re-vegetated with native upland species. Vernal Pool 5 is located in the top left of photo, and Vernal Pool 6 is located in the bottom left.



Photograph 2: View of foot path facing south, which will be restored and re-vegetated with native species. Vernal Pool 5 is located to the right of the trail. Vernal Pool 6 is located at the top right of the photograph.



GLENN LUKOS ASSOCIATES

Exhibit 4

FAIRVIEW PARK RESTORATION
PROJECT

Site Photographs



Photograph 3: View of Vernal Pool 6 area (bottom right of photo) to be restored. Note trail in the top right corner of photograph. Vernal Pool 5 is located in the top left of the photo.



GLENN LUKOS ASSOCIATES

Exhibit 4



Photograph 4: View of typical indentation in the ground surface where telephone poles were placed to prevent access to Vernal Pools 5 and 6.

FAIRVIEW PARK RESTORATION
PROJECT

Site Photographs



Photograph 5: View of buffer restoration area facing east. Turf grass in the left of the photo and non-native grasses in the right of the photo will be removed and restored with coastal sage scrub species. Note arrow pointing to existing access to the site.



GLENN LUKOS ASSOCIATES

Exhibit 4



Photograph 6: View of turf restoration area facing west. The rope fencing demarcates the vernal pool watershed boundary.

FAIRVIEW PARK RESTORATION
PROJECT

Site Photographs

**CONSERVATION CORPS
INVOLVEMENT**

**OFFICE OF GRANTS AND LOCAL SERVICES
HABITAT CONSERVATION FUND (HCF) PROGRAM
Documented Contact with CCC and Certified Local Conservation Corps
Required for HCF Applications
Applicants complete the upper portion - Corps complete the bottom portion**

Project Title: Fairview Park Vernal Pool Restoration Project
PROJECT TYPE (check one below)

<input type="checkbox"/> Riparian	<input type="checkbox"/> Anadromous Salmonids and Trout	<input checked="" type="checkbox"/> Wetlands	<input type="checkbox"/> Trails
HCF APPLICANT (agency, address, phone, and fax) City of Costa Mesa 77 Fair Drive Costa Mesa, CA 92626		Grant Request Amount <u>\$ 150,000.00</u>	
HCF APPLICANT CONTACT PERSON (address, phone, email and fax) Robert Staples 77 Fair Drive Costa Mesa, CA 92626 714.754.5303 Fax: 714.7545028 email: robert.staples@costamesaca.gov			

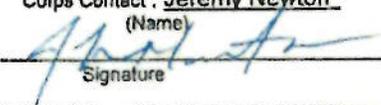
**Conservation Corps Contacts
For Habitat Conservation Fund Projects**

AGENCY	CCC CONTACT TITLE	EMAIL ADDRESS
California Conservation Corps	Chief of Field Operations	See www.parks.ca.gov/grants , click "Annual Programs" in the shaded box on the right and then the HCF Program link. Then click on "Website Links" for the links to the CCC.
California Association of Local Conservation Corps (representing the Community Conservation Corps)	Association Manager	See www.parks.ca.gov/grants , click "Annual Programs" in the shaded box on the right and then the HCF Program link. Then click on "Website Links" for the link to the Local Conservation Corps.

A Corps can participate on the following items of work:

Removal of non-native plant material.

Name of Corps: Orange County Conservation Corps
714 956 6222 x 222
(Phone number)

Corps Contact : Jeremy Newton
(Name)

Signature

A Corps cannot participate on the project for the following reasons:

- Tasks/Scope of Work outside the skill set of the Corps
- Project Distance/Logistics
- Financial/Budgetary Reasons
- Grant scope too limited
- Other _____

Name of Corps: _____ Corps Contact _____
(Phone number) (Name)
Signature _____

**SPECIAL ANIMALS AND/OR
SPECIAL PLANTS**

	State Listing		Federal Listing	
<u>GASTROPODS</u>				
Trinity bristle snail <i>Monadenia infumata setosa</i> ¹	ST	10-02-80		
Morro shoulderband (=banded dune) snail <i>Helminthoglypta walkerianu</i>			FE ²	1-17-95
White abalone <i>Haliotis sorenseni</i>			FE ³ FB	11-16-05 6-28-01
Black abalone <i>Haliotis cracherodii</i>			FE ⁴ FE	4-13-11 2-13-09
<u>CRUSTACEANS</u>				
Riverside fairy shrimp <i>Streptocephalus woottoni</i>			FE	8-03-93
Conservancy fairy shrimp <i>Branchinecta conservatio</i>			FE	9-19-94
Longhorn fairy shrimp <i>Branchinecta longiantenna</i>			FE	9-19-94
Vernal pool fairy shrimp <i>Branchinecta lynchi</i>			FT	9-19-94
San Diego fairy shrimp <i>Branchinecta sandiegonensis</i>			FE	2-03-97
Vernal pool tadpole shrimp <i>Lepidurus packardii</i>			FE	9-19-94
Shasta crayfish <i>Pacifastacus fortis</i>	SE ST	2-26-88 10-02-80	FE	9-30-88
California freshwater shrimp <i>Syncaris pacifica</i>	SE	10-02-80	FE	10-31-88
<u>INSECTS</u>				
Zayante band-winged grasshopper <i>Trimerotropis infantilis</i>			FE	2-24-97
Mount Hermon June beetle <i>Polyphylla barbata</i>			FE	2-24-97
Casey's June beetle <i>Dinacoma caseyi</i>			FE	10-24-11
Delta green ground beetle <i>Elaphrus viridis</i>			FT	9-15-80

¹ Listed by the State of California as *Monadenia setosa*.² The 2006 five year review should be consulted to better understand the status of this species.³ Listed by NMFS in 2001 and by USFWS in 2005.⁴ Listed by NMFS in 2009 and by USFWS in 2011.

State and Federally Listed Endangered, Threatened, and Rare Plants of California
Last updated July 2017

Taxon ^a	State Status	State List Date ^b	Federal Status	Federal List Date ^b	CDFW Notes
<i>Eriogonum apricum</i> var. <i>prostratum</i> (Irish Hill buckwheat)	SE	198701XX	FE	19990526	The U.S. Fish & Wildlife Service listed the entire species, <i>Eriogonum apricum</i>
<i>Eriogonum butterworthianum</i> (Butterworth's buckwheat)	SR	197911XX			
<i>Eriogonum cracatum</i> (conojo buckwheat)	SR	197909XX			
<i>Eriogonum giganteum</i> var. <i>compactum</i> (Santa Barbara Island buckwheat)	SR	197911XX			
<i>Eriogonum grande</i> var. <i>timorum</i> (San Nicolas Island buckwheat)	SE	197911XX			Scientific name at time of listing: <i>Eriogonum grande</i> ssp. <i>timorum</i>
<i>Eriogonum kelloggii</i> (Kellogg's buckwheat)	SE	198204XX			FC on 20040504; removed from FC list on 20140918.
<i>Eriogonum kennedyi</i> var. <i>austrumontanum</i> (southern mountain buckwheat)			FT	19980914	
<i>Eriogonum ovalifolium</i> var. <i>vicum</i> (Cushenbury buckwheat)			FE	19940824	
<i>Eriogonum thornei</i> (Thorne's buckwheat)	SE	197909XX			Scientific name at time of listing: <i>Eriogonum ericifolium</i> var. <i>thornei</i>
<i>Eriogonum twisselmannii</i> (Twisselmann's buckwheat)	SR	198207XX			
<i>Eriophyllum congdonii</i> (Congdon's woolly sunflower)	SR	198207XX			
<i>Eriophyllum latilobum</i> (San Mateo woolly sunflower)	SE	199206XX	FE	19950203	
<i>Eryngium aristulatum</i> var. <i>parishii</i> (San Diego button-celery)	SE	197907XX	FE	19930803	
<i>Eryngium constancei</i> (Loch Lomond button-celery)	SE	198701XX	FE	19861223	
<i>Eryngium racemosum</i> (Delta button-celery)	SE	198108XX			
<i>Erysimum capitatum</i> var. <i>angustatum</i> (Contra Costa wallflower)	SE	197811XX	FE	19780527	
<i>Erysimum menziesii</i> (Menzies' wallflower)	SE	198409XX	FE	19920622	The U.S. Fish & Wildlife Service separately listed three subspecies as endangered; <i>E. menziesii</i> ssp. <i>eurekaense</i> , <i>E. menziesii</i> ssp. <i>menziesii</i> , and <i>E. menziesii</i> ssp. <i>yadonii</i> . Current taxonomic treatment no longer recognizes subspecies within <i>E. menziesii</i>
<i>Erysimum teretifolium</i> (Santa Cruz wallflower)	SE	198108XX	FE	19940204	
<i>Fremontodendron decumbens</i> (Pine Hill flannelbush)	SR	197907XX	FE	19961018	Scientific name at time of listing: <i>Fremontodendron californicum</i> ssp. <i>decumbens</i>
<i>Fremontodendron mexicanum</i> (Mexican flannelbush)	SR	198207XX	FE	19981013	
<i>Fritillaria gentneri</i> (Gentner's fritillary)			FE	19991210	
<i>Fritillaria roderickii</i> (Roderick's fritillary)	SE	197911XX			
<i>Fritillaria striata</i> (striped adobe-lily)	ST	198701XX			
<i>Galium angustifolium</i> ssp. <i>borregoense</i> (Borrego bedstraw)	SR	197909XX			
<i>Galium buxifolium</i> (box bedstraw)	SR	197911XX	FE	19970731	
<i>Galium californicum</i> ssp. <i>sierrae</i> (El Dorado bedstraw)	SR	197911XX	FE	19961018	
<i>Galium catalinense</i> ssp. <i>aerispum</i> (San Clemente Island bedstraw)	SE	198204XX			
<i>Gilia tenuiflora</i> ssp. <i>arenaria</i> (Montrey gilia)	ST	198701XX	FE	19920622	
<i>Gilia tenuiflora</i> ssp. <i>hoffmannii</i> (Hoffmann's slender-flowered gilia)			FE	19970731	
<i>Gratiola heterosepala</i> (Boggs Lake hedge-hyssop)	SE	197811XX			
<i>Grindelia fraxinipratensis</i> (Ash Meadows gumplant)			FT	19850520	Scientific name at time of listing: <i>Grindelia fraxino-pratensis</i>
<i>Hazardia arcutifolia</i> (Curtis's hazardia)	ST	200208XX			FC on 20040504; removed from FC list on 20131122
<i>Helianthemum greenii</i> (Island rush-rose)			FT	19970731	
<i>Helianthus niveus</i> ssp. <i>tephrodes</i> (Algodones Dunes sunflower)	SE	197911XX			
<i>Hesperocyparis abramsiana</i> var. <i>abramsiana</i> (Santa Cruz cypress)	SE	197911XX	FT	20160219	The U.S. Fish & Wildlife Service listed the entire species, <i>Cupressus abramsiana</i> as FE on 19870308; reclassified as FT on 20160219.
<i>Hesperocyparis abramsiana</i> var. <i>butanoensis</i> (Butano Ridge cypress)	SE	197911XX	FT	20160219	The U.S. Fish & Wildlife Service listed the entire species, <i>Cupressus abramsiana</i> as FE on 19870308; reclassified as FT on 20160219.
<i>Hesperocyparis goweniana</i> (Gowen cypress)			FT	19980812	Scientific name at time of listing: <i>Cupressus goweniana</i> ssp. <i>goweniana</i>
<i>Hesperaloea congesta</i> (Marin western flax)	ST	199206XX	FT	19950203	
<i>Hesperaloea didymocarpum</i> (Lake County western flax)	SE	198108XX			
<i>Halmgrenantha petrophila</i> (rock lady)	SR	198207XX			Scientific name at time of listing: <i>Maurandya petrophila</i>
<i>Holocarpha macradenia</i> (Santa Cruz tarplant)	SE	197909XX	FT	20000320	
<i>Howellia aquatilis</i> (water howellia)			FT	19940714	
<i>Ivesia callida</i> (Yahquiltz ivesia)	SR	198207XX			
<i>Ivesia webberi</i> (Webber's ivesia)			FT	20140602	

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Special Vascular Plants, Bryophytes, and Lichens List

California Department of Fish and Wildlife

Natural Diversity Database

Scientific Name Common Name	Element Code	Federal Listing Status	State Listing Status	Heritage Rank	Rare Plant Rank	Other Status	Seed Banked	Records in CNDDDB ?
<i>Navarretia paradoxinota</i> Porter's navarretia	PDPLM0C160	None	None	G2/S2	1B.3		No	Yes
<i>Navarretia peninsularis</i> Baja navarretia	PDPLM0C0L0	None	None	G3/S2	1B.2	USFS:S	Yes	Yes
<i>Navarretia prolifera ssp. lutea</i> yellow bur navarretia	PDPLM0C0N1	None	None	G4T3/S3	4.3	USFS:S	No	No
<i>Navarretia prostrata</i> prostrate vernal pool navarretia	PDPLM0C0Q0	None	None	G2/S2	1B.1		No	Yes
<i>Navarretia rosulata</i> Marin County navarretia	PDPLM0C0Z0	None	None	G2/S2	1B.2		No	Yes
<i>Navarretia setifolia</i> Piute Mountains navarretia	PDPLM0C0S0	None	None	G2/S2	1B.1	BLM:S USFS:S	No	Yes
<i>Navarretia subuligera</i> awl-leaved navarretia	PDPLM0C0U0	None	None	G4/S4	4.3		No	No
<i>Nemaacaulis denudata var. denudata</i> coast woolly-heads	PDPGN0G011	None	None	G3G4T2/S2	1B.2		Yes	Yes
<i>Nemaacaulis denudata var. gracilis</i> slender cottonheads	PDPGN0G012	None	None	G3G4T3?/S2	2B.2		No	Yes
<i>Nemacladus calcaratus</i> Chimney Creek nemacladus	PDCAM0F0E0	None	None	G1/S1	1B.2	USFS:S	No	Yes
<i>Nemacladus gracilis</i> graceful nemacladus	PDCAM0F0C0	None	None	G4/S4	4.3		No	No
<i>Nemacladus secundiflorus var. robbinsii</i> Robbins' nemacladus	PDCAM0F0B2	None	None	G3T2/S2	1B.2	USFS:S	No	Yes
<i>Nemacladus secundiflorus var. secundiflorus</i> large-flowered nemacladus	PDCAM0F0B1	None	None	G3T3?/S3?	4.3		No	No
<i>Nemacladus twisselmannii</i> Twisselmann's nemacladus	PDCAM0F0D0	None	Rare	G1/S1	1B.2	BLM:S USFS:S	No	Yes
<i>Nemophila breviflora</i> Great Basin nemophila	PDHYD0B020	None	None	G5/S3	2B.3		No	Yes
<i>Nemophila parviflora var. quercifolia</i> oak-leaved nemophila	PDHYD0B073	None	None	G5T4T5/S4	4.3		No	No
<i>Neostapfia colusana</i> Colusa grass	PMPOA4C010	Threatened	Endangered	G1/S1	1B.1		No	Yes
<i>Neviusia cliffonii</i> Shasta snow-wreath	PDROS14020	None	None	G2/S2	1B.2	BLM:S USFS:S	Yes	Yes
<i>Nitrophila mohavensis</i> Amargosa nitrophila	PDCHE0G010	Endangered	Endangered	G1/S1	1B.1		Yes	Yes

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<i>Hesperolinon tehamense</i> Tehama County western flax	PDLIN010C0	None	None	G2/S2	1B.3	BLM:S	No	Yes
<i>Heteranthera dubia</i> water star-grass	FMPON03010	None	None	G5/S2	2B.2		No	Yes
<i>Heterotheca monarchensis</i> Monarch golden-aster	PDAST4V0U0	None	None	G2/S2	1B.1	USFS:S	No	Yes
<i>Heterotheca sessiliflora</i> ssp. <i>sessiliflora</i> beach goldenaster	PDAST4V0K2	None	None	G4T2T3/S1	1B.1		Yes	Yes
<i>Heterotheca shevockii</i> Shevock's golden-aster	PDAST4V0T0	None	None	G2/S2	1B.3	BLM:S USFS:S	No	Yes
<i>Heuchera abramsii</i> Abrams' alumroot	PDSAX0E010	None	None	G4/S4	4.3	USFS:S	Yes	No
<i>Heuchera brevistaminea</i> Laguna Mountains alumroot	PDSAX0E050	None	None	G2/S2	1B.3	BLM:S	No	Yes
<i>Heuchera caespitosa</i> urn-flowered alumroot	PDSAX0E1C0	None	None	G3/S3	4.3	USFS:S	Yes	No
<i>Heuchera hirsutissima</i> shaggy-haired alumroot	PDSAX0E0J0	None	None	G3/S3	1B.3	USFS:S	Yes	Yes
<i>Heuchera maxima</i> island alumroot	PDSAX0E0M0	None	None	G3/S3	1B.2		Yes	Yes
<i>Heuchera parishii</i> Parish's alumroot	PDSAX0E0S0	None	None	G3/S3	1B.3	USFS:S	Yes	Yes
<i>Heuchera rubescens</i> var. <i>versicolor</i> San Diego County alumroot	PDSAX0E106	None	None	G5T4/S2	3.3		No	Yes
<i>Hibiscus lasiocarpus</i> var. <i>occidentalis</i> woolly rose-mallow	PDMAL0H0R3	None	None	G5T3/S3	1B.2		Yes	Yes
<i>Hoita strobilina</i> Loma Prieta hoita	PDFAB5Z030	None	None	G2/S2	1B.1		No	Yes
<i>Holmgrenanthe petrophila</i> rock lady	PDSCR2J010	None	Rare	G1/S1	1B.2		No	Yes
<i>Holocarpha macradenia</i> Santa Cruz tarplant	PDAST4X020	Threatened	Endangered	G1/S1	1B.1		Yes	Yes
<i>Holocarpha virgata</i> ssp. <i>elongata</i> curving tarplant	PDAST4X041	None	None	G5T3/S3	4.2		No	No
<i>Hordeum intercedens</i> vernal barley	PMPOA380E0	None	None	G3G4/S3S4	3.2		Yes	No
<i>Horkelia bolanderi</i> Bolander's horkelia	PDROS0W010	None	None	G1/S1	1B.2	BLM:S	No	Yes

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<i>Monolopia congdonii</i> San Joaquin woollythreads	PDASTA8010	Endangered	None	G2/S2	1B.2		Yes	Yes
<i>Monolopia gracilis</i> woodland woollythreads	PDAST6G010	None	None	G3/S3	1B.2		No	Yes
<i>Monotropa uniflora</i> ghost-pipe	PDMON03030	None	None	G5/S2	2B.2		No	Yes
<i>Montia howellii</i> Howell's montia	PDPOR05070	None	None	G3G4/S2	2B.2		No	Yes
<i>Mortonia utahensis</i> Utah mortonia	PDCEL09030	None	None	G4G5/S3?	4.3		No	No
<i>Mucronea californica</i> California spineflower	PDPGN0F010	None	None	G3/S3	4.2		Yes	No
<i>Muhlenbergia alopecuroides</i> wooltail	PMPOA3W020	None	None	G5/S1?	2B.2		No	Yes
<i>Muhlenbergia appressa</i> appressed muhly	PMPOA48020	None	None	G4/S3	2B.2		No	Yes
<i>Muhlenbergia arsenoi</i> tough muhly	PMPOA48060	None	None	G5/S2	2B.3		No	Yes
<i>Muhlenbergia californica</i> California muhly	PMPOA480A0	None	None	G4/S4	4.3		No	Yes
<i>Muhlenbergia fragilis</i> delicate muhly	PMPOA480Q0	None	None	G5/S2	2B.3		No	Yes
<i>Muhlenbergia jonesii</i> Jones' muhly	PMPOA480X0	None	None	G3/S3	4.3		No	No
<i>Muhlenbergia pauciflora</i> few-flowered muhly	PMPOA48170	None	None	G5/S2	2B.3		No	Yes
<i>Muhlia coronata</i> crowned mulilla	PMLIL1H020	None	None	G3/S3	4.2		No	No
<i>Munroa squarrosa</i> false buffalo-grass	PMPOA49010	None	None	G5/S2	2B.2		No	Yes
<i>Munzothamnus blairii</i> Blair's munzothamnus	PDAST8U0K0	None	None	G3/S3	1B.2		No	Yes
<i>Myosurus minimus ssp. apus</i> little mouse-tail	PDRAN0H031	None	None	G5T2Q/S2	3.1		No	Yes
<i>Myrica hartwegii</i> Sierra sweet bay	PDMCC02050	None	None	G4/S4	4.3		No	No
<i>Myriopteris wootonii</i> Wooton's lace fern	PPAD1090S0	None	None	G5/S2	2B.3		No	Yes

Special Vascular Plants, Bryophytes, and Lichens List

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<i>Mentzelia torreyi</i> Torrey's blazing star	PDLOA031S0	None	None	G4/S2	2B.2		No	Yes
<i>Mentzelia tricuspis</i> spiny-hair blazing star	PDLOA031T0	None	None	G4/S2	2B.1		No	Yes
<i>Mentzelia tridentata</i> creamy blazing star	PDLOA031U0	None	None	G3/S3	1B.3	BLM:S	Yes	Yes
<i>Mertensia bella</i> Oregon lungwort	PDBOR0N040	None	None	G4/S1	2B.2		No	Yes
<i>Mertensia cusickii</i> Tolyabe bluebells	PDBOR0N0M0	None	None	G4?/S2	2B.2		No	Yes
<i>Mertensia longiflora</i> long bluebells	PDBOR0N0D0	None	None	G4?/S2	2B.2		No	Yes
<i>Mertensia oblongifolia</i> var. <i>amoena</i> beautiful sagebrush bluebells	PDBOR0N0G1	None	None	G5T5/S2	2B.2		No	Yes
<i>Mertensia oblongifolia</i> var. <i>oblongifolia</i> sagebrush bluebells	PDBOR0N0G2	None	None	G5T4/S2	2B.2		No	Yes
<i>Micranthes howellii</i> Howell's saxifrage	PDSAX0U0T0	None	None	G4/S3	4.3		No	No
<i>Micranthes marshallii</i> Marshall's saxifrage	PDSAX0U0X0	None	None	G5/S3	4.3		No	No
<i>Micromonolepis pusilla</i> dwarf monolepis	PDCHE0F020	None	None	G5/S3?	2B.3		No	Yes
<i>Micropus amphibolus</i> Mt. Diablo cottonweed	PDAST6D030	None	None	G3G4/S3S4	3.2		No	No
<i>Microseris borealis</i> northern microseris	PDAST6E030	None	None	G5/S1	2B.1		No	Yes
<i>Microseris douglasii</i> ssp. <i>platycarpa</i> small-flowered microseris	PDAST6E062	None	None	G4T4/S4	4.2		No	No
<i>Microseris laciniata</i> ssp. <i>detlingii</i> Detling's silverpuffs	PDAST6E0A1	None	None	G4T3/S1	2B.2		No	Yes
<i>Microseris paludosa</i> marsh microseris	PDAST6E0D0	None	None	G2/S2	1B.2		No	Yes
<i>Microseris sylvatica</i> sylvan microseris	PDAST6E0E0	None	None	G4/S4	4.2		No	No
<i>Mimulus rattanii</i> ssp. <i>decurtatus</i> Santa Cruz County monkeyflower	PDSCR1B2D2	None	None	G4T1T3Q/S1S 3	4.2		No	No
<i>Mimulus subsecundus</i> one-sided monkeyflower	PDSCR1B2K0	None	None	G3G4Q/S3S4	4.3		No	No

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<i>Nama dichotoma</i> var. <i>dichotoma</i> forked purple mat	PDHYD0A061	None	None	G5T57/S1	2B.3		No	Yes
<i>Nama stenocarpa</i> mud nama	PDHYD0A0H0	None	None	G4G5/S1S2	2B.2		No	Yes
<i>Nasturtium gambelii</i> Gambel's water cress	PDBRA270V0	Endangered	Threatened	G1/S1	1B.1		Yes	Yes
<i>Navarretia cotulifolia</i> cotula navarretia	PDPLM0C040	None	None	G4/S4	4.2		No	No
<i>Navarretia eriocephala</i> hoary navarretia	PDPLM0C060	None	None	G4/S4	4.3		No	No
<i>Navarretia fossalis</i> spreading navarretia	PDPLM0C080	Threatened	None	G2/S2	1B.1		Yes	Yes
<i>Navarretia gowenii</i> Lime Ridge navarretia	PDPLM0C120	None	None	G1/S1	1B.1		No	Yes
<i>Navarretia heterandra</i> Tehama navarretia	PDPLM0C0A0	None	None	G4/S4	4.3		No	No
<i>Navarretia jepsonii</i> Jepson's navarretia	PDPLM0C0D0	None	None	G4/S4	4.3		No	No
<i>Navarretia leucocephala</i> ssp. <i>bakeri</i> Baker's navarretia	PDPLM0C0E1	None	None	G4T2/S2	1B.1	BLM:S	No	Yes
<i>Navarretia leucocephala</i> ssp. <i>pauciflora</i> few-flowered navarretia	PDPLM0C0E4	Endangered	Threatened	G4T1/S1	1B.1		Yes	Yes
<i>Navarretia leucocephala</i> ssp. <i>plieantha</i> many-flowered navarretia	PDPLM0C0E5	Endangered	Endangered	G4T1/S1	1B.2		Yes	Yes
<i>Navarretia linearifolia</i> ssp. <i>pinnatisecta</i> pinnate-leaved navarretia	PDPLM04211	None	None	G4G5T4/S4	4.3		No	No
<i>Navarretia myersii</i> ssp. <i>deminuta</i> small pincushion navarretia	PDPLM0C0X2	None	None	G2T1/S1	1B.1		No	Yes
<i>Navarretia myersii</i> ssp. <i>myersii</i> pincushion navarretia	PDPLM0C0X1	None	None	G2T2/S2	1B.1		No	Yes
<i>Navarretia nigelliformis</i> ssp. <i>nigelliformis</i> adobe navarretia	PDPLM0C0J1	None	None	G4T3/S3	4.2		No	No
<i>Navarretia nigelliformis</i> ssp. <i>radians</i> shining navarretia	PDPLM0C0J2	None	None	G4T2/S2	1B.2	BLM:S	No	Yes
<i>Navarretia ojaiensis</i> Ojai navarretia	PDPLM0C130	None	None	G2/S2	1B.1	USFS:S	Yes	Yes
<i>Navarretia paradoxiclara</i> Patterson's navarretia	PDPLM0C150	None	None	G2/S2	1B.3		No	Yes



Issuing Office:

Department of the Interior
U.S. FISH & WILDLIFE SERVICE
Endangered Species Permit Office
2800 Cottage Way, Suite W-2606
Sacramento, CA 95825-1846
permitsR8ES@fws.gov

ENDANGERED SPECIES DIVISION CHIEF

Permittee:

CITY OF COSTA MESA
77 FAIR DRIVE
COSTA MESA, CA 92626
U.S.A.

Name and Title of Principal Officer:

BALTAZAR MEJIA - ACTING PRINCIPAL ENGINEER

Authority: Statutes and Regulations: 16 USC 1539(a); 50 CFR 17.22, 50 CFR 13.

Location where authorized activity may be conducted:

ON LANDS SPECIFIED WITHIN THE ATTACHED SPECIAL TERMS AND CONDITIONS

Reporting requirements:

ANNUAL REPORT DUE: 01/31

See permit conditions for reporting requirements

Authorizations and Conditions:

A. General conditions set out in Subpart B of 50 CFR 13, and specific conditions contained in Federal regulations cited above, are hereby made a part of this permit. All activities authorized herein must be carried out in accordance with and for the purposes described in the application submitted. Continued validity, or renewal of this permit is subject to complete and timely compliance with all applicable conditions, including the filing of all required information and reports.

B. The validity of this permit is also conditioned upon strict observance of all applicable foreign, state, local tribal, or other federal law.

C. Valid for use by permittee named above.

SPECIAL TERMS AND CONDITIONS
City of Costa Mesa

1. Acceptance of this permit serves as evidence that the permittee understands and agrees to abide by the “General Permit Procedures and Permit Regulations for Native Endangered and Threatened Wildlife Species Permits,” 50 CFR Part 13, 50 CFR 17.21 and 17.22 (endangered wildlife) and/or 50 CFR 17.31 and 17.32 (threatened wildlife), as applicable found at: <http://www.fws.gov/carlsbad/r8permits/permitprocedures-regulations.htm>
2. The permittee must have all other applicable State and Federal permits prior to the commencement of activities authorized by this permit. In addition, this permit does not authorize access to Federal, Tribal, State, local government, or private lands as it is the responsibility of the permittee to obtain land owner permission prior to commencing permitted activities on such lands.
3. The permittee is authorized to take (conduct habitat restoration and maintenance, collect inoculum, harass by survey, capture, handle, release, and collect adult vouchers) the Riverside fairy shrimp (*Streptocephalus woottoni*) and San Diego fairy shrimp (*Branchinecta sandiegonensis*) (hereafter collectively referred to as listed large branchiopods) in conjunction with the following document:
 - a. *Fairview Park Vernal Pool Restoration and Long Term Maintenance Plan for Vernal Pools 5 and 6, and the Associated Watershed Areas Within the Jurisdiction of the United States Fish and Wildlife Service Pursuant to the Endangered Species Act, Fairview Park, Costa Mesa, California, dated June 8, 2018.*
4. Permitted activities are restricted to the following geographic areas in California:

Fairview Park located in the City of Costa Mesa in Orange County, California.

Notifications to conduct contouring and survey activities at the above authorized locations pursuant to this permit shall be submitted in writing to the Recovery Permit Coordinator at the appropriate Fish and Wildlife Office (FWO) of the U.S. Fish and Wildlife Service (Service) at least 15 days prior to conducting such activities. The appropriate FWO is determined as follows:

Carlsbad Fish and Wildlife Office (CFWO):

2177 Salk Avenue, Suite 250, Carlsbad, California 92008 (telephone: 760-431-9440).
The permit coordinator contact is Stacey Love (stacey_love@fws.gov).

Notifications shall include, as appropriate: (a) an explanation of the purpose of the study and a clear description of methods, including the names of field personnel and the number and dates of surveys; (b) the number of individuals proposed to be captured and/or collected; (c) a map (at a minimum, a 1:24,000 scale U.S. Geological Survey

(USGS) topographical map) depicting the location of the survey site(s); (d) the assessor's parcel number (APN) for the site (if possible); and (e) geographic information system (GIS) data depicting the survey site or global positioning system (GPS) coordinates (if possible). Information may be submitted electronically if pre-arranged with the Recovery Permit Coordinator.

Fifteen (15) days after the Service's receipt of the notification, the permittee may commence activities authorized by this permit unless authorization is denied by the Service. If the permittee is denied authorization to conduct the proposed activities or activities at the requested location(s), including previously authorized sites, a request for reconsideration may be submitted to the Endangered Species Division Chief at the Service's Regional Office for the Pacific Southwest Region (Region 8), 2800 Cottage Way, Room W-2606, Sacramento, California 95825-1846, as provided in 50 CFR 13.29. The procedures specified in 50 CFR 13.29(b) must be followed.

5. Authorized individuals:

Only individuals on the attached List of Authorized Individuals (List) are authorized to conduct activities pursuant to this permit. The List, printed on Service letterhead, may identify special conditions or circumstances under which individuals are authorized to conduct permitted activities and must be retained with these Special Terms and Conditions. Each named individual will be responsible for compliance with the terms and conditions of this permit.

To request changes to the List, the permittee must submit written requests to the Recovery Permit Coordinator at the CFWO at least 30 days prior to the requested effective date. The request must be signed and dated by the permittee and include:

- a. The permit number.
- b. The name of each individual to be appended to the List.
- c. The resume/qualifications statement of each person to be appended to the List, detailing their experience with each species and type of activity for which authorization is requested.
- d. The names, phone numbers and email addresses of a minimum of two references including letters of reference. Letters of reference should address the individual's qualifications for the specific activities to be conducted.
- e. The names of the individuals to be deleted from the List.

Note: This procedure is for personnel changes only. For requests to renew/amend this permit, a complete application must be submitted to the Region 8 office.

6. Taking of listed large branchiopods:

The permittee is authorized to conduct habitat restoration and maintenance, collect inoculum, harass by survey, capture, handle, release, and collect adult vouchers activities for the listed branchiopods specified in condition number 3 above within the geographic boundaries specified above, and the time limitation specified in the permit, provided that:

- a. For habitat restoration and maintenance:
 - i. Contouring, collection and redistribution of inoculum, and trash and debris removal will only be conducted when soils are dry.
 - ii. Inoculum collection from vernal pool 1 will be conducted after contouring of vernal pool 6 is completed. Immediately following collection, inoculum will be hand-broadcast over the surface of vernal pool basin 6, followed by light raking.
 - iii. Maintenance crews may only remove non-native annual grasses while soils are dry and outside the perimeter of vernal pool basins 5 and 6. Maintenance crews may not enter the pool basins, except as described in 7(a)(iv) below.
 - iv. If needed, weeding within vernal pool basins 5 and 6 will be conducted by persons identified on the permit or other supervised personnel provided they are accompanied by persons identified on the permit.
 - v. Removal of non-native upland and invasive aquatic plant species will be performed by hand only within 25 feet of the outer extent of vernal pool basins 5 and 6.
 - vi. Use of herbicides and pesticides is prohibited within the fenced area.
- b. The permittee conducts all surveys in accordance with the approved *Survey Guidelines for the Listed Large Branchiopods* (Guidelines), dated May 31, 2015, unless authorized in advance by the Recovery Permit Coordinator at the appropriate FWO. The current approved survey guidelines can be retrieved at the following address: (http://www.fws.gov/sacramento/es/Survey-Protocols-Guidelines/es_survey.htm)
- c. As specified in the Guidelines, sampling/collecting of hatched individuals or resting eggs is not authorized at any specific location until the permittee requests approval from the appropriate FWO.
- d. For identification and collection of voucher specimens:

- i. Incidentally captured branchiopods that will not be collected as voucher specimens will be returned in good condition to the feature where they were found as quickly as possible.
- ii. For surveys:
 1. Voucher specimens should be collected from each individual feature sampled during a single wet season. Note that a single feature would include all habitat that is hydrologically connected at the time of sampling and permittees should verify the extent of each surveyed feature to prevent taking duplicate voucher specimens. Additional specimens may be taken from individual features if new cohorts of branchiopods are observed, previously undetected species are found, or at the direction of the CFWO.
 2. The number of voucher specimens authorized to be collected and preserved is limited to no more than 20 hatched individuals of each species from each feature per sampling visit, or less than 50 percent of the estimated subpopulation present in the water column, whichever is the lesser amount. For a standard survey we anticipate that primarily males will be collected for identification, but a sample should include no less than three specimens of either sex, and both male and female taxonomic characteristics shall be observed for proper identification.
 3. With written authorization from the CFWO, once the expected listed branchiopod(s) have been documented within a given feature, surveys may cease for that feature.
 4. With written authorization from the CFWO, a single voucher only of each listed species found within a vernal pool complex (as determined by the FWO) may be taken (e.g., to minimize take where branchiopod numbers are limited).
 5. Multiple similar branchiopod species may occupy the same feature in varying numbers. To increase the detectability of a rare species under these circumstances, where feasible, we recommend that 30 specimens, or less than 50% of the estimated subpopulation present in the water column, whichever is the lesser amount, be retained and preserved for identification during each sampling visit where new cohorts of branchiopods are observed (e.g., within Zone C, *B. lindahli* may occur with *B. lynchi* or *B. sandiegonensis*).
 6. Where multiple species within a genus co-occur, hybridization may be observed. Proper identification of hybrids may require the collection of approximately 10 to 15 additional female specimens

(e.g., hybrids between *B. lindahli* and *B. sandiegonensis* are more easily identified with female specimens). In Orange and San Diego County, if any variability in the characteristics of *B. lindahli* and *B. sandiegonensis* is observed, those specimens should be scored relative to a morphological hybrid index (Simovich et al. 2013). A revised version of the morphological hybrid index will be made available on the CFWO's website.

Simovich, M., K. Davis, and A. Bohonak. 2013. Landscape homogenization threatens the genetic integrity of the Endangered San Diego fairy shrimp *Branchinecta sandiegonensis* (Branchiopoda: Anostraca). *Journal of Crustacean Biology* 33(5): 730-740.

- e. The permittee will disinfect sampling and field gear as follows:
 - i. Remove mud, snails, algae, and other debris from nets, traps, boots, vehicle tires, and all other surfaces. Rinse cleaned items with sterilized (e.g., boiled or treated) water before leaving each survey site.
 - ii. Boots, nets, traps, hands, etc. will be scrubbed with either a bleach solution (0.5 to 1.0 cup per 1.0 gallon of water), Quat-128™ (1:60), or a 3 to 6 percent sodium hypochlorite solution and thoroughly rinsed clean with water. Equipment will be rinsed clean with water between study sites. Cleaning equipment in the immediate vicinity of aquatic habitats will be avoided (e.g., clean in an area at least 100 feet from aquatic features). Care will be taken so that all traces of the disinfectant are removed before entering the next aquatic habitat.
 - iii. In remote locations, clean all equipment as described above upon return to the lab or base camp. Elsewhere, when washing machine facilities are available, remove nets from poles and wash with bleach on the delicates cycle, within a protective mesh laundry bag.
 - iv. Used cleaning materials (liquids, etc.) will be disposed of safely at the lab. Used disposable gloves will be retained for safe disposal in sealed bags.
7. Minor deviation from the stipulated terms and conditions may be authorized on a case-by-case basis when approved by the applicable FWO unless an amendment to this permit would be required. Changes that would require an amendment to this recovery permit include but are not limited to changes in study plan or research proposal, location, activity, amount or type of take, or species to be covered by the permit.
8. This permit does not cover any activities authorized pursuant to a biological opinion or habitat conservation plan (HCP). All such activities must be authorized by the office that wrote the biological opinion, issued the section 10(a)(1)(B) incidental take permit based

on an HCP, or is the lead field office implementing the HCP. Note also that this permit is not to be construed as meaning that the permittee or other authorized individuals are qualified to conduct activities pursuant to a biological opinion or HCP except insofar as the activities are similar to those authorized in this permit. Their qualifications for activities to be done pursuant to the biological opinion are subject to review and written approval for the specific activities by the office that wrote the biological opinion, issued the section 10(a)(1)(B) incidental take permit based on an HCP, or is the lead field office implementing the HCP.

9. This permit does not authorize take of federally listed species that are not specifically authorized pursuant to this permit. However, the Service acknowledges that incidental take of a co-occurring federally listed species could potentially occur while conducting certain permitted activities for some species. When applicable, the following conditions now apply to all federally listed animals that the permittee is not authorized to take pursuant to this permit, but which may be incidentally sighted, encountered, captured, injured, or killed:
 - a. Each individual authorized pursuant to this permit shall be knowledgeable about potentially co-occurring listed species that may occur throughout the habitats in which permitted activities are conducted. Additionally, individuals must be observant and cautious to the extent practicable in order to minimize take.
 - b. Any federally listed animal that the permittee is not authorized to take pursuant to this permit, but is incidentally captured during the course of conducting authorized activities, shall be released immediately at the point of capture.
 - c. During the course of your permitted activities, if an incidental injury or mortality occurs to a federally listed species not authorized in this permit, the permittee shall follow instructions specified in condition 10 below.
 - d. Any incidental capture, injury or mortality of a federally listed species not authorized in this permit shall be recorded and reported in the annual report submitted pursuant to this permit.
 - e. All incidental encounters, sightings, capture, injury, or mortality of other federally listed species not authorized under this permit shall be recorded and reported in the annual report submitted pursuant to this permit. We request that it also be reported to the California Natural Diversity Database (CNDDDB) as specified in condition number 13 below.
10. The number of individuals allowed to be incidentally injured or killed during permitted activities is 5 individuals of each listed large branchiopod species (and an unquantifiable number of eggs) in any calendar year.
 - a. Any incidental injury or killing must be reported within 3 working days to the

Regional Recovery Permit Coordinator (telephone: 760-431-9440) and the Recovery Permit Coordinator at the CFWO.

- b. In the event that the number of individuals allowed to be incidentally injured or killed is exceeded during the performance of permitted activities, the permittee must:
 - i. Immediately notify the Regional Recovery Permit Coordinator and the Recovery Permit Coordinator at the CFWO. Within 3 working days, the permittee shall follow-up such verbal notification in writing to each office.
 - ii. With the written notification, the permittee is to provide a report of the circumstances that led to the injury or mortality. A description of the changes in protocols that will be implemented to reduce the likelihood of such injury or mortality from happening again should be included, if appropriate. A copy of this report shall also be sent to the California Department of Fish and Wildlife (CDFW), Attention: Permitting Biologist, Wildlife Branch, 1812 Ninth Street, Sacramento, California 95811 (telephone: 916-445-3764).
 - c. Dead specimens and/or appropriate parts of dead specimens that are incidentally taken pursuant to this section shall be preserved in accordance with standard museum practices. Within 120 days, the preserved specimen(s) shall be properly labeled and deposited with one of the designated repositories specified below. Specimens must be accessioned with complete collecting data. The permittee shall supply the repository with a copy of this permit to validate that the specimens supplied to the museum were taken pursuant to a permit. Collection data (e.g., dates and location) and deposition of carcasses by the permittee must be reported in the subsequent annual report.
11. The permittee is authorized to salvage all authorized species' carcasses and provide them to one of the designated repositories within 120 days by following condition number 10.c above. Any specimens salvaged will be documented and specified in the annual report submitted to the appropriate field office.
 12. Designated repositories:

The California Academy of Sciences, Golden Gate Park, San Francisco, California; the Los Angeles County Museum of Natural History, Los Angeles, California; the Bohart Museum, University of California, Davis, California or any other institution designated in writing by the appropriate FWO.
 13. California Natural Diversity Database forms shall be completed, as appropriate, for each listed species addressed herein and submitted to the Biogeographic Data Branch, CDFW, 1416 9th Street, Suite 1266, Sacramento, California 95814 (also accessible online

at: <https://www.wildlife.ca.gov/Data/CNDDDB>). Copies of the form can be obtained from the CDFW at the above address (telephone: 916-322-2493). The appropriate field office will be notified via email when the forms are submitted. This can consist of a one sentence email simply stating the forms were submitted.

14. All reports or other documents that include information gathered under the authority of this permit (e.g., reports prepared by consulting firms for their clients, theses, or scientific journal articles) shall reference this permit number. Copies of such documents shall include a transmittal letter and be provided to the Recovery Permit Coordinator at the appropriate FWO upon their completion. Draft documents, raw/field data, and other information resulting from work conducted under the authority of this permit shall be submitted to the Service upon request.

15. Annual reports:

Two types of annual reports shall be submitted to the Recovery Permit Coordinator at the appropriate FWO by January 31, following each year this permit is in effect as specified below. Note electronic reporting requirements below.

- a. Annual summary report:

In order to track, document, and assess all activities conducted pursuant to this permit, we are requiring an annual summary report be submitted that summarizes all of the activities conducted pursuant to this permit during the previous calendar year. Activities that are continuous (i.e., overlapping in two or more calendar years), must be reported each year the activity is in effect. The annual summary report shall be in the following format to include and not be limited to the following:

- i. Permittee name and number with date of expiration;
- ii. A section listing all authorized activities conducted for each permitted species during the previous calendar year. This information can be in tabular format and should provide a summary of each activity for each species authorized in this permit. This section shall include but not be limited to:
 - A. The name and title of each permitted activity conducted during the previous calendar year (preferably the same title as the reports previously or concurrently being submitted to the Service as specified in condition 15(b) below);
 - B. The specific location of the project site, including the County;

- C. The common and scientific names of the listed species for which the permitted activity was conducted;
 - D. Whether or not the species was observed;
 - E. The date and name of the Service office where each individual report(s) have been or will be submitted;
 - F. Whether or not GIS data was submitted; and
 - G. The version of each activity report (draft or final) and the report date. If a draft report was submitted, indicate the reason (ongoing activities; processing/analysis of data, final report in review, final report in progress, etc.) and the anticipated final report finish date.
- iii. Number of individuals incidentally injured and/or killed, including dates, locations, circumstances of take, and depository receiving the preserved specimen(s). If no injuries or mortalities occurred, please state this in writing in your annual summary report.
 - iv. Other pertinent observations made regarding the status or ecology of the species.
 - v. Planned future activities, if authorized under this permit.
 - vi. If no activities were conducted with any or all species authorized under the permit during the previous year within any field office jurisdiction, you must state this in writing in your annual summary report to that field office.
- b. Comprehensive project reports:
- i. For each project-specific activity, the permittee shall submit a comprehensive annual report to the appropriate FWO in the following format:
 - (i) an introduction section addressing reasons and objectives for performing the activity; (ii) a methodology section which includes an overview of the methods used to collect and analyze data and/or perform habitat management; (iii) a results section that provides and summarizes the data collected and areas where habitat management was performed, including information on any other federally listed species detected while conducting activities authorized under this permit; and (iv) a conclusion section that specifically provides recommendations for recovery of the species and any plans for future studies. Activities that are continuous (i.e., overlapping in two or more calendar years), must be reported each

year the activity is in effect to the appropriate FWO. Information may be submitted electronically if pre-arranged with the Recovery Permit Coordinator. The annual report shall include, but not be limited to:

- A. On the cover page of the report, include the title, location, permit number, permittee name, date and time frame of the activity, and date of preparation on the report.
- B. Summary presentations and brief discussions of survey and monitoring results;
- C. Locations sampled or study area(s) delineated on a 7.5 minute U.S. Geological Survey topographic map at 1:24,000 scale. The name of the USGS map identified;
- D. The names of all personnel conducting the activity and associated permit numbers.
- E. The results of all sampling efforts, including the numbers and life stage of each listed species observed, dates of observation, and estimates of population sizes; and
- F. Other pertinent observations made during sampling efforts regarding the status or ecology of the species.

16. Electronic Reporting requirements:

All reports must be submitted electronically. Electronically submitted reports must be sent using the following conditions:

- a. Hard copy reports are no longer accepted.
- b. Each report must be saved as one PDF only. Zipped files, other file formats, and Excel spreadsheets are not accepted. One exception: Statements of no activity may still be sent in the body of an email.
- c. Each report must “stand alone” from any correspondence or transmittal, and must contain the permittee name and permit number at minimum.
- d. Emails are limited to 25 megabytes in size. If emails with attachments exceed this size limitation, please: (1) send the attachments in separate emails (but do not break up individual reports; again, only one PDF per report), or (2) submit them on a DVD or CD. Again, do not zip the file(s) and do not send file formats other than PDF. Links for file download and thumb drives are not accepted.
- e. Unless a report is revised, please send each report only once. Do not send duplicates.
- f. Please only send GIS files if the field office Recovery Permit Coordinator previously arranged for receipt of these data from you.

- g. Please include your recovery permit number in the subject line or body of all emails.
17. Failure to comply with reporting requirements of this permit may result in non-renewal or suspension/revocation of this permit.

Acting Endangered Species Division Chief



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Pacific Southwest Region
2800 Cottage Way, Suite W-2606
Sacramento, California 95825-1846

LIST OF AUTHORIZED INDIVIDUALS TE-87580B-0

1. Individual authorized to independently supervise restoration of damaged areas (i.e., reestablish contours) of vernal pools 5 and 6 for listed large branchiopods pursuant to this permit:

Tony Bomkamp.

Other individuals (e.g., grading contractors) may conduct activities pursuant to this permit only under the direct, on-site supervision of an independently authorized individual specified above. For this activity only, “on-site supervision” is defined as an unauthorized person conducting activities within sight of an authorized individual.

2. Individuals authorized to independently conduct wet season surveys and inoculum collection for listed large branchiopods pursuant to this permit:

Kevin Livergood and David Moskovitz.

3. Individual authorized to independently conduct hydrology monitoring for listed large branchiopods pursuant to this permit:

David Moskovitz.

4. Individuals authorized to independently conduct vegetation maintenance and monitoring within vernal pool basins 5 and 6 for listed large branchiopods pursuant to this permit:

Shahzad Asgari, Tony Bomkamp, Kevin Livergood and David Moskovitz.

Other individuals may conduct activities pursuant to this permit only under the direct, on-site supervision of an independently authorized individual specified above. “On-site supervision” is defined as an unauthorized person conducting activities within 3 meters (9.8 feet) of an authorized individual.

Acting Endangered Species Division Chief

This List is only valid if it is dated on or after the permit issuance date.