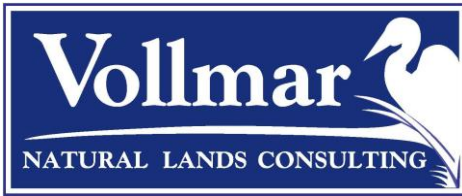


## **Appendix B**

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### Jamison Ranch Conservation Easement Management Plan



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# **CONCEPTUAL LONG-TERM MANAGEMENT PLAN**

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**JAMISON RANCH OFF-SITE MITIGATION PRESERVE  
ESTABLISHED AS MITIGATION FOR THE  
MILLERTON NEW TOWN PROJECT, MADERA COUNTY, CA**

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Submitted To:

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J-254

## Contents

SECTION 1.0 INTRODUCTION.....	1
SECTION 2.0 BACKGROUND INFORMATION.....	3
2.1 RESPONSIBLE PARTIES.....	3
2.2 GOALS AND OBJECTIVES.....	3
2.3 PRESERVE SITE DESCRIPTION.....	4
2.3.1 Location.....	4
2.3.2 Ownership Status.....	4
2.3.3 Topography.....	4
2.3.4 Soils.....	4
2.3.5 Hydrology.....	7
2.3.6 Land Use.....	7
2.4 HABITATS.....	9
2.4.1 Upland Annual Grasslands.....	9
2.4.2 Stock Ponds.....	14
2.4.3 Vernal Pools.....	14
2.4.4 Creek.....	14
2.4.5 Seasonal Wetland Swales and Drainages.....	14
2.5 SPECIES ACCOUNTS.....	16
2.5.1 Special-status Species Observed on Site.....	16
2.5.2 Special-status Species with Potential to Occur on Site.....	20
2.5.3 Other Wildlife.....	22
SECTION 3.0 MANAGEMENT PLAN.....	26
3.1 OBJECTIVES.....	26
3.2 PRESERVE MANAGEMENT PERSONNEL.....	26
3.2.1 Property Owner.....	27
3.2.2 Endowment Holder.....	27
3.2.3 Easement Holder.....	27
3.2.4 Biological Monitor.....	28
3.2.5 Easement Monitor.....	28
3.3 PROHIBITED ACTIVITIES.....	28
3.3.1 Irrigation.....	28
3.3.2 Pesticides, Fertilizers, and Other Chemical Agents.....	29
3.3.3 Motor Vehicle Use.....	29
3.3.4 Agricultural Uses.....	29
3.3.5 Commercial Recreational Activities.....	29
3.3.6 Commercial and Industrial Uses.....	29
3.3.7 Subdivision.....	29
3.3.8 Construction.....	29
3.3.9 Burning and Dumping.....	29
3.3.10 Non-native Plant or Animal Introduction.....	30
3.3.11 Mineral Removal.....	30
3.3.12 Grading.....	30
3.3.13 Vegetation Removal.....	30
3.3.14 Natural Watercourse Alteration.....	30
3.3.15 Mineral and Water Rights Transfer.....	30
3.4 ADAPTIVE MANAGEMENT.....	30
3.5 MANAGEMENT ACTIVITIES.....	31

3.5.1 Soil Erosion Management .....	31
3.5.2 Vegetation Management .....	31
3.5.3 Water Management .....	33
3.6 MAINTENANCE ACTIVITIES .....	33
3.6.1 Fence and Gate Maintenance .....	33
3.6.2 Trash and Debris Removal .....	34
3.7 MONITORING .....	34
3.7.1 General Inspections .....	34
3.7.2 Biological Monitoring .....	36
3.7.3 Biological Inspections .....	37
3.7.4 Agency Inspections .....	38
3.8 FUNDING .....	38
SECTION 4.0 REPORTING REQUIREMENTS .....	39
4.1 ANNUAL REPORTS .....	39
4.2 CONSERVATION EASEMENT MONITORING REPORTS .....	40
4.3 BIOLOGICAL MONITORING REPORTS .....	40
SECTION 5.0 REFERENCES .....	42

## FIGURES, TABLES, AND APPENDICES

Figure 1. Vicinity Map of the Jamison Ranch Preserve .....	2
Figure 2. Site Topographic USGS Map of the Jamison Ranch Preserve .....	5
Figure 3. Geology and Soil Map of the Jamison Ranch Preserve .....	6
Figure 4. Hydrology and Biological Resources Map of the Jamison Ranch Preserve .....	8
Figure 5. Regional Conserved Land .....	10
Figure 6. Vernal Pool Core Recovery Area .....	15
Figure 7. Vicinity CTS Critical Habitat .....	21
Figure 8. Vicinity Plant Critical Habitat .....	23
Table 1. Description of Predominant Soils on Jamison Ranch Preserve. ....	7
Table 2. List of Vascular Plant Taxa Identified on the Jamison Ranch Preserve. ....	10
Table 3. Special-Status Species and their Potential to Occur on the Jamison Ranch Preserve. ....	16
Table 4. List of Wildlife Observed During Surveys Conducted on the Jamison Ranch Preserve. ....	23
Table 5. Schedule and Description of Inspection and Monitoring Surveys .....	35
Table 6. Type and Schedule of Preserve Inspection and Monitoring Reports .....	39
Appendix A. Title Report	
Appendix B. Conservation Easement	
Appendix C. Endowment Fund (PAR) Analysis	
Appendix D. Preserve Wetland Delineation Report and COE Verification Letter	
Appendix E. Millerton New Town Project Mitigation and Monitoring Plan	
Appendix F. Millerton New Town Project Wetland Fill Permit	
Appendix G. Millerton New Town Project Biological Opinion	

## **SECTION 1.0 INTRODUCTION**

This is the Conceptual Management Plan (Management Plan or Plan) for an approximately 2,269-acre ‘off-site’ Mitigation Preserve (Mitigation Preserve or Preserve) being established on the Jamison Ranch in Madera County, California (**Figure 1**). The Preserve is being established to provide mitigation for impacts to habitat for California tiger salamander (CTS) (*Ambystoma californiense*), vernal pool fairy shrimp (*Branchinecta lynchi*) and perhaps other special-status species associated with annual grasslands, as well as vernal pool habitat and jurisdictional wetlands from the proposed Millerton New Town development project (Development Project or Project) located in Fresno County, California.

This Management Plan is conceptual, and will be revised to include any additional terms and conditions of agency consultation regarding this site, including a Section 404 Wetland Fill Permit (U.S. Army Corps of Engineers (COE)) and a Biological Opinion (BO) (U.S. Fish and Wildlife Service (USFWS)). The required Project mitigation will likely include preservation of annual grasslands providing potential upland sheltering habitat for adult California tiger salamanders and sheltering or foraging habitat for other special-status species, preservation of existing vernal pools providing known habitat for vernal pool fairy shrimp and breeding California tiger salamanders, and creation of vernal pools and other seasonal wetlands (acreages to be determined with further agency consultation). Vollmar Natural Lands Consulting has completed a preliminary biological resources assessment of the Mitigation Preserve and determined that it can provide each of these mitigation resources.

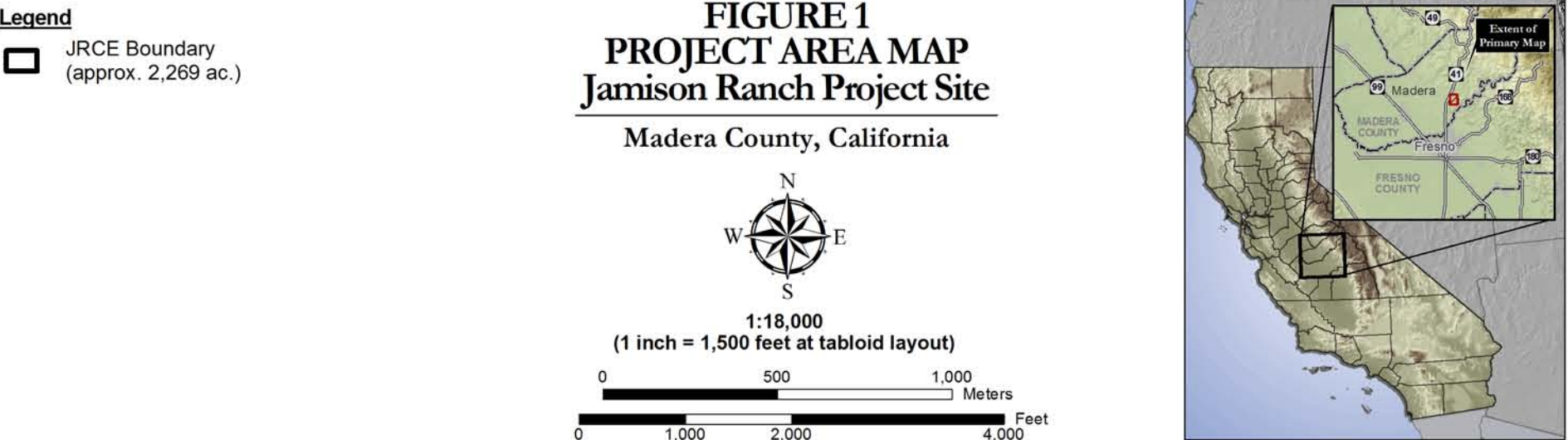
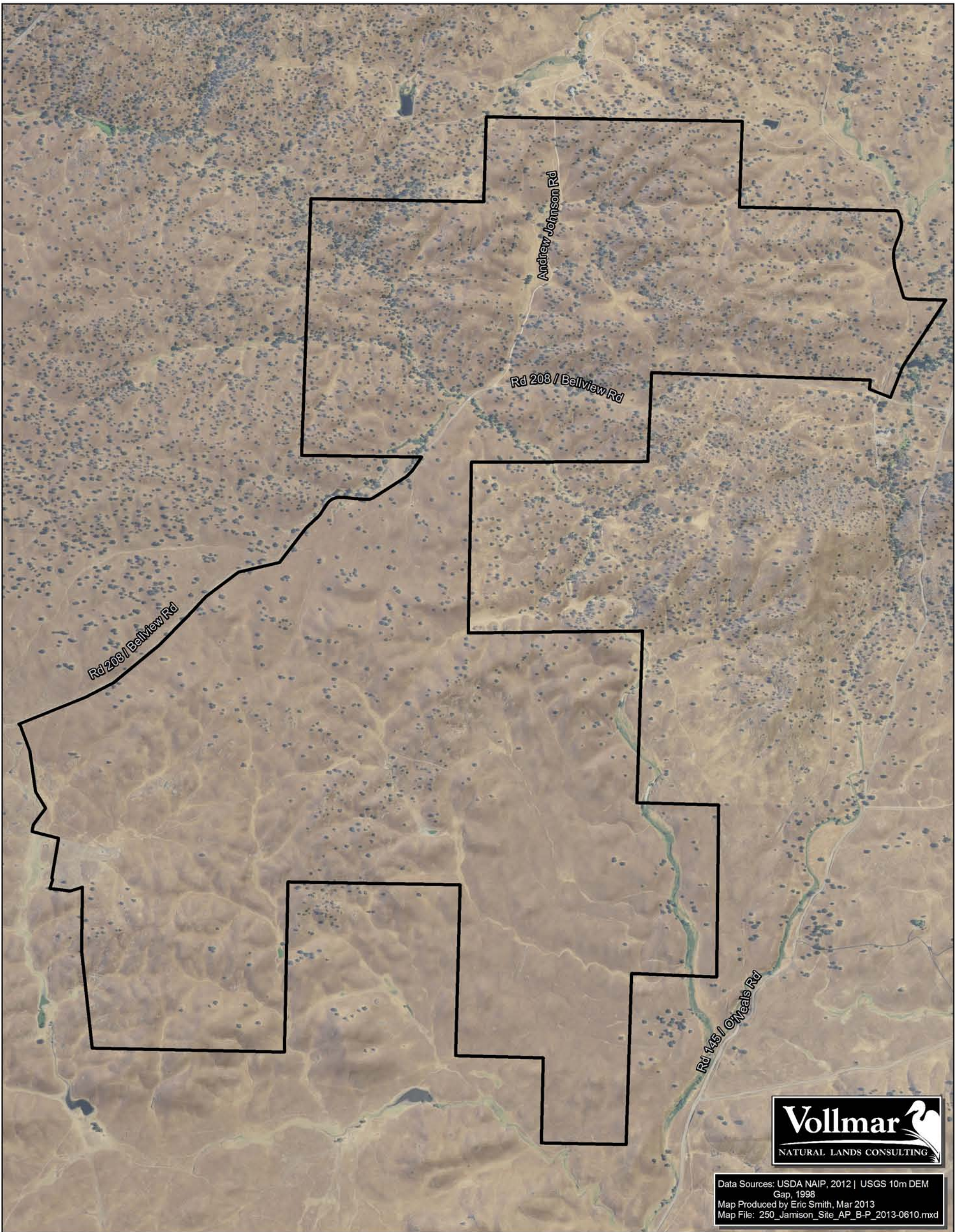
This Management Plan focuses on the long-term management, maintenance, and monitoring activities of the Preserve. In addition to this Plan, the Project’s Section 404 permit and BO will likely require:

1. The placement of a permanent Conservation Easement over the Preserve to be held and monitored by a third party entity (Sierra Foothill Conservancy or equivalent);
2. The establishment and full funding of a financial endowment (Endowment Fund) to provide a funding stream for the management, maintenance and monitoring of the Preserve in perpetuity; and
3. The preparation and implementation of a Mitigation and Monitoring Plan that addresses Project impacts and mitigation requirements, means for achieving mitigation, and the design, construction and monitoring of created wetlands (Project Mitigation and Monitoring Plan).

Once this site is approved for consideration as a Mitigation Preserve, additional documents will be completed and included as Appendices to this document, including:

- Appendix A: Conservation Easement (draft version provided here)
- Appendix B: Permanent Analysis of Record (PAR) conducted to determine the amount of the Endowment Fund
- Appendix C: Copy of the Preserve’s wetland delineation report and COE verification letter
- Appendix D: Copy of the Project’s Mitigation and Monitoring Plan
- Appendix E: Copy of the Project’s Section 404 Permit
- Appendix F: Copy of the Project’s Biological Opinion







## **SECTION 2.0 BACKGROUND INFORMATION**

### **2.1 RESPONSIBLE PARTIES**

The Easement Holder is a third-party non-profit organization responsible for holding and monitoring the Conservation Easement and ensuring that general terms and conditions of the Conservation Easement and Long-term Management Plan are met. The Endowment Holder is a third-party non-profit organization or government agency responsible for holding and managing the Endowment Fund and distributing payments as required from the Endowment Fund. The Sierra Foothill Conservancy is currently designated as both the Endowment Holder and Easement Holder. The Property Owner (Jamison Ranch) will be the designated Land Manager responsible for operating the Preserve in a manner that is consistent with the terms and conditions of the Long-term Management Plan and Conservation Easement. The Project Proponent (Millerton New Town Project) is responsible for implementing the Long-term Management Plan and Wetland Creation Plan and providing all required funding. Contact information for these parties is as follows:

Endowment and Easement Holder:  
Sierra Foothill Conservancy  
PO Box 521  
Prather, CA 93651

Property Owner & Manager:  
William O. Jamison  
Cinda Jamison and/or  
Elizabeth Anne Cardoza

Project Proponent:  
Millerton New Town Project Representative or Nominee

### **2.2 GOALS AND OBJECTIVES**

The goal of this Management Plan is to maintain and protect the physical, biological, and ecological conditions of the Preserve to ensure that it will continue to support, in perpetuity, the species and habitats that the Preserve is being established to protect. The federally-listed species known or with potential to occur on the Preserve include vernal pool fairy shrimp, vernal pool tadpole shrimp (*Lepidurus packardii*), California tiger salamander, succulent owl's clover (*Castilleja campestris* ssp. *succulenta*), San Joaquin Valley orcutt grass (*Orcuttia inaequalis*), and hairy orcutt grass (*Orcuttia pilosa*). In addition to this Management Plan, a Conservation Easement (**Appendix A**) will be placed on the Preserve to ensure permanent protection from development or agricultural conversion.

Specific targets for meeting the overall Management Plan goal include:

1. Maintain the abundance and diversity of native plant and wildlife species within the wetland and grassland habitats;
2. Repair or restore any adverse conditions that may develop on the Preserve that could negatively affect native species or the overall ecological conditions; and
3. Protect the Preserve from any adverse effects of adjacent land uses or public trespass that may diminish the abundance or diversity of native species or the overall ecological conditions.

## 2.3 PRESERVE SITE DESCRIPTION

### 2.3.1 Location

The Preserve is located on the approximately 2,269.3-acre Jamison Ranch. The ranch is located just east of Highway 41 along Road 208 in eastern Madera County (**Figure 1**). It is situated in the Millerton Lake West and Little Table Mountain USGS Quadrangles, Township 10S, Range 20E and 21E, and Sections 13, 14, 18, 23-26 and 30 (**Figure 2**).

### 2.3.2 Ownership Status

The Preserve site is currently owned by Mr. William Jamison, Ms. Cindy Jamison, and Ms. Elizabeth Anne Cardoza. The Preserve does not carry any encumbrances on the title. There are no known easements on the Preserve except those identified and approved in the attached Title Report (i.e. PG&E, Madera County Road Department).

### 2.3.3 Topography

Elevation on the Preserve site ranges from approximately 437 to 835 feet above mean sea level (**Figure 2**).

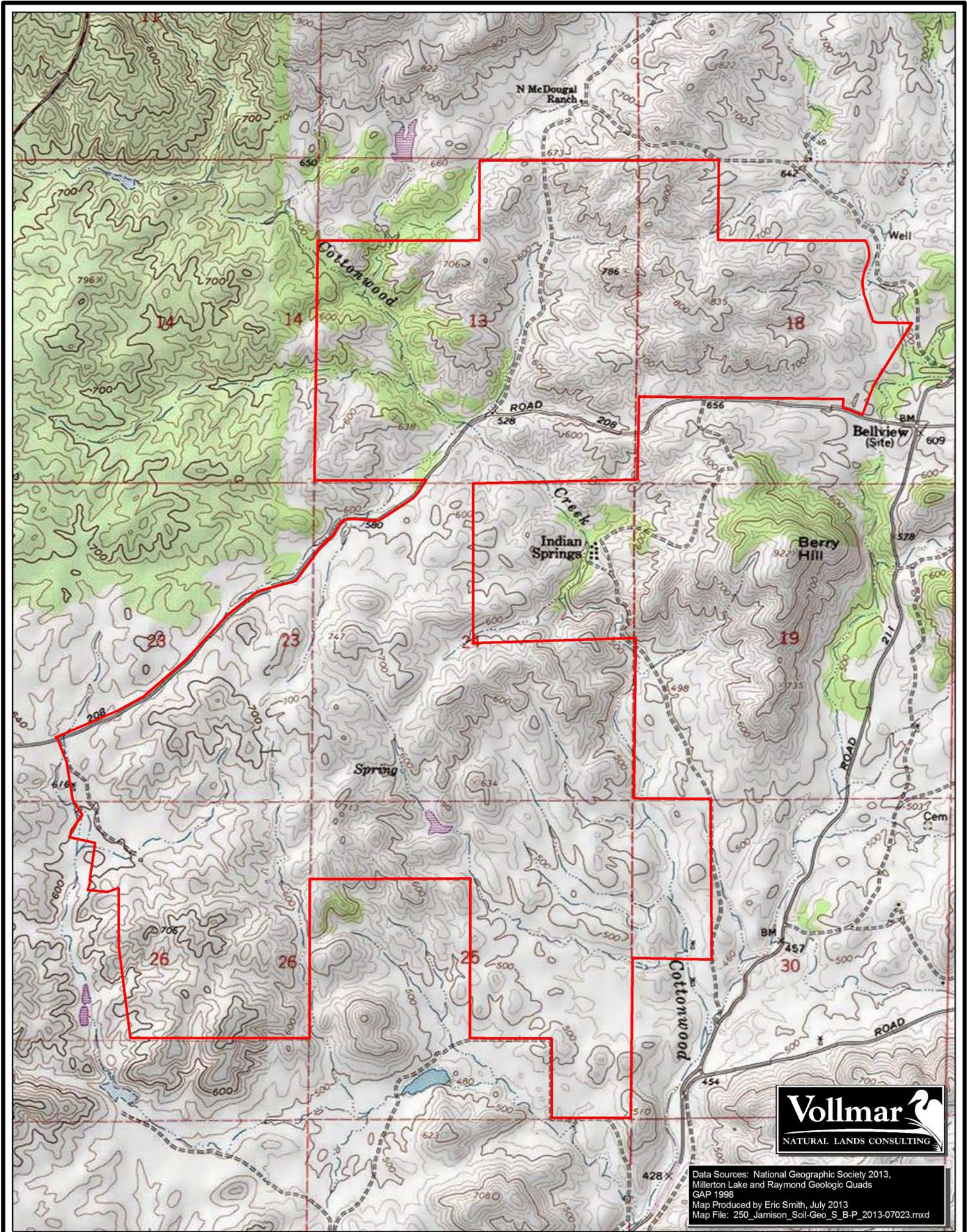
The Preserve site is generally characterized by gentle to steep rolling foothills with intervening drainages or swales. The overall topography varies greatly across the Preserve, with the lowest gentlest slopes to the southeast and west, increasing to extremely steep slopes to the north and east. The highest elevation areas are on the steep rocky hilltops in the north and the lowest elevation areas are along the floodplain of Cottonwood creek that meanders through northern and eastern areas of the Preserve.

### 2.3.4 Soils

The predominant soils on the Preserve site are Ahwahnee and Vista rocky coarse sandy loams and Ahwahnee and Vista coarse sandy loams (**Figure 3**). Additional soils on site, though less predominant, include Daulton fine sandy loams, and Daulton rocky fine sandy loams. The majority of the Preserve has Ahwahnee and Vista rocky coarse sandy loams with 8-30% slopes and is associated with medium-grained biotite tonalite and biotite rich facies geologic units. These units form the rolling foothills and rocky outcrops found throughout the Preserve. At the southeast corner of the Preserve, the predominant Ahwahnee and Vista coarse sandy loam soils with 8-15% slopes are associated with quartz-biotite schist, biotite rich facies, and aplitic leucogranite subhorizontal dike complex geologic units. These geologic units provide the substrate for the rocky creek corridor and floodplain in addition to gentler rolling topography. Along the northwest boundary of the Preserve, the predominant Ahwahnee and Vista coarse sandy loam soils with 15-30% slopes are associated with biotite rich facies and quartz-biotite schist geologic units. These geologic units form gentle rolling topography with few rock outcrops and intervening swales and wetlands.

**Table 1**, below, provides a summary of the key characteristics of the predominant soils found on the Preserve site.





**Legend**  
Jamison Ranch Preserve

**Figure 2**  
**Site Topography**  
**Jamison Ranch Preserve**

Madera County, California



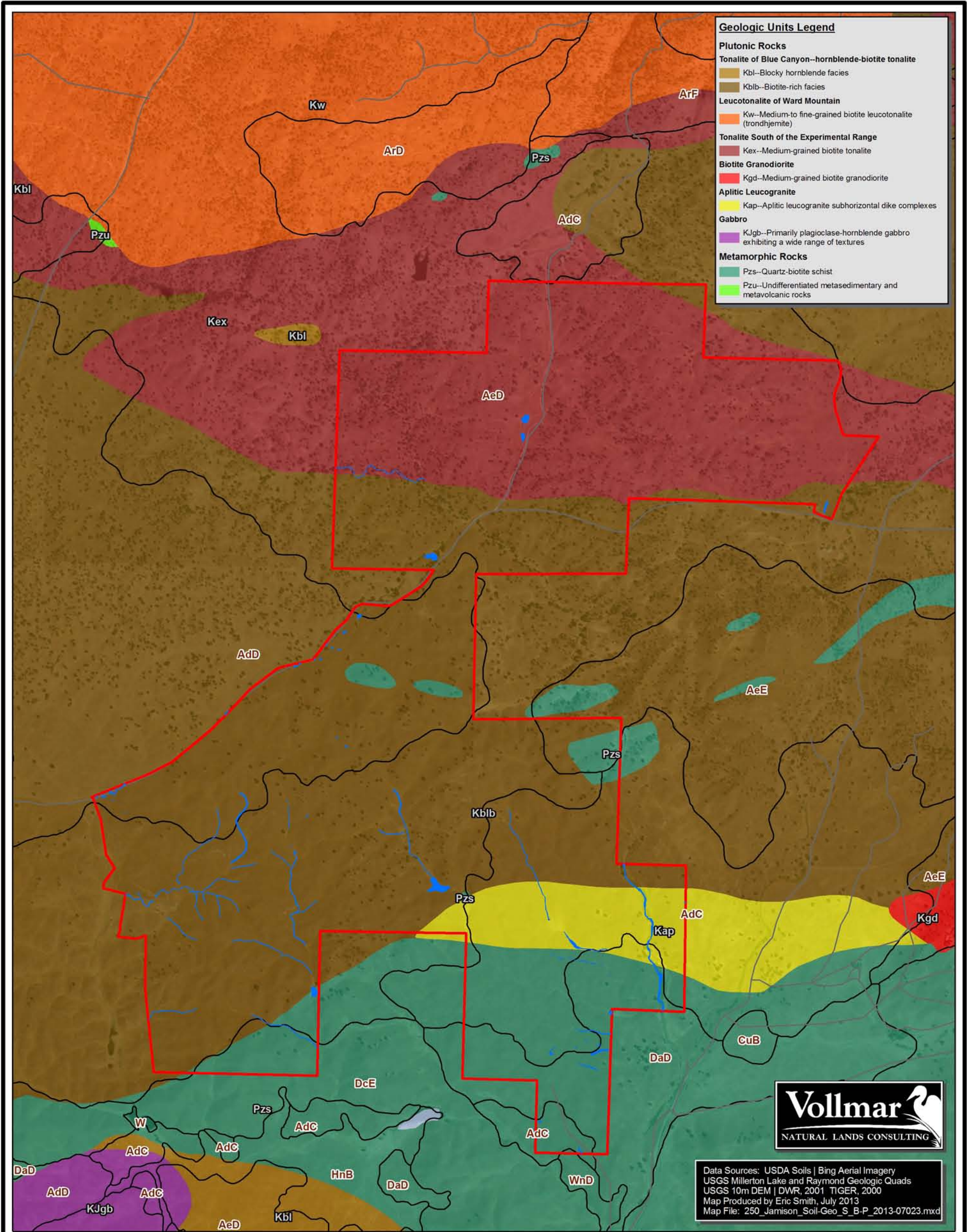
1:21,000  
(1 inch = 1,750 feet at tabloid layout)

0 437.5 875 Meters

0 875 1,750 3,500 Feet







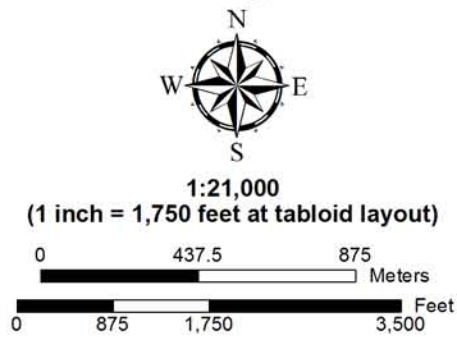
- Legend**
- Jamison Ranch Preserve
  - Road
  - Soil Unit Boundary (with label )
  - VNLC Mapped Wetlands

Key to Soil Codes:

- AdC & AdD: Ahwahnee and Vista coarse sandy loams
- AeD & AeE: Ahwahnee and Vista rocky coarse sandy loams
- ArD & ArF: Ahwahnee and Vista very rocky coarse sandy loams
- CuB: Cometa sandy loams
- DaD: Daulton fine sandy loam
- DcE: Daulton rocky fine sandy loam
- HnB: Hildreth-San Joaquin complex
- WnD: Whitney sandy loam
- W: water

### Figure 3 Site Soils and Geology Jamison Ranch Preserve

Madera County, California





**Table 1. Description of Predominant Soils on Jamison Ranch, Madera County, California. Table Compiled by Vollmar Natural Lands Consulting, 2013. Source Data: Madera County Soil Surveys (SSURGO 2013).**

Soil	Slope	Texture	Description
Ahwahnee and Vista rocky coarse sandy loams	8-30%	Coarse sandy loam	Well drained at surface to 36-52 inches where restrictive paralithic bedrock begins. Formed from weathered granite materials. Steep terrain with large rock outcrops, typical of mountain landscapes.
Ahwahnee and Vista coarse sandy loams	8-15%	Coarse sandy loam	Well drained at surface to 36- 52 inches where restrictive paralithic bedrock begins. Formed from weathered decomposed granite and other rock materials. Gentle rolling topography with intermittent rock outcrops. Typical of foothill to mountain slopes.
Ahwahnee and Vista coarse sandy loams	15-30%	Coarse sandy loam	Well drained at surface to 36- 52 inches where restrictive paralithic bedrock begins. Formed from weathered decomposed granite and other rock materials. Gentle rolling to steeper topography with intermittent rock outcrops. Typical of foothill to mountain slopes.

### 2.3.5 Hydrology

There is one well-developed creek on the Preserve and numerous ephemeral drainages and vernal swales. The only additional sources of hydrology on the Preserve are natural rainfall and overland surface flow during and following periods of heavy rain. The vernal pools on the Preserve pond continuously or intermittently from late fall through spring or early summer. Extent and length of ponding varies according to seasonal rainfall patterns. Smaller pools are more ephemeral, remaining ponded for a few to several weeks in winter or early spring. Larger vernal pools can remain inundated into early summer.

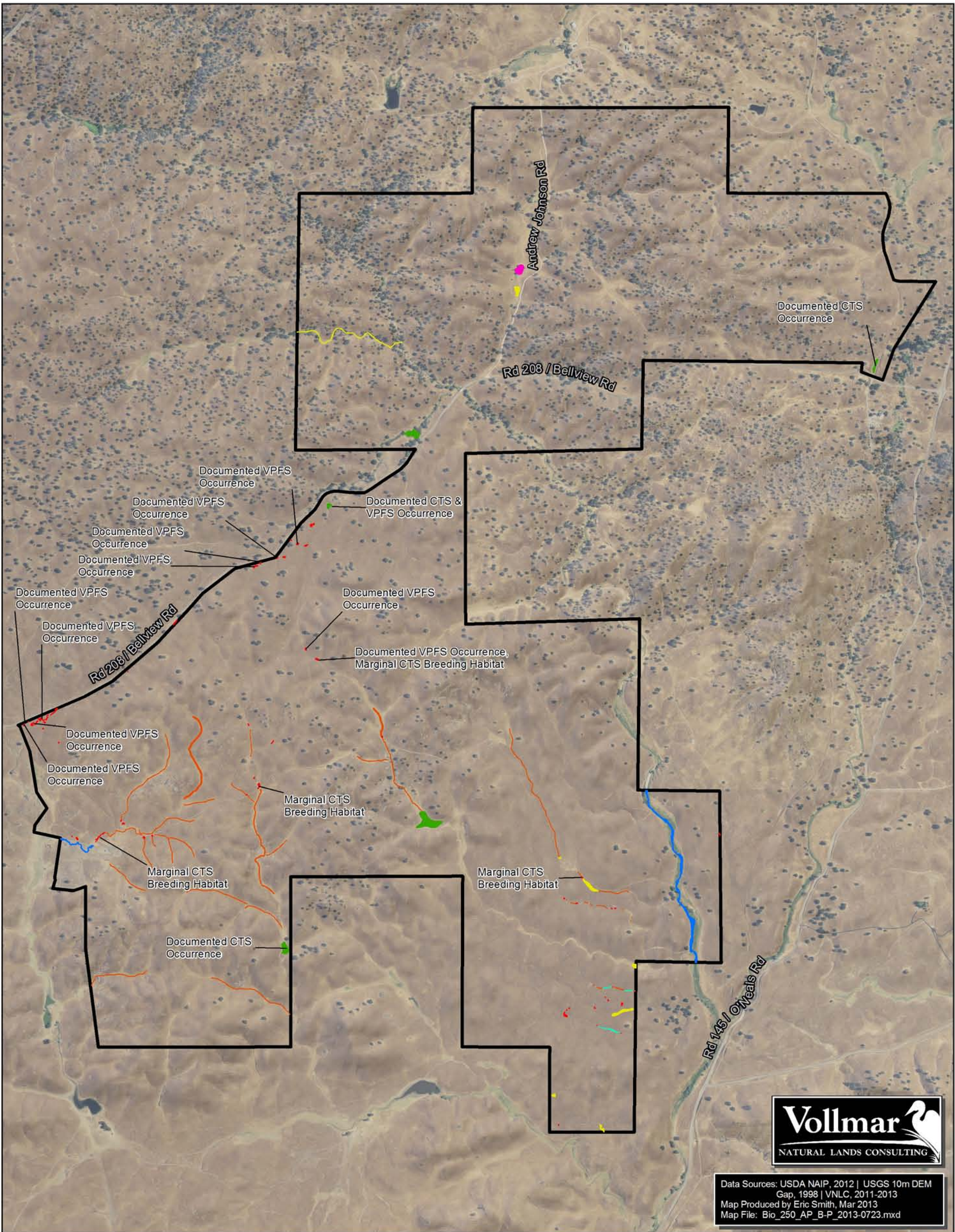
There are five artificially enhanced ponds or stock ponds scattered throughout the Preserve (**Figure 4**). The stock ponds vary in size and ponding duration, ranging from large, perennially inundated ponds to smaller shallow ponds which seasonally dry down entirely. The ponds also vary in the source of hydrology. Few of the ponds were created by damming a spring, while the remaining ponds are situated in drainages, collecting runoff from the surrounding hills.

### 2.3.6 Land Use

#### 2.3.6.1 On-site Land Use and Infrastructure

The Preserve is currently being used for livestock grazing and has a perimeter fence on all sides. There are eight structures on-site. These structures include one barn, two windmills, four water holding tanks, one coral area, and one residential home. The barn, windmill, and coral area are located near the western preserve boundary. The second windmill is located in a drainage, adjacent to Andrew Johnson road in the northern portion of the preserve. Four water holding tanks are located strategically in the north, center, and southern portions to serve the livestock when natural water sources dry up. The single residential house is located just inside of the northeastern preserve boundary. There are three paved or gravel roads on the Preserve. The gravel Andrew Johnson road travels through the center of the northern portion, allowing access to the preserve and to adjoining properties. An additional gravel road leads onto the site from Road 208 to the barn and coral area. Paved, Belview road runs adjacent to the northwest Preserve boundary and goes entirely through a northern section of the Preserve. A series of dirt ranch roads and paths transverse the Preserve serving as service roads for the ranchers. No non-native landscape plantings

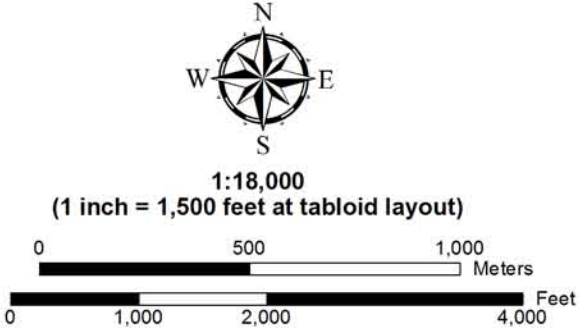




**FIGURE 4**  
**SITE BIOLOGICAL RESOURCES**  
**Jamison Ranch Preserve**

Madera County, California

- Legend**
- Wetland Habitats
- Channel (1.589 ac.)
  - Ephemeral Drainage (0.094 ac.)
  - Man-Made Pond (2.03 ac.)
  - Seasonal Wetland/ Seasonal Wetland Swale (0.840 ac.)
  - Spring (0.328 ac.)
  - Vernal Pool (0.75 ac.)
  - Vernal Swale (3.324 ac.)
  - JRCE Boundary (approx. 2,269 ac.)



Data Sources: USDA NAIP, 2012 | USGS 10m DEM  
 Gap, 1998 | VNLC, 2011-2013  
 Map Produced by Eric Smith, Mar 2013  
 Map File: Bio\_250\_AP\_B-P\_2013-0723.mxd



have occurred on- site. After the mitigation is complete, the site will continue to be used for livestock grazing.

### **2.3.6.2 Surrounding Land Use**

The Preserve is currently surrounded by undeveloped ranchlands. It is bordered entirely by open vernal pool grasslands used as livestock range. The conservation of the Jamison Ranch as a mitigation site contributes to several nearby or adjacent regional conservation efforts. The southern portion of the Preserve abuts the Hallowell Preserve on the southeast Preserve boundary. The Hallowell Preserve is partially within a CTS critical habitat area, a vernal pool core recovery area, and has occurrence records for CTS and succulent owl's clover, both federally listed as threatened species. To the northeast of the Hallowell Preserve are the Point Millerton and Feingold Preserves, conserving CTS breeding and upland sheltering habitat. One half-mile north of Jamison Ranch is the U.S. Forest Service San Joaquin Experimental Range, protecting CTS breeding and sheltering habitat in addition to extensive oak woodland, grasslands, and wetlands. Protecting the entire Preserve site would greatly contribute to the regional conservation of sensitive habitats and species (**Figure 5**).

## **2.4 HABITATS**

The habitats on the site include upland annual grasslands, stock ponds, vernal pools, a creek, and seasonal swales and ephemeral drainages (**Figure 4**).

### **2.4.1 Upland Annual Grasslands**

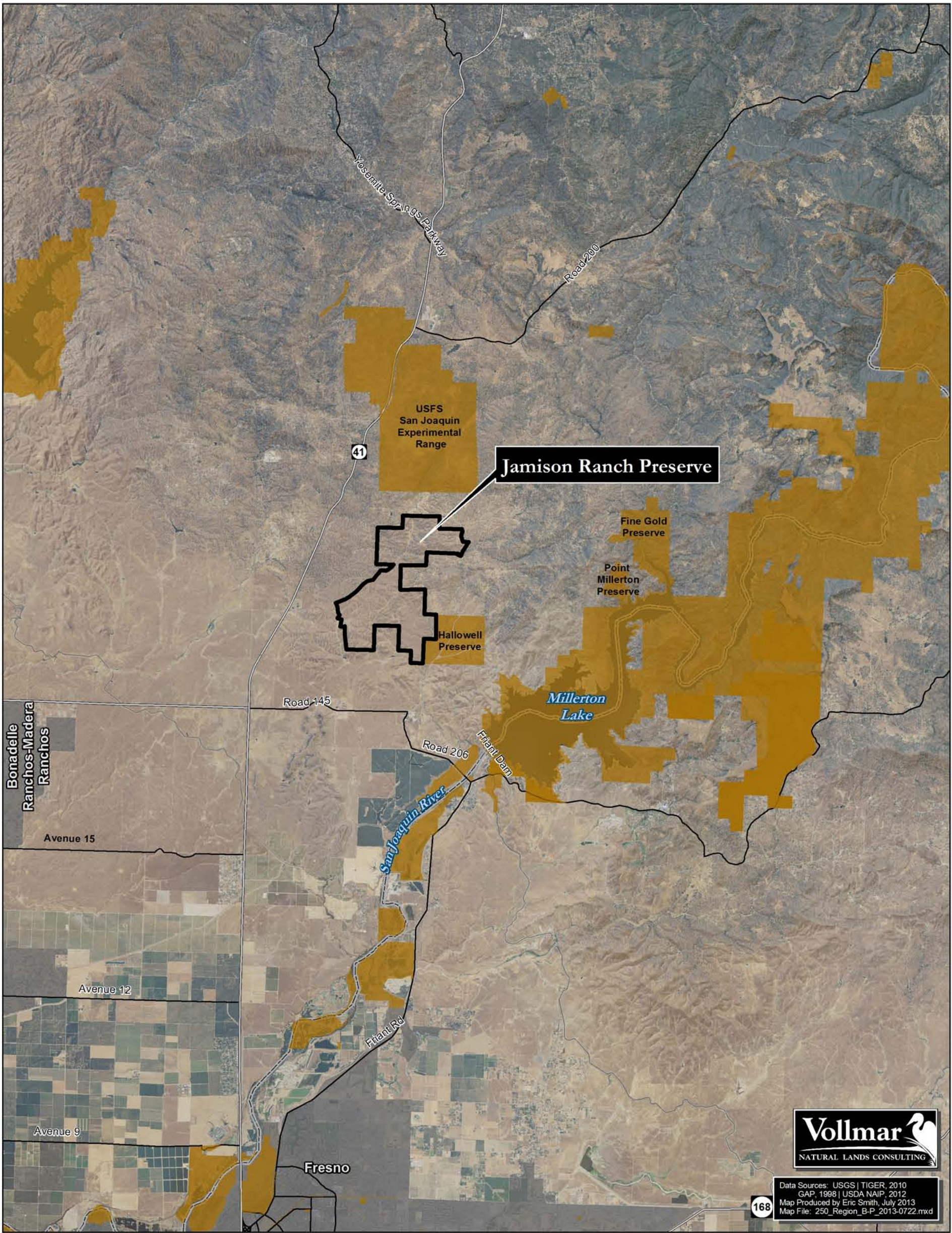
The upland annual grasslands, occupying approximately 2,200 acres of the Preserve, are dominated by non-native annual grasses with a low cover of non-native and native herbs. Oak trees scatter the grassland intermittently in the southern portion of the Preserve and become more prevalent moving north. These grasslands provide suitable sheltering habitat for adult CTS.

Dominant annual grassland species include (from most abundant to least), soft chess (*Bromus hordeaceus*), ripgut brome (*Bromus diandrus*), medusa head (*Elymus caput-medusae*), foxtail barley (*Hordeum murinum*), big heron bill (*Erodium botrys*), common fiddleneck (*Amsinckia menziesii*), common popcorn flower (*Plagiobothrys fulvus*), and Italian rye grass (*Festuca perennis*).

Dominant oak species include blue oak (*Quercus douglasii*), coast live oak (*Quercus agrifolia*), and interior live oak (*Quercus wislizeni*).

**Table 2**, below, is a list of plants identified on the Preserve site through reconnaissance level surveys conducted on June 24-25, 2013.

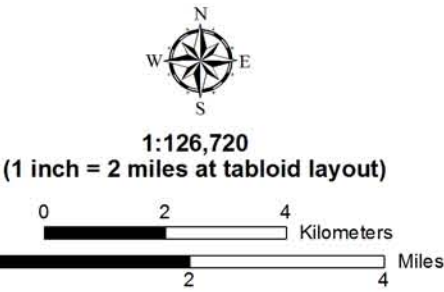




- Legend**
- Project Boundary
  - Conserved or Public Lands
  - Urban Area
  - Highway
  - Major Road
  - Fresno-Madera County Boundary

# **FIGURE 5** **REGIONAL CONSERVED LAND** **Jamison Ranch Preserve**

Madera and Fresno Counties, CA





**Table 2. List of Vascular Plant Taxa Identified on the Jamison Ranch, Madera County, California. Reconnaissance Surveys Conducted in June, 2013. Compiled by Vollmar Natural Lands Consulting, Berkeley, CA.**

<b>FAMILY/Scientific Name<sup>1</sup></b>	<b>FAMILY/Common Name</b>
<b>Alismataceae</b>	<b>Water Plantain Family</b>
<i>Echinodorus berteroi</i>	burhead
<b>Arctostaphylos</b>	<b>Manzanita Family</b>
<i>Arctostaphylos</i> sp.	manzanita
<b>Asteraceae</b>	<b>Sunflower Family</b>
<i>Artemisia douglasiana</i>	Douglas' sagewort
<i>Carduus pycnocephalus</i>	Italian thistle
<i>Centaurea solstitialis</i>	yellow star thistle
<i>Eryngium castrense</i>	Great Valley button celery
<i>Grindelia stricta</i>	gumweed
<i>Helenium puberulum</i>	sneezeweed
<i>Helianthus annuus</i>	common sunflower
<i>Helminthotheca echioides</i>	bristly ox-tongue
<i>Holocarpha virgata</i>	pitgland tarweed
<i>Hypochaeris</i> sp.	cat's ear
<i>Lactuca serriola</i>	prickly lettuce
<i>Psilocarphus brevissimus</i>	wooly marbles
<i>Silybum marianum</i>	milkthistle
<i>Xanthium spinosum</i>	spiny cocklebur
<b>Boraginaceae</b>	<b>Borage Family</b>
<i>Nemophila menziesii</i>	baby blue eyes
<i>Phacelia ramosissima</i>	branching phacelia
<i>Plagiobothrys nothofulvus</i>	popcorn flower
<b>Brassicaceae</b>	<b>Mustard Family</b>
<i>Lepidium</i> sp.	peppergrass
<b>Caryophyllaceae</b>	<b>Pink Family</b>
<i>Spergularia marina</i>	sand spurry
<b>Chenopodiaceae</b>	<b>Goosefoot Family</b>
<i>Chenopodium album</i>	lamb's quarters
<b>Cyperaceae</b>	<b>Sedge Family</b>
<i>Carex rossii</i>	Ross sedge
<i>Eleocharis macrostachya</i>	pale spikerush
<b>Euphorbiaceae</b>	<b>Spurge Family</b>
<i>Croton setigerus</i>	dove weed
<b>Fabaceae</b>	<b>Pea Family</b>
<i>Acmispon</i> sp.	lotus
<i>Lupinus bicolor</i>	miniature lupine

<b>FAMILY/Scientific Name<sup>1</sup></b>	<b>FAMILY/Common Name</b>
<i>Melilotus albus</i>	white sweetclover
<i>Trifolium hirtum</i>	rose clover
<i>Trifolium variegatum</i>	whitetip clover
<i>Vicia villosa</i>	thick fruited vetch
<b>Fagaceae</b>	<b>Oak Family</b>
<i>Quercus agrifolia</i>	coast live oak
<i>Quercus douglasii</i>	blue oak
<i>Quercus lobata</i>	valley oak
<i>Quercus wislizeni</i>	interior live oak
<b>Geraniaceae</b>	<b>Geranium Family</b>
<i>Erodium botrys</i>	big heron bill
<i>Erodium cicutarium</i>	coastal heron's bill
<b>Isoetaceae</b>	<b>Quillwort Family</b>
<i>Isoetes</i> sp.	quillwort
<b>Juglandaceae</b>	<b>Walnut Family</b>
<i>Juglans californica</i>	Southern California black walnut
<b>Juncaceae</b>	<b>Rush Family</b>
<i>Juncus balticus</i>	Baltic rush
<i>Juncus bufonius</i>	toad rush
<i>Juncus mexicanus</i>	Mexican rush
<b>Lamiaceae</b>	<b>Mint Family</b>
<i>Mentha Pulegium</i>	pennyroyal
<i>Stachys</i> sp.	hedge nettle
<i>Trichostema lanceolatum</i>	vinegarweed
<b>Lythraceae</b>	<b>Loosestrife Family</b>
<i>Lythrum hyssopifolium</i>	hyssop loosestrife
<b>Moraceae</b>	<b>Mulberry Family</b>
<i>Ficus carica</i>	edible fig
<b>Myrsinaceae</b>	<b>Myrsine Family</b>
<i>Anagallis arvensis</i>	scarlet pimpernel
<b>Onagraceae</b>	<b>Evening Primrose Family</b>
<i>Clarkia purpurea</i>	purple clarkia
<i>Ludwigia peploides</i>	floating water primrose
<b>Phrymaceae</b>	<b>Figwort Family</b>
<i>Mimulus guttatus</i>	yellow monkeyflower
<b>Plantaginaceae</b>	<b>Plantain Family</b>
<i>Callitriche marginata</i>	California water starwort
<i>Veronica peregrina</i>	neckweed
<b>Poaceae</b>	<b>Grass Family</b>
<i>Alopecurus saccatus</i>	pacific foxtail



<b>FAMILY/Scientific Name<sup>1</sup></b>	<b>FAMILY/Common Name</b>
<i>Avena barbata</i>	slender wild oat
<i>Avena fatua</i>	wild oat
<i>Briza minor</i>	little rattlesnake grass
<i>Bromus diandrus</i>	ripgut brome
<i>Bromus hordeaceus</i>	soft brome
<i>Crypsis vaginiflora</i>	African pricklegass
<i>Cynodon dactylon</i>	Bermuda grass
<i>Festuca myuros</i>	rattail sixweeks grass
<i>Festuca perennis</i>	Italian rye grass
<i>Hordeum marinum</i> ssp. <i>gussoneanum</i>	seaside barley
<i>Hordeum murinum</i> ssp. <i>leporinum</i>	foxtail barley
<i>Polypogon maritimus</i>	Mediterranean rabbitsfoot grass
<i>Polypogon monspeliensis</i>	annual rabbitsfoot grass
<i>Stipa pulchra</i>	purple needle grass
<b>Polygonaceae</b>	<b>Buckwheat Family</b>
<i>Rumex crispus</i>	curly dock
<i>Polygonum aviculare</i>	prostrate knotweed
<i>Rumex conglomeratus</i>	clustered dock
<b>Ranunculaceae</b>	<b>Buttercup Family</b>
<i>Ranunculus eschscholtzii</i>	Eschscholtz's buttercup
<i>Ranunculus muricatus</i>	buttercup
<i>Ranunculus occidentalis</i>	western buttercup
<b>Rhamnaceae</b>	<b>Buckthorn Family</b>
<i>Frangula californica</i>	California coffeeberry
<b>Rosaceae</b>	<b>Rose Family</b>
<i>Rubus armeniacus</i>	Himalayan blackberry
<b>Rubiaceae</b>	<b>Madder Family</b>
<i>Cephalanthus occidentalis</i>	common buttonbush
<b>Salicaceae</b>	<b>Willow Family</b>
<i>Populus fremontii</i>	Fremont cottonwood
<i>Salix gooddingii</i>	Goodding's willow
<i>Salix laevigata</i>	red willow
<b>Themidaceae</b>	<b>Brodiaea Family</b>
<i>Brodiaea elegans</i>	harvest brodiaea
<b>Typhaceae</b>	<b>Cattail Family</b>
<i>Typha latifolia</i>	common cattail
<b>Vitaceae</b>	<b>Grape Family</b>
<i>Parthenocissus inserta</i>	Virginia creeper

1. Scientific nomenclature corresponds to the Jepson Manual (Baldwin et al. 2012) and/or Jepson Interchange (online web site, 2012)

#### 2.4.2 Stock Ponds

Stock ponds were built in scattered locations throughout the Preserve, occupying a cumulative area of approximately 2.03 acres (**Figure 4**). Included in this calculation is 1.89 acres of traditional stock ponds, built to hold water for livestock, and 0.14 acre of an artificial pond, enhanced by the road. The ponds vary in size, depth, and source of hydrology, therefore providing a variety of habitats. The largest pond is stocked with several fish species including bluegill (*Lepomis macrochirus*) and catfish (order *Siluriformes*). The other large stock pond is occupied by American bullfrogs (*Lithobates catesbeianus*) and California toad (*Anaxyrus boreas halophilus*). The three remaining ponds, where bullfrogs are absent, are occupied by CTS larvae. Nearly all of the ponds are occupied by Sierran treefrog (*Pseudacris sierra*).

The plant species within the stock ponds typically consisted of filamentous and floating algae within the deeper areas and wetland species around the margins. The dominant wetland species include common cattail (*Typha latifolia*), duckweed (*Lemna* sp.), spikerush (*Eleocharis macrostachya*), Italian rye grass, buttercup (*Ranunculus muricatus*), Mediterranean beard grass (*Polypogon maritimus*), and seaside barley (*Hordeum marinum*).

#### 2.4.3 Vernal Pools

Vernal pools occur in scattered areas of the Preserve, occupying a cumulative area of approximately 0.76 acre (**Figure 4**). The pools are concentrated primarily along the Preserve boundary at Road 208, with fewer pools near the western edge and in the southeast corner. The size and shape vary, however, the pools are generally small and either hydrologically isolated or interconnected by swales and drainages. Vernal pools are suitable habitat for the vernal pool fairy shrimp, vernal pool tadpole shrimp, western spadefoot (*Spea hammondi*), succulent owl's clover, San Joaquin Valley orcutt grass, and hairy orcutt grass. The southern two legs of the Preserve site, approximately 184.80 acres, are included in the Madera vernal pool core recovery area, contributing to the regional conservation of vernal pools (Service 2005c) (**Figure 6**).

The plant species within the vernal pools are typical for hardpan vernal pools in the region. Dominant species include stalked popcorn flower (*Plagiobothrys stipitatus* var. *micranthus*), great valley button celery (*Eryngium castrense*), woolly marbles (*Psilocarphus brevissimus* var. *brevissimus*), seaside barley, and Italian rye grass.

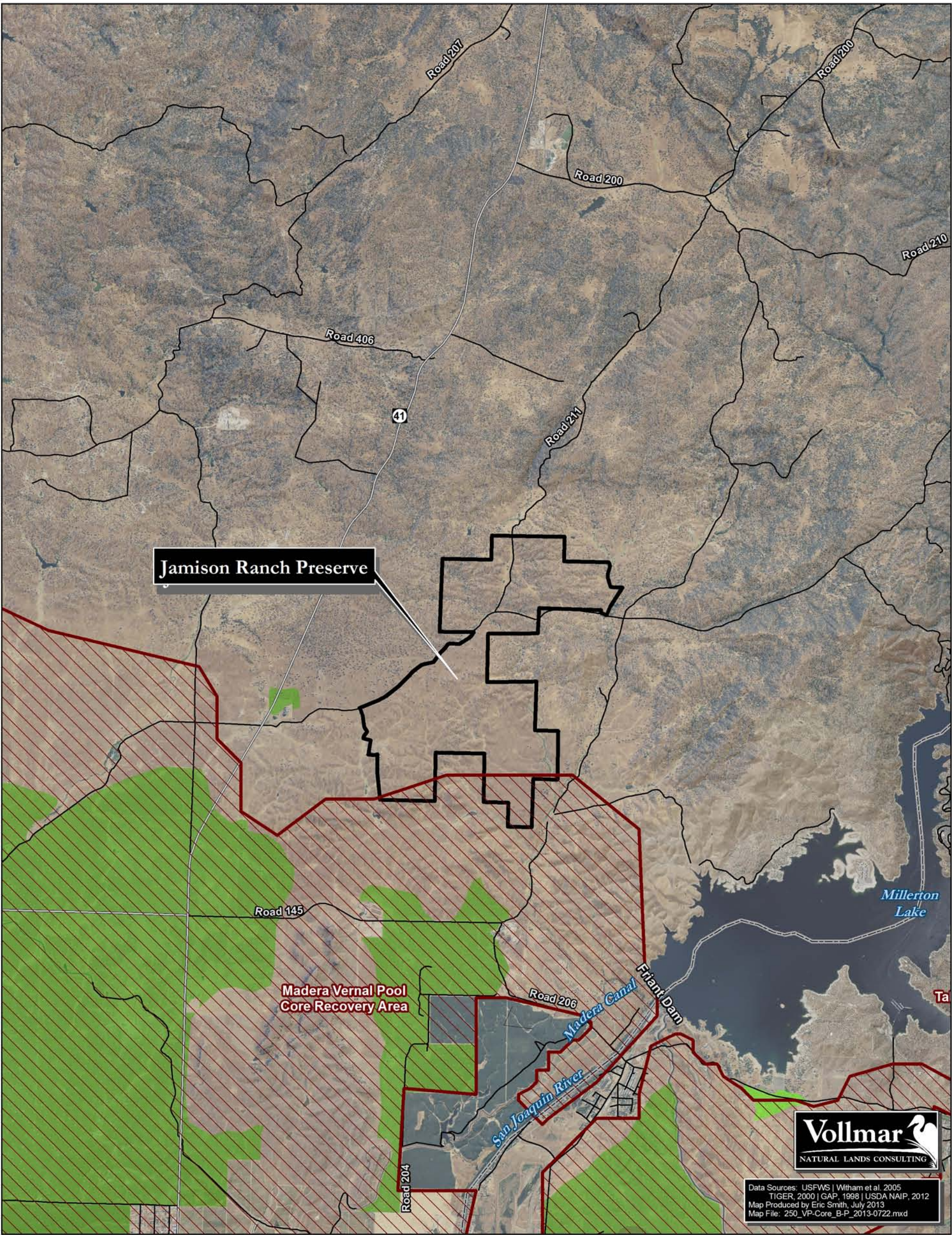
#### 2.4.4 Creek

There is one well defined creek, named Cottonwood Creek, which flows across the northern and eastern portions of the Preserve. The creek has a low flow with stagnant step pools between boulder lined banks. The floodplain extends from the creek in narrow sections 10-15 feet and in wide sections to as much as 100-130 feet. Dominant species include cattail, spikerush, duckweed, curly dock (*Rumex crispus*), Fremont cottonwood (*Populus fremontii*), Goodding's willow (*Salix gooddingii*), and red willow (*Salix laevigata*). The creek and associated riparian corridor provide suitable habitat for Swainson's hawk (*Buteo swainsoni*) and pacific pond turtle (*Actinemys marmorata*), both of which have been documented on the site.

#### 2.4.5 Seasonal Wetland Swales and Drainages

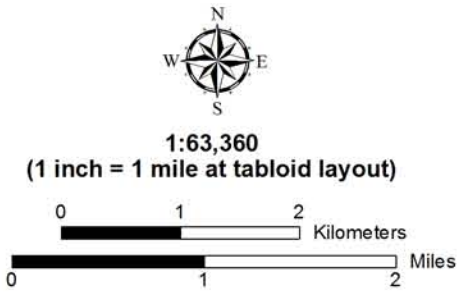
There are numerous drainages and swales on the Preserve that flow down the hillslopes and interconnect some of the vernal pools, occupying a cumulative area of approximately 4.74 acres. This acreage





**FIGURE 6**  
**VERNAL POOL CORE RECOVER AREA**  
**AND MAPPED VERNAL POOL HABITAT**  
**Jamison Ranch Preserve**  
**Madera and Fresno Counties, CA**

- Legend**
- Vernal Pool Core Recovery Areas (Southern Sierra Foothill Region)
  - Mapped Vernal Pool Habitat (Witham, 2012)
    - <2% cover vernal pools
    - 2-5% cover vernal pools
    - 5-10% cover vernal pools
  - Project Boundary
  - Highway
  - Road
  - Fresno-Madera County Boundary





calculation is based on the combined acreages of a channel, ephemeral drainages, vernal swales, seasonal wetland swales, and a spring. Specific habitat acreages and wetland types will be determined after a formal wetland delineation has been conducted.

The seasonal swales and drainages support a mix of vernal pool plant species and more generalist seasonal wetland species depending on flow intensity and the duration of saturation. These drainages generally have only intermittent eroded beds and banks due to the low flow velocity on the Preserve. None of the existing drainages or swales has significant soil erosion problems.

## 2.5 SPECIES ACCOUNTS

### 2.5.1 Special-status Species Observed on Site

Non-protocol level, reconnaissance surveys conducted in 2011 and 2012 by VNLC identified CTS larvae, vernal pool fairy shrimp, and western spadefoot. 2011 surveys documented six ponds with CTS larvae (three of which are marginal breeding habitat due to limited hydroperiod), five pools with vernal pool fairy shrimp, and 12 pools or ponds with western spadefoot. 2012 surveys documented one pond with CTS larvae, eight pools with vernal pool fairy shrimp, and 4 pools or ponds with western spadefoot. Additional surveys were conducted in April 2013 and found two ponds occupied by CTS larvae. Vernal pool fairy shrimp were not observed in 2013, as low rainfall on the Preserve site failed to fill the pools for an adequate hydroperiod. Present and potential special-status species to occur on site are included in **Table 2** and detailed below.

**Table 3. Special-Status Species and their Potential to Occur on the Jamison Ranch Preserve, Madera County, California. Compiled by Vollmar Natural Lands Consulting, Berkeley, CA.**

Species	Status*	Habitat	Occurrence on the Jamison Ranch Preserve**
<b>Invertebrates</b>			
Conservancy Fairy Shrimp ( <i>Branchinecta conservatio</i> )	FE	Primarily vernal pools of the Central Valley and Coast Ranges. This species may occur in other degraded seasonal wetlands.	<b>Unlikely.</b> Large, long-lasting vernal pool habitat required by this species is absent from the Jamison Ranch Preserve, and wet season surveys did not detect this species within the Preserve.
Vernal Pool Fairy Shrimp ( <i>Branchinecta lynchi</i> )	FT	Primarily vernal pools of the Central Valley and Coast Ranges. This species has been documented in the Millerton Specific Plan Area (Jones and Stokes 1997, 1998) and on lands south of Friant (Hathorn 1994).	<b>Present.</b> Surveys of vernal pool habitat within the Jamison Ranch Preserve detected this species (VNLC 2011).
Longhorn fairy shrimp ( <i>Branchinecta longiantenna</i> )	FE	Vernal pools in the Central Valley, eastern coastal foothills from Tehama to Riverside counties, and a limited number of sites in the Transverse Range and Santa Rosa Plateau of California. Occupied pools characterized by very low conductivity, total dissolved solids, and alkalinity.	<b>Unlikely.</b> This species has a very limited distribution, with the nearest occurrence locality being the Kesterson National Wildlife Refuge, approximately 50 mi west of the Jamison Ranch Preserve. Wet season surveys did not detect this species within the Jamison Ranch Preserve.
Vernal pool tadpole shrimp ( <i>Lepidurus packardii</i> )	FE	Primarily deep vernal pools of the Central Valley and basalt tabletops of the Sierra foothills.	<b>Possible.</b> Pools on site pond long enough to support this species.



Species	Status*	Habitat	Occurrence on the Jamison Ranch Preserve**
Valley elderberry longhorn beetle ( <i>Desmocerus californicus dimorphus</i> )	FT	This species is dependent on mature elderberry shrubs for foraging, breeding, and cover; occurs in California's Central Valley and Sierra Foothills.	<b>Unlikely.</b> No elderberry plants were observed on the Jamison Ranch Preserve.
<b>Fish</b>			
Chinook salmon - Central Valley spring run ESU ( <i>Oncorhynchus tshawytscha</i> )	FT/CT	Rivers and their tributaries within the southern Central Valley that have not been blocked by dams or where water has been removed for agricultural uses.	<b>Absent.</b> The Jamison Ranch Preserve is outside the current range of this species.
Central Valley steelhead ( <i>Oncorhynchus mykiss</i> )	FT	Rivers and their tributaries within the southern Central Valley that have not been blocked by dams or where water has been removed for agricultural uses.	<b>Absent.</b> The Jamison Ranch Preserve is outside the current range of this species.
Delta smelt ( <i>Hypomesus transpacificus</i> )	FT/CE	Endemic to the upper San Francisco estuary, primarily below Isleton on the Sacramento River and below Mossdale on the San Joaquin River side.	<b>Absent.</b> The Jamison Ranch Preserve is outside of this species' range.
<b>Amphibians</b>			
California tiger salamander ( <i>Ambystoma californiense</i> )	FT/CT	Primarily annual grasslands; vernal pools or other suitable aquatic habitat for breeding and rodent burrows for refuge.	<b>Present.</b> Detected during surveys conducted in 2011 and 2013. CTS may also aestivate throughout the Jamison Ranch Preserve.
California red-legged frog ( <i>Rana aurora draytonii</i> )	FT	Rivers, creeks, and stock ponds of the northern Sierra foothills and Coast Ranges; prefers perennial pools with overhanging vegetation.	<b>Absent.</b> This species has been locally extirpated.
Western Spadefoot ( <i>Spea hammondi</i> )	FSC/CSSC	Deeper vernal pools for breeding; grasslands for sheltering/movement.	<b>Present.</b> Detected during surveys conducted in 2011 and 2012. Breeding common in medium to large vernal pools on the Jamison Ranch Preserve.
<b>Reptiles</b>			
Blunt-nosed leopard lizard ( <i>Gambelia sila</i> )	FE/CE	Semi-arid grasslands, alkali flats, and washes, containing sandy, gravelly, loamy, or occasionally hardpan soils.	<b>Absent.</b> The Jamison Ranch Preserve is outside of this species' range.
Giant garter snake ( <i>Thamnophis gigas</i> )	FT/CT	Freshwater marshes and low gradient streams with emergent vegetation; adapted to drainage canals and irrigation ditches with mud substrate.	<b>Absent.</b> The Jamison Ranch Preserve provides no habitat for this species and lies well outside of its range.
<b>Mammals</b>			
Fresno kangaroo rat ( <i>Dipodomys nitratoides exilis</i> )	FE/CE	Desert alkali scrub and alkali grassland of Fresno County. It requires vegetated mounds with friable soils.	<b>Absent.</b> The Jamison Ranch Preserve is outside of this species' range.

Species	Status*	Habitat	Occurrence on the Jamison Ranch Preserve**
San Joaquin kit fox ( <i>Vulpes macrotis mutica</i> )	FE/CT	Desert alkali scrub and annual grasslands within and at the margins of California's southern Central Valley. Also occasionally forages in adjacent agricultural habitats.	<b>Unlikely.</b> The species historically occurred to the foothill margin along the east side of the San Joaquin Valley north to La Grange in Stanislaus County (Service 1998), but Grinnell et al. (1937) believed that by 1930 the range had been reduced by nearly 50% with a majority of the remaining occupied habitat in the western and southwestern San Joaquin Valley.
<b>Plants</b>			
Succulent owl's clover ( <i>Castilleja campestris</i> ssp. <i>succulenta</i> )	FT/CE, CNPS List 1B	Northern Claypan and Northern Hardpan vernal pools within annual grassland communities.	<b>Possible.</b> Suitable habitat occurs within the Jamison Ranch Preserve. The southern portion of Jamison Ranch Preserve overlaps with succulent owl's clover critical habitat and one occurrence is documented within one mile of the Jamison Ranch Preserve.
San Joaquin Valley orcutt grass ( <i>Orcuttia inaequalis</i> )	FT/CE, CNPS List 1B	Northern Basalt flow, Northern Claypan, and Northern Hardpan vernal pools within annual grassland communities.	<b>Possible.</b> Suitable habitat occurs within the Jamison Ranch Preserve.
Hairy orcutt grass ( <i>Orcuttia pilosa</i> )	FE/CE, CNPS List 1B	Northern Basalt flow, Northern Claypan, and Northern Hardpan vernal pools on high or low stream terraces or alluvial fans.	<b>Possible.</b> Suitable habitat occurs within the Jamison Ranch Preserve.
Hartweg's golden sunburst ( <i>Pseudobahia bahiifolia</i> )	FE/CE, CNPS List 1B	Open grasslands and grasslands at the margins of blue oak woodland, primarily on shallow, well-drained, fine-textured soils, nearly always on the north or northeast facing slopes of Mima mounds.	<b>Absent.</b> The species is known only from associations with the soils of the Rocklin and Amador series, both of which are absent from the Jamison Ranch Preserve.
San Joaquin adobe sunburst ( <i>Pseudobahia peirsonii</i> )	FT/CE, CNPS List 1B	Grasslands of the western foothills of the Sierra Nevada in heavy clay soils of the Porterville, Cibo, Mt. Olive, and Centerville series.	<b>Absent.</b> Heavy adobe clay soils in which this species most often occurs are absent. The species is not known to occur north of Fresno County.
Greene's tuctoria ( <i>Tuctoria greenei</i> )	FE/CE, CNPS List 1B	Small to intermediate sized vernal pools with iron-silica cemented hardpan, tuffaceous alluvium, or claypan soils.	<b>Unlikely.</b> Only 1 occurrence, which is possibly extirpated, of this species is known in Madera County. With a minimum elevation of 440 ft, the Jamison Ranch Preserve is on the edge of the recorded upper elevation limit for the species (440 ft) within the Central Valley.

\* Status –FE – Federal Endangered

FT – Federal Threatened

FSC = federal species of concern

CE = State-listed Endangered

CT = State-listed Threatened

CSSC = State Species of Special Concern

CNPS List 1B = California Native Plant Society List 1B, species rare or endangered throughout its range

\*\*Definitions Regarding Potential Occurrence:

Present: Species or sign of their presence observed on the Jamison Ranch Preserve

Likely: Species or sign not observed on the Jamison Ranch Preserve, but reasonably certain to occur on site

Possible: Species or sign not observed on the Jamison Ranch Preserve, but conditions suitable for occurrence

Unlikely: Species or sign not observed on the Jamison Ranch Preserve, conditions marginal for occurrence

Absent: Species or sign not observed on the Jamison Ranch Preserve, conditions unsuitable for occurrence

**2.5.1.1 Vernal Pool Fairy Shrimp (*Branchinecta lynchi*). Federal Listing Status: Threatened; State Listing Status: None.**

The vernal pool fairy shrimp is a freshwater crustacean that is endemic to vernal pools scattered throughout the central valley and southern California as well as southern Oregon (Eng et al. 1990, Sugnet & Associates 1993, Service 1994). This species varies in size, ranging from 0.5 to 1.0 inches in length and typically persist within an inundated vernal pool from early December until early May (Eng et al. 1990).

Vernal pool fairy shrimp have a unique life history due to primarily living in vernal pools, though some have been found in larger playa pools and stock ponds (Helm and Vollmar 2002). During the winter and spring months, while the vernal pool is inundated, the adult fairy shrimp breed and the female produces an egg sack filled with cysts. When the pool dries, the fairy shrimp inevitably die, leaving behind the cysts which become buried in the drying mud. These cysts can survive years of desiccation before the next large rain event, filling the pool (Eriksen and Belk 1999). A pool must be inundated for approximately two weeks prior to the cysts hatching and developing into adults. Because of this life history and unique habitat needs, the species is declining due to habitat loss from land conversion to agriculture, flood control, road and utility projects, and urban development.

The distribution of the vernal pool fairy shrimp on the Preserve site is limited to the roadside vernal pools found along Road 208, at the northwest site boundary. There is approximately 0.28 acre of suitable habitat for vernal pool fairy shrimp, however, specific suitable habitat acreages for the species will be determined after a formal wetland delineation has been conducted. The Jamison Ranch Preserve is not within the designated critical habitat for the species, however the vernal pool fairy shrimp designated critical habitat unit VERFS 24A is approximately 3.5 miles southwest and unit VERFS 24B is approximately 3.8 miles southeast of the Preserve (Service 2005a). The California Natural Diversity Database (CNDDB) lists eight occurrences of vernal pool fairy shrimp in the USGS Little Table Mountain quadrangle, ranging from two to five miles southwest of the Preserve. Conserving this Preserve would contribute to the regional conservation of the species and vernal pool habitat.

**2.5.1.2 California Tiger Salamander (CTS) (*Ambystoma californiense*). Federal Listing Status: Threatened; State Listing Status: Threatened.**

The California tiger salamander is a large, stocky salamander that inhabits primarily grassland, scrub, and oak savanna habitats in the valleys and low hills of central and coastal California. The species still occurs throughout most of its historic range but has been reduced due to habitat loss and competition from invasive species. Interestingly, its range and abundance may have also expanded in some areas over the past 150 years due to the construction of stock ponds. These ponds, especially seasonal ponds lacking fish and bullfrogs, are often optimal CTS breeding sites, typically remaining ponded well into summer after most of the nearby natural breeding ponds have dried. Often, these ponds are constructed in hilly areas that lack natural ponds (due to the steep terrain). In many areas, CTS now breed primarily in man-made ponds in hilly terrain while their natural historic breeding ponds in adjacent valleys and other low areas have been eliminated by agricultural conversion or development.

CTS breeds primarily in seasonal waters such as large vernal pools, sag ponds, and man-made stock ponds. Breeding ponds must typically pond for at least 90 continuous days for the species to complete its breeding cycle (Service 2004). Breeding ponds also must generally be free of fish species and breeding bullfrogs to be considered suitable breeding sites (Service 2004). The sub-adults and adults move into the surrounding uplands where they spend the dry season in small mammal burrows and other underground shelters. Current research data indicate CTS readily use grassland, scrub, and savanna habitats for upland

sheltering but appear to avoid denser woodland and forest habitats, especially when dominated by oaks (Wang et al. 2009).

Much of the upland habitat on the Preserve is considered sheltering habitat for CTS. Based on documented migration distance for CTS, Searcy and Shaffer (2011) recommend using a 2,092-meter radius around CTS breeding ponds to determine the probable extent of upland habitat usage. Using this distance and the distribution of known breeding ponds, it is assumed that approximately 80% of the site provides suitable and occupied habitat for the species. At the southeast corner of the site, approximately 230.60 acres are included in the Southern San Joaquin Region, CTS critical habitat area (Service 2005b) (**Figure 7**). The CNDDDB lists 22 occurrences of CTS in the USGS Millerton Lake West and Little Table Mountain quadrangles, five of which are within two miles of the Preserve site. Two of these occurrences are located on the Preserve. Conserving this site adds to the regional connectivity and preservation of sensitive habitats.

**2.5.1.3 Western Spadefoot (*Spea hammondi*). Federal Listing Status: None; State Listing Status: Species of Special Concern.**

The Western spadefoot is a small native spadefoot that is patchily distributed throughout the Central Valley and central and southern coastal ranges of California, as well as arid lands to the south and southeast of California. It is a California State Species of Special Concern but has no federal listing status.

WSF breeds in the spring in seasonal ponds including man-made stock ponds. They are chiefly nocturnal, hiding in deep cracks and burrows during the day and long dry periods. Adults and juveniles use spades on their hind feet to dig these burrows though some individuals use small mammal burrows (Stebbins 2003). Surface movement of WSF occurs at night during periods of rain or high humidity. Breeding occurs in the winter and spring and tadpoles typically require four to six weeks for metamorphosis.

WSF was observed during each year of surveys conducted on the Preserve site and is known from the area. The CNDDDB lists six occurrences of WSF in the USGS Millerton Lake West and Little Table Mountain quadrangles, two of which are within two miles of the Preserve site. Preserving this site will aid in the regional conservation of the species and help to offset this species decline.

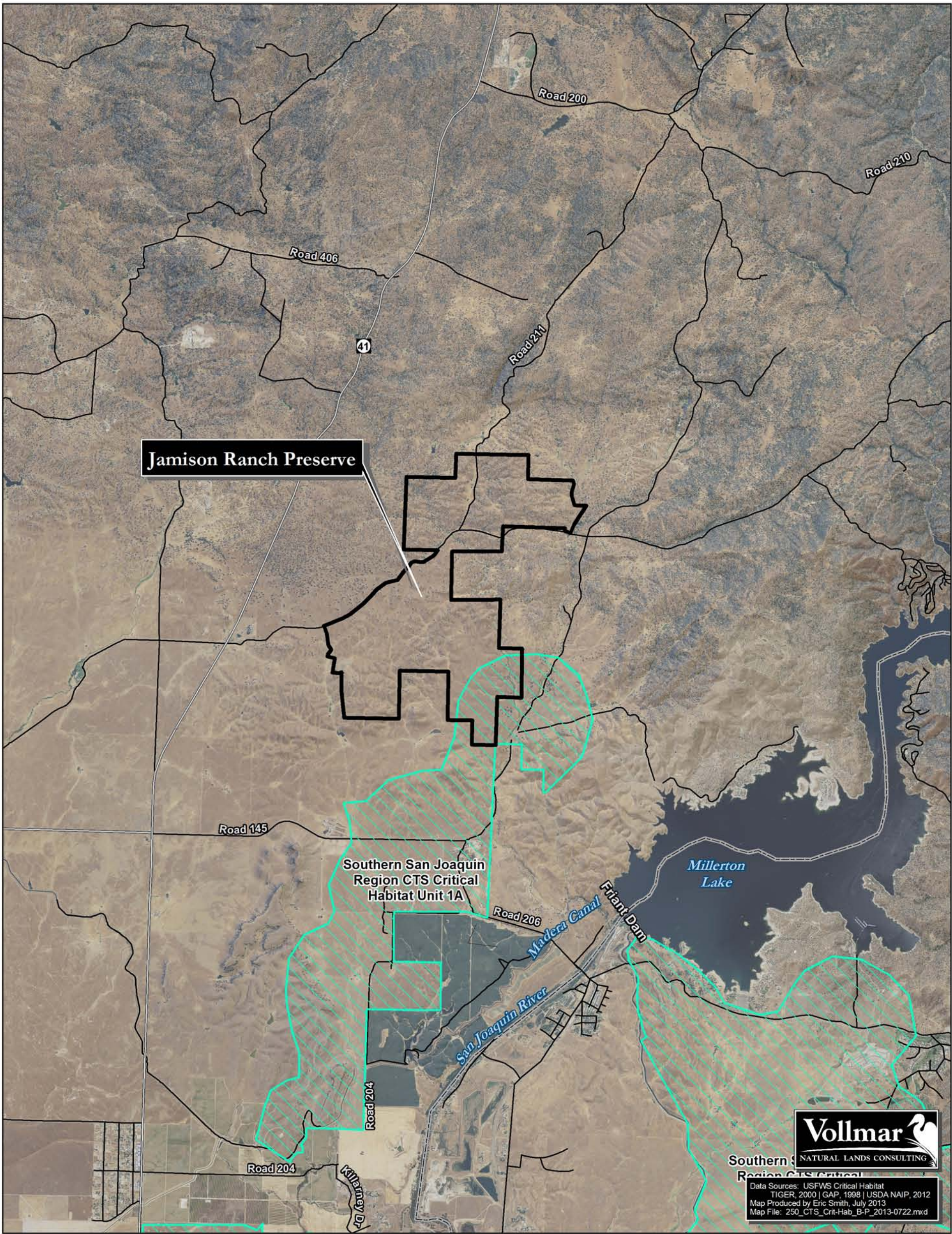
**2.5.2 Special-status Species with Potential to Occur on Site**

**2.5.2.1 Vernal Pool Tadpole Shrimp (*Lepidurus packardii*). Federal Listing Status: Endangered; State Listing Status: None.**

This vernal pool endemic is a Federal Threatened species. Its range is restricted to California's Great Valley except for one disjunct occurrence near the southern end of the San Francisco Bay. It requires at least 45 days to complete its breeding cycle (Helm 1998). As a result, the species typically occurs in medium to large vernal pools that remain inundated for a sufficient duration. It has been documented on many different geologic surfaces (Helm and Vollmar 2002).

Vernal pool tadpole shrimp has not been documented on the site, however, vernal pools with a longer duration are present on the Preserve site.



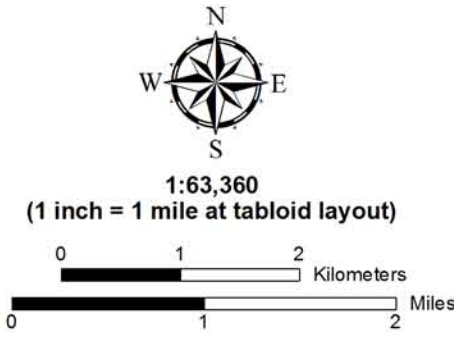


**FIGURE 7**  
**VICINITY CTS CRITICAL HABITAT**  
**Jamison Ranch Preserve**  
 Madera and Fresno Counties, CA

**Legend**

- CTS<sup>1</sup> Critical Habitat Area
- Project Boundary
- Highway
- Road
- Fresno-Madera County Boundary

<sup>1</sup>California tiger salamander (*Ambystoma californiense*)





**2.5.2.2 Succulent Owl's Clover (*Castilleja campestris* ssp. *succulenta*). Federal Listing Status: Threatened; State Listing Status: Endangered.**

This California vernal pool endemic is listed as Federal Threatened, State Endangered, and California Native Plant Society (CNPS) List 1B (rare, threatened or endangered throughout its range). Its range is restricted to the eastern San Joaquin Valley. It often occurs in medium to large pools (at least 6 inches maximum potential depth) but occasionally occurs in shallow pools and vernal swales. There are often only a limited number of plants, sporadically distributed, in an occupied pool.

Succulent owl's-clover has not been documented on the site, however suitable habitat is present. Additionally, the southern portions of the Preserve site overlap with the succulent owl's clover critical habitat, including approximately 184.80 acres of the preserve (**Figure 8**). The CNDDDB lists one occurrence of succulent owl's clover within one mile of the site.

**2.5.2.3 San Joaquin Orcutt Grass (*Orcuttia inaequalis*). Federal Listing Status: Threatened; State Listing Status: Endangered.**

This California vernal pool endemic is listed as Federal Threatened, State Endangered, and CNPS List 1B (rare, threatened or endangered throughout its range). Its range is restricted to the eastern San Joaquin Valley. It often occurs in medium to large pools (at least 6 inches maximum potential depth), as the species typically grow under water for three or more months (Keeley 1998).

San Joaquin orcutt grass has not been documented on the site, however suitable habitat is present. The CNDDDB lists one occurrence of the species within six miles of the Preserve site.

**2.5.2.3 Hairy Orcutt Grass (*Orcuttia pilosa*). Federal Listing Status: Endangered; State Listing Status: Endangered.**

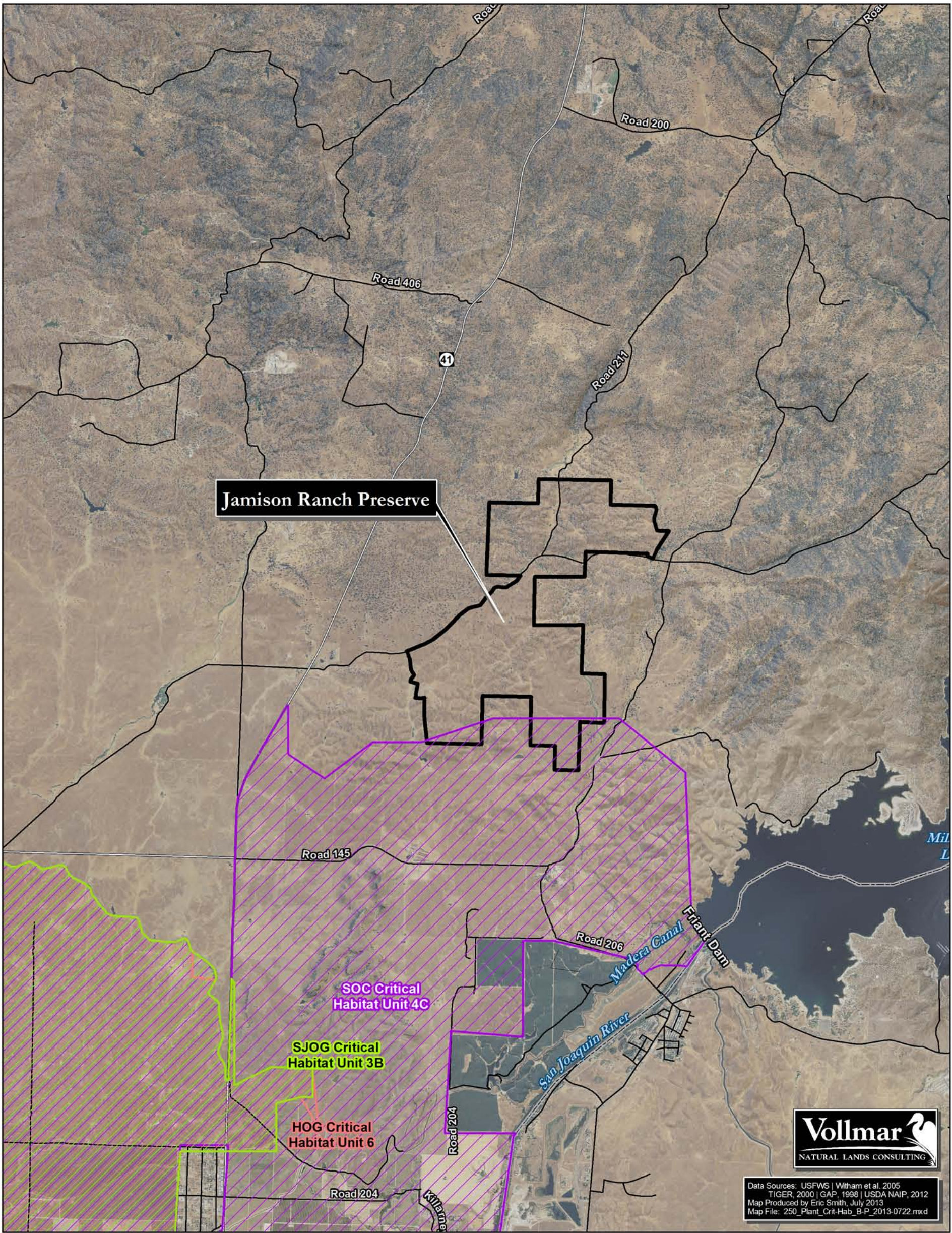
This California vernal pool endemic is listed as Federal Threatened, State Endangered, and CNPS List 1B (rare, threatened or endangered throughout its range). Its range is restricted to the northern San Joaquin and central Sacramento Valleys. It often occurs in medium to large pools (at least 6 inches maximum potential depth), as the species typically grow under water for three or more months (Keeley 1998).

Hairy orcutt grass has not been documented on the site, however suitable habitat may be present. The CNDDDB lists one occurrence of the species is located approximately 10 miles from the site.

**2.5.3 Other Wildlife**

Surveys conducted by VNLC documented numerous other wildlife species on the Preserve, species shown in **Table 4** below.





Data Sources: USFWS | Wiham et al. 2005  
 TIGER, 2000 | GAP, 1998 | USDA NAIP, 2012  
 Map Produced by Eric Smith, July 2013  
 Map File: 250\_Plant\_Crit-Hab\_B-P\_2013-0722.mxd

**FIGURE 8**  
**VICINITY FEDERALLY LISTED**  
**PLANT CRITICAL HABITAT**  
**Jamison Ranch Preserve**  
**Madera and Fresno Counties, CA**

- Legend**
- ▨ HOG Critical Habitat<sup>1</sup>
  - ▨ SJOG Critical Habitat<sup>2</sup>
  - ▨ SOC Critical Habitat<sup>3</sup>
  - Project Boundary
  - Highway
  - Road
  - Fresno-Madera County Boundary

<sup>1</sup>Hairy Orcutt Grass (*Orcuttia pilosa*)  
<sup>2</sup>San Joaquin Orcutt Grass (*Orcuttia inaequalis*)  
<sup>3</sup>Succulent Owl's-Clover (*Castilleja campestris* ssp. *succulenta*)



1:63,360  
 (1 inch = 1 mile at tabloid layout)





**Table 4. List of Wildlife Observed During Reconnaissance Level Surveys Conducted on Jamison Ranch, Madera County, California. Reconnaissance Surveys Conducted on June 24-25, 2013. List Compiled by Vollmar Natural Lands Consulting, Berkeley, California.**

Species			
Order	Family	Scientific Name <sup>1</sup>	Common Name
<b>AMPHIBIANS</b>			
Anura	Bufonidae	<i>Anaxyrus boreas halophilus</i>	California Toad
	Hylidae	<i>Pseudacris sierra</i>	Pacific Chorus Frog
	Scaphiopodidae	<i>Spea hammondi</i>	Western Spadefoot
Caudata	Ambystomatidae	<i>Ambystoma californiense</i>	California Tiger Salamander
<b>REPTILES</b>			
Squamata	Emydidae	<i>Actinemys marmorata</i>	Pacific Pond Turtle
		<i>Trachemys scripta ssp. elegans</i>	Red-Eared Slider
	Phrynosomatidae	<i>Sceloporus occidentalis</i>	Western Fence Lizard
<b>BIRDS</b>			
Accipitriformes	Accipitridae	<i>Accipiter cooperii</i>	Cooper's Hawk
		<i>Buteo jamaicensis</i>	Red-tailed Hawk
		<i>Buteo swainsoni</i>	Swainson's Hawk
	Cathartidae	<i>Cathartes aura</i>	Turkey Vulture
Anseriformes	Anatidae	<i>Oxyura jamaicensis</i>	Ruddy Duck
Apodiformes	Trochilidae	<i>Calypte anna</i>	Anna's Hummingbird
Charadriiformes	Charadriidae	<i>Charadrius vociferus</i>	Killdeer
Columbiformes	Columbidae	<i>Zenaida macroura</i>	Mourning Dove
Coraciiformes	Alcedinidae	<i>Megasceryle alcyon</i>	Belted Kingfisher
Cuculiformes	Cuculidae	<i>Geococcyx californianus</i>	Greater Roadrunner
Falconiformes	Falconidae	<i>Falco columbarius</i>	Merlin
		<i>Falco sparverius</i>	American Kestrel
Galliformes	Odontophoridae	<i>Callipepla californica</i>	California Quail
Passeriformes	Aegithalidae	<i>Psaltiriparus minimus</i>	Bushtit
	Corvidae	<i>Aphelocoma californica</i>	Western Scrub-Jay
		<i>Corvus brachyrhynchos</i>	American Crow
		<i>Corvus corax</i>	Common Raven
	Emberizidae	<i>Chondestes grammacus</i>	Lark Sparrow
		<i>Melospiza crissalis</i>	California Towhee
	Fringillidae	<i>Haemorhous mexicanus</i>	House Finch
	Hirundinidae	<i>Tachycineta bicolor</i>	Tree Swallow
	Icteridae	<i>Molothrus ater</i>	Brown-Headed Cowbird
		<i>Sturnella neglecta</i>	Western Meadowlark
	Mimidae	<i>Mimus polyglottos</i>	Northern Mockingbird
	Picidae	<i>Melanerpes formicivorus</i>	Acorn Woodpecker
	Sturnidae	<i>Sturnus vulgaris</i>	European Starling



Species			
Order	Family	Scientific Name <sup>1</sup>	Common Name
	Turdidae	<i>Sialia mexicana</i>	Western Bluebird
	Tyrannidae	<i>Contopus sordidulus</i>	Western Wood-Pewee
		<i>Myiarchus cinerascens</i>	Ash-Throated Flycatcher
		<i>Sayornis nigricans</i>	Black Phoebe
		<i>Tyrannus verticalis</i>	Western Kingbird
Pelecaniformes	Ardeidae	<i>Ardea herodias</i>	Great Blue Heron
Strigiformes	Strigidae	<i>Bubo virginianus</i>	Great Horned Owl
	Tytonidae	<i>Tyto alba</i>	Barn Owl

1. Scientific names corresponds to AOU Checklist of the Birds of North America (American Ornithologist's Union. 2012), and/or Revised Checklist of North American Mammals North of Mexico (Baker et al. 2003), and/or Scientific and Standard English Names of Amphibians and Reptiles of North America North of Mexico (Crother et al. 2011).

## **SECTION 3.0 MANAGEMENT PLAN**

### **3.1 OBJECTIVES**

As stated above, the goal of this Management Plan is to maintain and protect the physical, biological, and ecological conditions of the Preserve to insure that it will continue to support, in perpetuity, the species and habitats that the Preserve is being established to protect. Long-term management actions include vegetation management, general site maintenance, and adaptive management as discussed below.

The following physical, biological, and ecological goals have been established to realize the Management Plan goal:

1. Preserve and maintain the quality of the existing wetland and upland habitats on the Preserve;
2. Maintain the diversity and abundance of native plant and animal species within the wetland and upland habitats on the Preserve;
3. Protect the Preserve from outside effects that could adversely affect the Preserve's physical, biological, or ecological conditions;
4. Repair or restore any adverse conditions that may develop on the Preserve that may adversely affect the Preserve's physical, biological, or ecological conditions;
5. Conduct ongoing monitoring of the quantity and condition of the special-status species identified on the Preserve;
6. Monitor, control, or eradicate pest plant populations that may invade the Preserve and threaten the Preserve's physical, biological, or ecological conditions; and
7. Preserve the existing agricultural operation, including cattle grazing.

The following measures will be implemented to meet these biological goals:

1. Place a permanent Conservation Easement over the Preserve to protect it from future development or agricultural conversion, excluding cattle grazing and related operations;
2. Implement the long-term management, maintenance, and monitoring measures described in this Plan; and
3. Prevent a net increase in undesirable vegetation and maintain optimal vegetation conditions on the Preserve primarily through managed grazing as described in this Plan.

### **3.2 PRESERVE MANAGEMENT PERSONNEL**

This section outlines the roles and responsibilities of those who are jointly responsible for the implementation of this Management Plan and are involved in the long-term and day-to-day management, maintenance, and monitoring of the Preserve. These entities or individuals include the Property Owner, Endowment Holder, Conservation Easement Holder (Easement Holder), Easement Monitor, and Biological Monitor. The Property Owner is responsible for general oversight and day-to-day operations pertaining to grazing management and maintenance of fences, gates, and other infrastructure. The Endowment Holder is responsible for insuring the overall terms and conditions of the Long-term Management Plan are adhered to and implemented. As part of these duties, the Land Owner is responsible for hiring and managing personnel conducting biological monitoring. The Easement Holder is responsible for insuring that the more general terms and conditions of the Conservation Easement are adhered to including hiring and managing personnel conducting annual general inspections. The Sierra Foothill Conservancy is currently designated as both the Endowment Holder and Easement Holder since it holds both the Endowment Fund and the Conservation Easement. The Biological Monitor and Easement Monitor are individuals or companies hired to conduct biological monitoring and general

inspections, respectively. The specific roles and responsibilities of these entities and individuals are described below.

### **3.2.1 Property Owner**

The Property Owner is responsible for conducting the following day-to-day activities on the Preserve (with usage of certain endowment funds as called out for in the document):

1. Maintaining fences and gates;
2. Keeping the Preserve free of accumulated trash or debris;
3. Managing on-going grazing operations according to the parameters outlined in this Plan;
4. Controlling non-authorized public access;
5. Maintaining any fire breaks;
6. Operating the Preserve in a manner that is consistent with the terms and conditions of this Plan and the Conservation Easement;
7. Coordinating all biological monitoring, analysis of monitoring data, and preparation;
8. Monitoring, coordinating any on-going maintenance activities;
9. Monitoring, coordinating any corrective actions necessary to ensure the maintenance of the Preserve's physical, biological, and ecological conditions as required by this Plan; and
10. Ensuring that all individuals conducting monitoring, maintenance, or corrective activities are appropriately qualified and trained to conduct the activities for which they are responsible.

### **3.2.2 Endowment Holder**

The Endowment Holder holds and manages the Endowment Fund and is responsible for insuring the terms and conditions of the Management Plan are properly adhered to and implemented, for managing the Endowment Fund, and for overseeing and paying for all management, maintenance, and monitoring activities required under this Plan. Specific activities that are the responsibility of the Endowment Holder include:

1. Holding and managing the Endowment Fund;
2. Funding all biological monitoring, analysis of monitoring data, and preparation of required monitoring reports according to the schedule described in this Management Plan;
3. Funding on-going maintenance activities; and
4. Funding any corrective actions necessary to insure the maintenance of the Preserve's physical, biological, and ecological conditions as required by this Plan;

### **3.2.3 Easement Holder**

The Easement Holder holds the Conservation Easement (CE) and is responsible for insuring that the general terms and conditions of the Conservation Easement are being adhered to. The Easement Holder maintains a separate Conservation Easement Monitoring Fund and is responsible for managing the fund and paying for all inspection activities required under the Conservation Easement. Specific activities that are the responsibility of the Easement Holder include:

1. Holding and managing the CE Monitoring Fund;
2. Coordinating and funding all easement monitoring inspections and reports required as part of the Conservation Easement monitoring; and
3. Insuring that all individuals conducting easement monitoring inspections are appropriately qualified and trained.



### **3.2.4 Biological Monitor**

The Biological Monitor is the person or company hired by the Land Owner to conduct biological monitoring of the Preserve. The Biological Monitor shall be a qualified professional biologist experienced with the biological resources present on the Preserve. Monitoring for federally-listed large branchiopods (vernal pool fairy shrimp) and California tiger salamander, and any other species that may become listed in the future shall be conducted by a biologist that possesses a valid federal recovery permit to conduct surveys for these listed species. A state permit would be required to survey for any state-regulated species (state-listed species or state species of special-concern). Duties of the Biological Monitor may include but are not limited to:

1. Monitoring wetland hydrological function and erosion control;
2. Conducting habitat monitoring and species surveys;
3. Analyzing monitoring data and preparing monitoring reports;
4. Evaluating conditions on the Preserve and recommending remedial actions as necessary;
5. Identifying adaptive management activities as necessary;
6. Monitoring for thatch or exotic pest plant presence and making management recommendations as necessary.

### **3.2.5 Easement Monitor**

The Easement Monitor is the person or company hired by the Conservation Easement Holder to conduct annual general inspections of the Preserve to insure that the Preserve is being maintained by the Owner in a manner that meets the general terms and conditions of the Conservation Easement. The Easement Monitor may be a staff person or volunteer representing the Easement Holder or a hired consultant.

## **3.3 PROHIBITED ACTIVITIES**

Certain activities are prohibited on the Preserve that could adversely affect the Preserve's physical, biological, or ecological conditions. It is understood that these activities are prohibited except as needed to accomplish the management goals and objectives. Additionally, if any of these activities must be undertaken due to special circumstances, they may be reviewed and approved by COE or USFWS on a case-by-case basis.

### **3.3.1 Irrigation**

There shall be no irrigation of any portion of the Preserve. Stock water may be provided via the on-site pump, stock watering troughs and stock ponds, and Property Owner may add additional watering troughs, pumps and relate lines so long as it is not inconsistent with the terms and conditions of this Plan.

The property owner retains the right to install up to a maximum 12-inch diameter irrigation pipe across the preserve to transport water. The pipelines would be buried 1-2 feet deep in an excavated trench. All work would be conducted under the direct supervision of a biological monitor and would avoid impacts to all vernal pool and swale habitats. Surface topography would be restored after construction. The total width of surface disturbance would not exceed five feet. USFWS would be contacted for authorization and approval prior to construction. The property owner also retains the right to install wells on the preserve as may be necessary for future livestock watering.

### **3.3.2 Pesticides, Fertilizers, and Other Chemical Agents**

There shall be no use of any pesticides, rodenticides, herbicides, fungicides, insecticides, or any other agents used to kill or suppress plants, animals, or fungi on the Preserve, except as needed for habitat management as described in this Management Plan and approved by COE or USFWS. A specific use that has been identified is targeted herbicide use to control pest plant invasions.

### **3.3.3 Motor Vehicle Use**

No motorized vehicles shall be ridden, brought, used, or permitted on the Preserve except as follows: motorized vehicles may be used for Preserve management activities, livestock operations, maintenance and monitoring activities, and for emergency or law enforcement actions requiring access by medical, fire, or law enforcement vehicles.

### **3.3.4 Agricultural Uses**

There shall be no agricultural uses of the Preserve except for grazing and other activities approved by COE or USFWS.

### **3.3.5 Commercial Recreational Activities**

Personal, non-commercial hunting by the Property owner and their guests are specifically permitted by this Management Plan as are other non-commercial recreational activities of the Property owners and guests as long as such use is consistent with the terms of the Conservation Easement. The Owner may consider future low-impact commercial recreational activities on the Preserve such as nature tours or horseback riding tours provided these activities do not impact the sensitive resources on the Preserve.

### **3.3.6 Commercial and Industrial Uses**

There shall be no commercial or industrial use of the Preserve with the exception of uses described in this Management Plan or approved by COE or USFWS.

### **3.3.7 Subdivision**

There shall be no legal or de facto division, subdivision, or partitioning of the Preserve except as allowed by COE or USFWS.

### **3.3.8 Construction**

There shall be no construction, reconstruction or placement of any building, sign, structure, or other improvement on the Preserve with the exception of the activities described in this Plan or authorized by COE or USFWS. Regular maintenance of existing infrastructures on the Preserve is permitted. Property owner reserves right to build a home for family or employee within a defined area.

### **3.3.9 Burning and Dumping**

There shall be no burning or dumping of soil, rubbish, garbage, or any other waste or fill materials on the Preserve. The foregoing prohibitions shall not be interpreted to prohibit controlled burning as a method of vegetation management.

### **3.3.10 Non-native Plant or Animal Introduction**

There shall be no introduction of non-native plant or animal species on the Preserve except as mentioned in this Management Plan or allowed by COE or USFWS. Cattle, horses, and other animals used for grazing purposes are allowed.

### **3.3.11 Mineral Removal**

There shall be no surface or subsurface mineral removal from the Preserve or granting or authorizing of any surface entry for access to mineral resources except as authorized.

### **3.3.12 Grading**

There shall be no grading or earthwork within the Preserve except as mentioned in this Management Plan or authorized by COE or USFWS. This prohibition does not apply to the construction of vernal pools specifically required by COE as part of the permitting of the Preserve.

### **3.3.13 Vegetation Removal**

There shall be no killing, removal, or alteration of any existing natural vegetation within the Preserve except as required for: (a) grazing operations; (b) maintaining perimeter fire breaks, (c) eradicating or controlling pest plant invasions, (d) prevention or treatment of disease, (e) maintaining existing roads and removal of dead trees or (f) as otherwise described in this Management Plan or authorized by COE or USFWS. As listed under (a) above, the removal of vegetation via livestock grazing is allowed.

### **3.3.14 Natural Watercourse Alteration**

There shall be no alteration or manipulation of any natural watercourse or water body on the Preserve except as allowed by COE or USFWS. Construction of vernal pools required by COE as a specific part of the permitting of this Preserve is allowed.

### **3.3.15 Mineral and Water Rights Transfer**

There shall be no transfer or abandonment of mineral or water rights necessary to protect and maintain the physical, biological, and ecological conditions of the Preserve except as allowed by COE or USFWS.

## **3.4 ADAPTIVE MANAGEMENT**

This Management Plan has been prepared utilizing the most current methods for management, maintenance, and monitoring of the habitats and species present on the Preserve. Nonetheless, the proposed methods may have to be modified once implemented to insure proper management and maintenance to meet the goals of this Management Plan. Also, future research or other information may identify other or better management, maintenance or monitoring practices or site habitat conditions may change that necessitate changes to the management practices. New or modified methodologies will be considered for implementation if they further the Management Plan goal of protecting and maintaining Preserve ecological conditions and associated habitats, cattle operation and special-status species. Any changes to the management, maintenance or monitoring practices described in this Management Plan must be agreed upon in advance in writing by COE or USFWS, the Property Owner, and the Preserve Endowment and Easement Holders.



## 3.5 MANAGEMENT ACTIVITIES

This section describes the specific management activities to be performed on the Preserve.

### 3.5.1 Soil Erosion Management

There are no current erosion problems on the Preserve. Future problems are unlikely due to the lack of larger seasonal drainages or other dynamic water flow, and appropriate historic and on-going land use practices. Soil erosion management activities will be conducted if soil erosion problems develop at some point in the future. The specific management approach will be developed in consideration of the specific problem and available and appropriate methods for addressing the problem.

### 3.5.2 Vegetation Management

The upland areas of the Preserve support non-native annual grasslands with scattered oaks, while the stock ponds, vernal pools, creeks, and vernal swales and drainages support seasonal wetland vegetation generally with a predominance (>20% cover) of native vernal pool indicator plants.

The purpose of vegetation management is to maintain the abundance and diversity of native plant species on the Preserve within both upland and wetland habitats, and to control or eliminate exotic pest plant occurrences that can threaten the Preserve's ecological integrity. The non-native annual grasslands are dominated by a variety of non-native grasses of European origin. While these grasses are not native and have generally replaced the original native perennial bunchgrasses, current thinking is that these species are here to stay as the dominant species and that restoration of the native perennial bunchgrasses is not feasible on most sites (including the Preserve). Rather, the focus of management of the annual grasslands is to control thatch levels to insure that annual grasses do not crowd out the native upland or vernal pool plant species that have persisted and to control or eliminate exotic pest plant occurrences.

#### 3.5.2.1 Exotic Pest Plant Management

For the purpose of this Management Plan, exotic pest plants include those plant species identified as List A, List B, or Red Alert List species by the California Invasive Plant Council (Cal-IPC). Cal-IPC updates the list annually. Past plant surveys conducted on the Preserve did not identify any notable or significant pest plant populations. Nonetheless, exotic pest plant invasions could occur in the future that may need to be eliminated or controlled.

Several approaches may be utilized to eliminate or control invasions including managed grazing, manual or mechanical removal, biological control, and herbicide application. The methods for applying these approaches on the Preserve are described below. The specific approach to be used for eradicating or controlling an invasion will be developed by a qualified professional based on an evaluation of the invasion species, source of invasion, extent of invasion, and other factors. All pest plant control efforts will be documented in the year's monitoring report.

**Managed Grazing.** Managed livestock grazing is the primary approach that will be used to eradicate or control the invasion of exotic pest plants. The approach for managed grazing is discussed in more detail in Section 3.5.2.2 below.

**Manual or Mechanical Removal.** Manual or mechanical removal of exotic pest plants is useful for controlling or eliminating small-scale or incipient invasions. Under this approach, individual plants are removed manually using hands or a shovel or cut down using a weed eater or other mechanical device. This approach may be implemented by the Land Manager or Owner without consulting the COE or

USFWS in advance, although the Owner is not required to do so.

**Biological Controls.** Biological control involves the introduction of a species that specifically attacks an exotic pest plant. One of the most well-known biological control efforts is the introduction of certain weevil species from southern Europe that specifically attack yellow star-thistle (*Centaurea solstitialis*). A qualified professional will need to be consulted if biological controls are used on the Preserve. The Easement Holder will contact USFWS for authorization in such a case.

**Herbicide Applications.** Herbicides can provide a very effective means of eradicating or controlling exotic pest plants. However, they also have the potential to adversely affect native plant and animal species. Herbicides must be applied according to the label, in accordance with applicable federal and state laws including those pertaining to herbicide application in or near wetlands. Some common herbicides that may be used on the Preserve include Round-up (Glyphosate), Transline (Clopyralid) or Reedem R&P (Clopyralid w/ Triclopyr Amine). The Land Manager does not need to notify COE or USFWS if the herbicides listed above are applied as described above. The Land Manager will need to obtain any required County approvals.

### **3.5.2.2 Thatch Management**

The non-native annual grasslands on the Preserve are dominated by non-native annual grasses that replaced the native perennial bunchgrasses that historically characterized California's interior grasslands. Large herbivorous ungulates that may have historically grazed these grasslands have also been eliminated as have the most of the burns that periodically occurred across the grasslands. Given these changes, the current ecological situation, whereby the non-native annual grasslands are grazed by introduced livestock and rarely burned, is artificial. Nonetheless, the annual grasslands still provide significant ecological values and also serve as the matrix within which vernal pools exist.

Recent research has shown that thatch removal via grazing, mowing, or burning is important if not essential for maintaining the ecological health of vernal pool wetlands situated within the grasslands (Marty 2005, Vollmar 2002, Barry 1998). In the absence of thatch removal, the non-native grasses intrude around the pool margins, crowding out native plant species, and increasing the plant evapotranspiration rate. This, in turn, can reduce pool hydroperiod, reducing or eliminating habitat suitability for vernal pool aquatic animal and plant species.

Thatch management on the Preserve may be accomplished through grazing, mowing or controlled burns. Grazing will be the primary if not sole method used. Mowing may be used in the future at the discretion of the Land Manager with the approval of the Owner.

**Managed Grazing.** As stated above, grazing will be the primary if not the sole method used for managing thatch on the Preserve. Annual grazing will be conducted in a manner that achieves the following objectives:

1. Grass height across the Preserve will be maintained between 2 and 12 inches except corrals, holding lots, and roads to provide optimal habitat conditions for adult California tiger salamanders. Shorter grass heights will be acceptable if severe winds have flattened the grasses, which is often the case by the fall;
2. Residual dry matter (RDM) levels will be maintained between 600 and 2,000 lbs per acre during normal to above normal rain years (total rainfall of at least 11 inches) and between 400 and 2,000 lbs per acre during drought years (total rainfall less than 11 inches). These RDM levels shall be on a 5 year average to take into effect any droughts;
3. Overall ecological health of the Preserve is maintained such that the diversity and abundance of

- native plants and aquatic wildlife within vernal pools and swales and native plants within the upland grasslands are maintained or increased over the long term; and
4. Exotic pest plants are controlled or prevented from becoming established on the Preserve.

The specific timing, level, type of grazing, and type of livestock will be determined at the discretion of the Owner provided the above objectives are met. The Owner currently grazes a combination of cattle and horses on the Preserve, typically bringing the bulk of livestock on in the fall, grazing through the winter and spring, and removing all or most of the livestock by late spring. This grazing regime is varied from season to season depending on seasonal rainfall and grass production levels, ranch use and livestock circulation patterns, and other factors. No specific animal unit target is provided to allow for variation in seasonal and annual use.

The required annual grazing monitoring together with the biological monitoring of the vernal pools and stockponds will provide the necessary feedback to determine if the grazing regime is working to meet the above objectives and will provide a basis for decision making regarding on-going grazing management and any changes that may be required. Any changes will be made jointly by the Endowment Holder, Easement Holder, and the Owner to achieve an approach that is acceptable to all parties. These changes, if any, will be documented in the annual monitoring report.

Mowing. Mowing may be used as an alternate means to achieve thatch management to meet the objectives described above. In reality, it is highly unlikely that mowing will be conducted on the Preserve since grazing is an integral part of the overall ranch operation. If mowing is employed, any cut materials must be removed from the Preserve as part of the mowing operation. Also, caution should be taken during mowing to insure that there is no significant damage to ground squirrel burrows.

### **3.5.3 Water Management**

There is no irrigation on the Preserve so a water management plan is not required.

## **3.6 MAINTENANCE ACTIVITIES**

The primary maintenance activities that will be conducted on the Preserve include repair or replacement of fences, gates, roads and other Preserve infrastructure, and removal of any accumulated trash or debris. Costs for maintenance of infrastructure will be paid for through the Preserve Endowment Fund.

### **3.6.1 Fence and Gate Maintenance**

The Preserve is currently fenced around all sides and it is in good condition.

The Owner shall be responsible for on-going maintenance of the Preserve's perimeter fencing and gates. All costs will be paid by the Endowment Holder through the Endowment Fund. The fence will be repaired or replaced at or very near its existing location. Vehicles and mechanical posthole drillers may be used for fence repair or replacement though caution should be exercised to prevent excessive damage to the soil surface. Temporary electric fencing may be installed within the Preserve to target grazing in focused areas.

Gates will be maintained in good working order to provide access as part of the ranch operations and Preserve management, maintenance, and monitoring. Specific gate locations will be determined at the discretion of the Owner and the Owner is free to change gate locations and add or remove gates from the fence line as necessary for ranch operations. Gates may remain locked or unlocked unless there is a persistent problem with unauthorized public access onto the Preserve. Under these circumstances, the



Endowment or Easement Holder may require that locks be installed on all gates.

### **3.6.2 Trash and Debris Removal**

The Owner will maintain the Preserve to be free of accumulated trash and debris that either blows onto the Preserve from surrounding lands or may be illegally dumped on the Preserve by an outside individual. Costs for trash and debris removal incurred by the Owner will be reimbursed by the Endowment Holder through the Endowment Fund. Owner has right to maintain existing roads.

## **3.7 MONITORING**

The monitoring and inspections described below include both baseline monitoring to be conducted during Years 1-9 following Preserve establishment plus long-term monitoring to be carried out in perpetuity.

**Table 3** provides a summary of all required monitoring surveys and inspections. The property owner shall be responsible for insuring that all monitoring and inspection surveys are conducted according to the required schedule and quality. All biological monitoring shall be conducted by a qualified Biological Monitor contracted or employed by the Property owner. General monitoring inspections shall be conducted by a qualified Biological or Easement Monitor contracted, employed or otherwise under the direction of the Endowment Holder. Funds required for hiring the Biological Monitor and Easement Monitor shall be provided by the Preserve's Endowment Fund and conservation easement endowment fund.

### **3.7.1 General Inspections**

A general inspection of the overall Preserve conditions shall be conducted a minimum of once a year in perpetuity by the Easement Monitor under the direction of the Easement Holder. This inspection shall be conducted following the end of the grazing season (June-September) to assess overall site conditions. During this inspection, the Easement Monitor shall at a minimum excluding residential area:

1. Assess overall Preserve conditions to insure that the general terms and conditions of the Conservation Easement are being met;
2. Check for the presence of accumulated trash or debris;
3. Check for signs of unauthorized motor vehicle use or public trespass;
4. Assess the condition of fences, gates and any other infrastructure;
5. Assess range conditions including RDM levels on a qualitative, visual basis. If there is concern or uncertainty about the RDM levels, the Easement Monitor may use more quantitative methods for measuring RDM such as comparison with an industry-accepted photo guide such as the Residual Dry Matter Monitoring Photo-Guide (Guenther 1998) or clip plots;
6. Take representative photographs from at least five established photo-documentation points highlighting range and vernal pool conditions and other points of interest within the Preserve.

Table 5. Schedule and Description of Inspection and Biological Monitoring Surveys for the Jamison Ranch Preserve, Madera County, California. Prepared by Vollmar Natural Lands Consulting, Berkeley, California.

Survey Type	Description	Personnel	Visits/ Monitor Yr	Seasonal Timing	Required Monitoring Years from Years 1-9									Long-Term Monitoring
					Y1	Y2	Y3	Y4	Y5	Y6	Y7	Y8	Y9	
General Inspections	Easement Monitor shall conduct a general inspection monitoring survey a minimum of one time annually to insure that the terms and conditions of the Conservation Easement and Long-term Management Plan are being met between the 10-year biological monitoring events. The Easement Monitor shall assess overall site conditions, check for accumulated trash or debris, check for signs of unauthorized motor vehicle use, assess condition of fences, gates and other infrastructure, assess range RDM, and take photographs from established photo-documentation points and other points of interest.	Easement Monitor	1	Jun-Sep (after end of grazing season)	X	X	X	X	X	X	X	X	X	Annually (Y10, Y11, Y12, Y13, etc.)
Biological Inspections	Biological inspection monitoring conducted a minimum of one time every other year beginning at Year 1 to assess overall biological conditions and insure that the terms and conditions of the Long-term Management Plan are being met. A one-day biological inspection will be conducted every two years beginning at Year 10 (Years 10, 12, 14, etc.) to insure that overall biological conditions are being maintained between the 10-year biological monitoring events. The Biological Monitoring shall assess overall habitat conditions of vernal pools and grasslands, check for any new or worsening soil erosion problems or exotic pest plant invasions, and take photographs from established photo-documentation points and other points of interest.	Biological Monitor	1	Apr-May	X		X		X		X			Semi-Annually (Y10, Y12, Y14, Y16, etc.)
Vernal Pool and Stock Pond Biological Monitoring														
Aquatic Wildlife Surveys	Biological Monitor shall conduct dip-net or seine surveys for vernal pool shrimp and amphibians. Biological Monitor must possess valid federal permit to conduct surveys of federally-listed vernal pool shrimp and amphibians. All pools providing suitable habitat shall be sampled in Year 1; a subset of 66.67% of these pools shall be sampled in Years 3, 5, and 7 (different set each year). All representative pools plus all created pools shall be surveyed every 10 years in perpetuity beginning in Year 10. The surveys shall determine the presence and abundance of special-status large branchiopod and native amphibian species as well as non-native bullfrogs. Pool temperature, water quality, and maximum ponding depth shall also be recorded.	Biological Monitor	3	Jan, Feb, Apr (timing depends on seasonal conditions)	X		X		X		X			Every 10 Years (Y10, Y20, Y30, Y40, etc.)
Floristic Monitoring	Biological Monitor shall conduct floristic surveys within all existing vernal pools during Baseline Monitoring (Years 1, 3, 5, and 7). These reference pools plus all created pools shall be surveyed in perpetuity every 10 years beginning in Year 10. Floristic surveys shall record the presence and cover of all plant individual species, bare soil, and unvegetated, open water. Photographs shall be taken of all pools.	Biological Monitor	1	Apr-May (peak spring bloom)	X		X		X		X			Every 10 Years (Y10, Y20, Y30, Y40, etc.)

### 3.7.2 Biological Monitoring

The Biological Monitor shall conduct biological monitoring for those species and habitats for which the Preserve was established to protect. Baseline biological monitoring will occur in Years 1, 3, 5, and 7 following Preserve establishment. Baseline monitoring results will be used to understand baseline conditions and guide adaptive management decisions in future years. Long-term biological monitoring will be conducted in Years 10, 20, 30 and every ten years thereafter in perpetuity. Also, a general Biological Inspection will be conducted every other year as described in Section 3.7.3 below.

Because conditions within annual grasslands and vernal pools can vary significantly from year to year depending on the level and timing of seasonal rainfall, baseline surveys are conducted over several years to document a range of conditions as a good basis for comparison during long-term monitoring.

#### 3.7.2.1 Created Vernal Pool Monitoring

Vernal pools with a total area of approximately 3 acres will be constructed within the Preserve during summer 2015, pending agency approval. Design, construction, and monitoring methods as well as performance standards are described in the Project's Mitigation and Monitoring Plan (**Appendix D**). Pool creation and monitoring are not considered part of the Preserve's long-term management activities and are being conducted and funded outside of the scope of this Plan and the Preserve's Financial Endowment. The created pools will be included in the long-term monitoring once they have met performance goals.

#### 3.7.2.2 Existing Vernal Pool Monitoring

Baseline Monitoring. Baseline vernal pool monitoring will be conducted within vernal pools during Years 1, 3, 5, and 7 following Preserve establishment to sample the presence and abundance of listed and non-listed large branchiopods, larval amphibians, and plant species. All pools on the Preserve will be sampled over the course of the four baseline monitoring years to develop an accurate understanding of the distribution and percent occupancy by listed and special-status species within vernal pools throughout the Preserve. Given the large number of pools on the Preserve, it is not feasible to sample all pools during each baseline monitoring year. Rather, all pools providing suitable habitat from special-status aquatic wildlife species will be sampled during Year 1 and 66.67% of these pools will be sampled in Years 3, 5, and 7 with a different set of pools sampled each year. This approach will provide two years of data for all pools on the Preserve and comparative results from four different seasons with varying rainfall conditions. The specific pools to be sampled in Years 3, 5, and 7 will be selected by the Biological Monitor. An effort will be made to sample a set of pools each year that represents the range of pool sizes and depths, and soil types present on the Preserve.

Three rounds of aquatic wildlife surveys will be conducted during each baseline monitoring year. Sampling will be conducted by a qualified biologist with a valid federal recovery permit to conduct surveys for the federally-listed aquatic wildlife species that may be encountered. The general timing of the surveys will be one in late December to early January, one in February, and one in late March to April. The first two survey rounds will be timed to correspond with peak occurrence of listed large branchiopods. The third survey round will be timed to correspond with peak occurrence of larval California tiger salamanders and western spadefoot. Aquatic surveys will be conducted using a standard aquatic invertebrate net with a mesh size of approximately 20 threads per inch. The third round of surveys may also be conducted using seine with a ¼ inch square mesh net. Pools will be sampled using a semi-quantitative approach whereby a total of five meter-long net sweeps are made to sample a consistent volume of water. The presence and abundance of large branchiopods and larval amphibians will be recorded by abundance class on standardized data sheets. Data will also be collected on water

temperature, qualitative observations of water quality conditions, and maximum ponding depth. Once the semi-quantitative sampling is complete, additional sampling of the pool will be conducted as necessary to insure that all listed large branchiopods and larval amphibians present have been detected and recorded.

One round of floristic sampling will be conducted during peak spring bloom (typically April or May) during each of the baseline monitoring years. During Year 1, a subset of the pools sampled during aquatic wildlife sampling that support special-status large branchiopod and/or amphibian species and that represent the range of pool sizes and depths, and soil types present on the Preserve will be selected and sampled. These same pools will be sampled during subsequent baseline monitoring years (3, 5, and 7) as well as during on-going long-term monitoring years in perpetuity. Data will be collected on standardized data sheets developed for this project. Data to be collected within each sampled pool will include: (1) identification of all plant species present (i.e. species composition); estimates of the total absolute cover of vegetation, bare soil, and open, unvegetated water; and estimated absolute cover for each species identified. Absolute cover estimates for individual plant species will be recorded using cover classes as follows: 0 = 0, 1 = >0 and  $\leq 1$ , 2 = >1 and  $\leq 5$ , 3 = >5 and  $\leq 25$ , 4 = >25 and  $\leq 50$ , 5 = >50 and  $\leq 75$ , 6 = >75 and  $\leq 95$ , and 7 = >95. The use of cover classes simplifies the data collection process and improves sampling consistency among different biological monitors.

All of the pools included in the floristic monitoring will be selected for photo-documentation. These pools should represent a range of pool sizes, depths, and soil types. Photos will be taken during each monitoring year during floristic monitoring.

**Long-term Monitoring.** Long-term vernal pool monitoring will be conducted in Years 10, 20, 30 and every ten years thereafter in perpetuity. The monitoring will follow the same methods describe above under baseline monitoring including field surveys and photo-documentation. The same vernal pools included in the baseline floristic monitoring as well as all created vernal pools will continue to be sampled as part of long-term biological monitoring for both aquatic wildlife and floristics. As described above, the pools included in the baseline floristic sampling will be selected based on the presence of special-status wildlife species (as determined during Year 1 aquatic wildlife sampling) and will also represent the range of pools sizes and depths, and soil types on the Preserve. The Biological Monitor will select the existing pools to be included in the long-term biological monitoring during Year 1 baseline monitoring following aquatic sampling. Modifications may be made if it is later found that the selected pools do not appropriately represent the range of pool types or listed aquatic wildlife species present on the Preserve.

#### **3.7.2.4 Performance Thresholds**

Should the presence or abundance of listed aquatic wildlife species or plant species within sampled vernal pools show a continuing trend of decreasing below baseline levels, remedial measures will need to be implemented following the adaptive management approach described in Section 3.4, above.

#### **3.7.3 Biological Inspections**

A one-day biological inspection will be conducted by the Biological Monitor every two years beginning at Year 10 (Years 10, 12, 14, etc.) to insure that overall biological conditions are being maintained between the 10-year biological monitoring events. During Years 1-9, the biological inspection will be conducted during site visits for baseline biological monitoring. The biological inspection shall be conducted during peak spring bloom. During this inspection, the Biological Monitor shall at a minimum:

1. Assess overall habitat conditions of vernal pool and grassland communities;
2. Insure that the general terms and conditions of the Long-term Management Plan are being met;
3. Check for any new or worsening soil erosion problems or exotic pest plant invasions;



4. Take photographs at established vernal pool and grassland photo-documentation points;
5. Take photographs of other conditions and other points of interest within the Preserve, especially areas of soil erosion problems or excessive livestock concentration.

#### **3.7.4 Agency Inspections**

Staff from COE and USFWS may inspect the condition of the Preserve as necessary to insure that the terms and conditions of the Conservation Easement and Long-term Management Plan are being met. Unless an emergency exists, COE or USFWS must notify the Preserve Operator and Owner at least 48 hours in advance of any site visit.

### **3.8 FUNDING**

The annual costs for the management, maintenance, and monitoring described in this Plan will be funded through the Preserve's Endowment Fund. The value of the Endowment Fund shall be based upon the short-term initial costs to conduct baseline monitoring during Years 1-9 using a lump sum amount (Initial Costs) plus on-going costs necessary to manage and monitor the Preserve in perpetuity, using accrued interest earning of the Endowment Fund (On-going Costs). The Endowment Fund will be paid by the developer requiring the establishment of the mitigation Preserve and will be held and managed by the Endowment Holder in a dedicated, interest-bearing account.

The amount of the Endowment Fund is calculated using the Center for Land Management's Property Analysis Record (PAR) software based upon the costs necessary to manage and monitor the Preserve through the baseline years and in perpetuity as described in this Management Plan.

The Endowment Fund shall remain as a permanent capital endowment to manage and monitor the Preserve consistent with this Management Plan and the Conservation Easement. The Endowment Holder may use or allocate interest and earnings from the Endowment Fund to pay any reasonable costs and expenses incurred related to the management, maintenance, and monitoring of the Preserve and consistent with the Conservation Easement including, without limitation contracts, equipment or material, and labor.

The Endowment Fund obligations, the management obligations described in this Plan, and obligations under the Conservation Easement shall continue in perpetuity as a covenant running with the land.

## **SECTION 4.0 REPORTING REQUIREMENTS**

Several different types of monitoring and inspection reports will be prepared and submitted to USFWS and COE. **Table 4** summarizes the types and schedule of reports. The content and required date of completion of each report is described below.

**Table 6. Type and Schedule of Preserve Inspection and Monitoring Reports to be Submitted to COE and USFWS.**

<b>Type of Report</b>	<b>Yearly Schedule</b>	<b>Required Annual Completion Date</b>
Annual Reports	Annually, in perpetuity.	December 31 (submitted by Land Owner to the Easement Holder, USFWS and COE)
Conservation Easement Monitoring Reports	Annually, in perpetuity.	December 1 (Submitted to Land Owner for inclusion in Annual Report)
Biological Monitoring Reports	Baseline Monitoring: Years (Y1, Y3, Y5, and Y7). Long-term Monitoring: every ten years beginning at Year 10 in perpetuity (Y10, Y12, Y14, etc.).	December 1 (Submitted to Land Owner for inclusion in Annual Report)
Biological Inspection Reports	Baseline Monitoring: Years (Y1, Y3, Y5, and Y7). Long-term Monitoring: semi-annually in perpetuity (Y10, Y12, Y14, etc.).	December 1 (Submitted to Land Owner for inclusion in Annual Report)

### **4.1 ANNUAL REPORTS**

The Land Owner, working with the Easement Monitor, Biological Monitor, Easement Holder, and Endowment Holder, shall prepare an Annual Report to be submitted to the Easement Holder, USFWS, and COE. The report will also include as appendices the Conservation Easement Report, and any biological inspection reports, and/or biological monitoring reports that were prepared for the given monitoring year.

The Annual Report shall include, at a minimum:

1. A description of the overall condition of the Preserve;
2. A description of the rainfall conditions over the past year including timing and amount of rainfall;
3. Photographs taken from established photo-documentation points and other points of interest documenting Preserve conditions;
4. A summary of the annual grazing activities and range conditions;
5. A description of the management and maintenance activities conducted over the past year;
6. A description of the anticipated management and maintenance activities for the coming year;
7. A description of actions for which USFWS notification or approval was not needed, but were carried out during the year;
8. A description of the monitoring activities conducted over the past year;
9. A discussion of any adaptive management needs;



10. A brief summary of the methods and key results of any Biological Inspections that were conducted over the past year with a copy of the full Biological Inspection Report attached as an appendix;
11. A brief summary of the methods and key results of any Biological Monitoring that was conducted over the past year with a copy of the full Biological Monitoring Report attached as an appendix; and
12. An economic statement of the earnings, expenditures, and status of the Endowment Fund.

The Annual Report shall be submitted to USFWS by the end of each year (December 31).

## **4.2 CONSERVATION EASEMENT MONITORING REPORTS**

A separate Conservation Easement monitoring report, addressing the specific terms and conditions of the easement, shall be prepared annually by the Easement Holder and attached as an appendix to the Annual Report.

The Conservation Easement Report shall be completed and provided to the Land Owner by December 1 of each year.

## **4.3 BIOLOGICAL MONITORING REPORTS**

The Biological Monitor, under the direction of the Endowment Holder, shall prepare a Biological Monitoring Report following baseline monitoring years (Years 1, 3, 5, and 7) and every ten years beginning at Year 10, in perpetuity (Y10, Y20, Y30, etc.).

The Biological Monitoring Report shall include, at a minimum:

1. A summary of the types and methods of monitoring conducted;
2. Presentation of all quantitative data by sampled vernal pools including aquatic wildlife presence and abundance, and plant species presence and abundance;
3. A description of the rainfall conditions over the past year including timing and amount of rainfall;
4. Comparison of current year's data with past years' data and analysis of habitat and species trends;
5. Summary discussion of Preserve conditions and trends; and
6. Recommendations for corrective actions.

The Biological Monitoring Report shall be completed and provided to the Land Owner by December 1 of each monitoring year.

## **4.4 BIOLOGICAL INSPECTION REPORTS**

The Biological Monitor, under the direction of the Land Owner, shall prepare a Biological Inspection Report for each year that a biological inspection is conducted. This report shall be attached as an appendix to the Annual Report. During Years 1-9, the Biological Monitor conducting baseline biological monitoring shall also conduct a biological inspection to assess overall site biological and ecological conditions. Beginning at Year 10, the Biological Monitor will conduct a Biological Inspection every other year (Y10, Y12, Y14, etc.) in perpetuity to assess biological and ecological site condition during and between the 10-year biological monitoring events.

The Biological Inspection Report shall include, at a minimum:

1. A description of the overall physical, biological, and ecological conditions of the Preserve;
2. A description of the rainfall conditions over the past year including timing and amount of rainfall;
3. Specific discussions of the general conditions of the vernal pools and grasslands from a habitat perspective;
4. A discussion of any new or worsening problems such as soil erosion or exotic pest plant invasions;
5. Recommendations for any corrective actions or adaptive management; and
6. Photographs taken from established photo-documentation points and other points of interest on the Preserve.

The Biological Inspection Report shall be completed and provided to the Land Owner by December 1 of each monitoring year.

## **SECTION 5.0 REFERENCES**

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## **APPENDICES A**

### **TITLE REPORT**

CONCEPTUAL DRAFT





# Chicago Title Company

**ISSUING OFFICE:** 8050 N. Palm Ave., Suite 110 • Fresno, CA 93711

**FOR SETTLEMENT INQUIRIES, CONTACT:** Chicago Title Company - Fresno Palm  
7330 N. Palm Avenue, Suite 101 • Fresno, CA 93711  
559 451-3700 • FAX : CALL FOR #

## PRELIMINARY REPORT

Title Officer: Christine Upton  
Escrow Officer: Charlene Friesen  
Escrow No.: 12-**45038313**-CRF

Title No.: 12-**50607223**-CU  
Locate No.: CACTI7720-7710-4450-0050607223

TO: Ewell Group  
466 W. FALLBROOK #101  
Fresno, CA 93711

ATTN: AUSTIN EWELL

### PROPERTY ADDRESS:

051-035-004, as to Parcel 1  
051-035-005, as to Parcels 2 and 3  
051-035-002, as to Parcel 4  
051-035-003, as to Parcel 5  
051-051-011, as to Parcels 6, 9, 10, 11, 12 and 13  
051-051-001, as to Parcel 7  
051-036-003, as to Parcel 14  
051-155-001, as to Parcel 15  
051-161-001, as to Parcel 16  
Madera, California

**EFFECTIVE DATE: May 31, 2012, 07:30 A.M.**

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

CLTA Standard Coverage Policy - 1990

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:
2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:  
  
**William O. Jamison and Cinda L. Jamison,  
husband and wife, as joint tenants , as to Parcels 1 through 13**  
  
**William O. Jamison, a married man as his sole and separate property, by Deed recorded of  
Parcel 14, 15 and 16**
3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:  
  
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

BB\BB 06/19/2012

**LEGAL DESCRIPTION**

**EXHIBIT "A"**

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

**PARCEL NO. 1:** APN: 051-035-004

The N 1/2 of the NE 1/4 of Section 13, Township 10 South, Range 20 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Madera, State of California according to the official plat thereof.

**PARCEL NO. 2:** APN: 051-035-05 (portion)

The SE 1/4 of the SE 1/4 of Section 13, Township 10 South, Range 20 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Madera, State of California according to the official plat thereof.

**PARCEL NO. 3:** APN: 051-035-005 (portion)

The S 1/2 of the NE 1/4, the N 1/2 of the SE 1/4 and the SW 1/4 of the SE 1/4 of Section 13, Township 10 South, Range 20 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Madera, State of California according to the official plat thereof.

**PARCEL NO. 4:** APN: 051-035-002

The South 1/2 of the Northwest 1/4 of Section 13, Township 10 South, Range 20 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Madera, State of California according to the official plat thereof.

**PARCEL NO. 5:** APN: 051-035-003

The Southwest 1/4 of Section 13, Township 10 South, Range 20 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Madera, State of California according to the official plat thereof.

**PARCEL NO. 6:** APN: 051-051-011 (portion)

The Southeast 1/4 of the Northwest 1/4, the Southwest 1/4 of the Northeast 1/4, lying west of the Westerly line of the lands conveyed to Minarets & Western Railway Company, a Corporation in Deed recorded April 8, 1921 in Book 98 of Deeds at page 388, Madera County Records and the Northeast 1/4 of the Southwest 1/4 of Section 18, Township 10 South, Range 21 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Madera, State of California according to the official plat thereof.

**PARCEL NO. 7:** APN: 051-051-001

Government Lots 1 and 2 in Section 18, Township 10 South, Range 21 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Madera, State of California according to the official plat thereof.

**PARCEL NO. 8:** APN: 051-051-011 (portion)

All that portion of the North 1/2 of the Southeast 1/4 of Section 18, Township 10 South, Range 21 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Madera, State of California according to the official plat thereof lying West of the Westerly line of the lands conveyed to Minarets & Western Railway Company, a Corporation, by Deed recored April 8, 1921 in Book 98 of Deeds, page 388, Madera County Records and lying North of the County Road, as said road existed on April 19, 1941.

**PARCEL NO. 9:** APN: 051-051-011 (portion)

All that portion of the Southeast 1/4 of Section 18, Township 10 South, Range 21 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Madera, State of California according to the official plat thereof, lying Easterly of the Easterly line of the lands conveyed to Minarets and Western Railway Company, a Corporation by Deed recorded April 8, 1921 in Book 98 of Deeds, page 388, Madera County Records.

EXCEPTING THEREFROM all that portion thereof, described as follows:

Beginning at a point on the East line of said section 18 which bears North 2° 31' 0" East, 995.27 feet from the South East corner of said Section 18, said point of beginning being the intersection of the East line of said Section 18 with the centerline of new County Road 210 at station 5+74.94; thence North 2° 31' 0" East along said East Section line 40.16 feet; thence South 87° 22' 0" West 578.55 feet; thence South 2° 38' 0" East 80.00 feet; thence North 87° 22' 0" East 571.34 feet to the East line of said Section 18; thence North 2° 31' 0" East along said East line 40.16 feet to the point of beginning.

ALSO EXCEPTING THEREFROM that portion thereof conveyed to the County of Madera by Deed recorded December 20, 1996 as Document No. 9634359.

AND ALSO EXCEPTING THEREFROM that portion thereof conveyed to Randy M. McDowell and Sandra G. McDowell, husband and wife by Deed recorded January 29, 1997 as Document No. 9702214.

FURTHER EXCEPTING THEREFROM that portion thereof conveyed to Eddie A. Fowler, an unmarried man by Deed recorded May 8, 1997 as Document No. 9711612.

**PARCEL NO. 10:** APN: 051-051-011 (portion)

Government Lot 3 in Section 18, Township 10 South, Range 21 East Mount Diablo Base and Meridian, in the unincorporated area, County of Madera, State of California according to the official plat thereof.

**PARCEL NO. 11:** APN: 051-051-011 (portion)

All that portion of the Northwest 1/4 of the Southeast 1/4, lying South of the County Road, as said road existed on April 19, 1941 and all that portion of the Southwest quarter of the Southeast quarter, lying North of the County Road, as said road existed on April 19, 1941, and lying West of the West line of the lands conveyed to Minarets and Western Railway Company, a Corporation, by Deed recorded April 8, 1921 in Book 98 of Deeds, page 388, Madera County Records, all being in Section 18, Township 10 South, Range 21 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Madera, State of California according to the official plat thereof.

EXCEPTING THEREFROM any portion thereof lying within the boundaries of a parcel of land conveyed to the County of Madera by Deed recorded December 20, 1996 as Document No. 9634359.

ALSO EXCEPTING THEREFROM any portion thereof lying within the boundaries of a parcel of land conveyed to Randy M. McDowell and Sandra G. McDowell, husband and wife by Deed recorded December 29, 1997 as Document No. 9702214.

AND ALSO EXCEPTING THEREFROM any portion thereof lying within the boundaries of a parcel of land conveyed to Eddie A. Fowler, an unmarried man by Deed recorded May 8, 1997 as Document No. 9711612.

**PARCEL 12:** APN: 051-011-011 (portion)

All those portions of the following described Parcels A and B which lie within the SE 1/4 of Section 18, Township 10 South, Range 21 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Madera, State of California according to the official plat thereof.  
Parcel A:

A strip of land or tract of land 100 feet in width, lying equally 50 feet on either side of the former center line of



the Minarets & Western Railway Company's railroad, more particularly described as follows, to wit: Beginning at a point where said former center line of railroad crossed the South line of Section 18, Township 10 South, Range 21 East, M.D.B. & M., which point is known as Engineer's Survey Station "H" 260 plus 14.7 point on tangent, which point is distant 1618.3 feet, more or less, measured North 89° 00 1/2' West on and along said South line of said Section from the SE corner thereof; thence in a Northerly direction on and along said center line of railroad a distance of 4129.3 feet, more or less, to a point on the North line of the SW 1/4 of the NE 1/4 of said Section 18 which point is distant 183.0 feet, more or less, measured West on and along said North line of said SW 1/4 of NE 1/4 from the NE corner thereof.

**Parcel B:**

A strip or tract of land 50 feet in width lying parallel with and immediately adjacent to on the Westerly side of the above described strip or tract of land, and more particularly described as follows:

Beginning at a point on the Northerly line of the County Road, which point is distant 50 feet, measured on and along said North line of County Road from a point on the center line of the said Former Minarets & Western Railway Company's railroad, known as Engineers Survey Station "H" 272 plus 10, point on tangent; thence in a Northerly direction parallel with and uniformly 50 feet distant from said center line of railroad to a point 50 feet distant, measured at right angles in a Southerly and Westerly direction from a point on said center line of railroad known as Engineer's survey Station "H" 292 plus 10, point on tangent.

EXCEPTING FROM said Parcels A and B, those portions lying within a parcel of land conveyed to the County of Madera by Deed recorded December 20, 1996 as Document No. 9634359.

ALSO EXCEPTING FROM said Parcels A and B, those portions lying within a parcel of land conveyed to Randy M. McDowell and Sandra G. McDowell by Deed recorded January 29, 1997 as Document No. 9702214.

**PARCEL 13:** APN: 051-051-011 (portion)

All those portions of the following described parcels A and B which lie within the South half of the Northeast 1/4 of Section 18, Township 10 South, Range 21 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Madera, State of California according to the official plat thereof.

**Parcel A:**

A strip of land or tract of land 100 feet in width, lying equally 50 feet on either side of the former center line of the Minarets & Western Railway Company's railroad, more particularly described as follows, to wit: Beginning at a point where said former center line of railroad crossed the South line of Section 18, Township 10 South, Range 21 East, M.D.B. & M., which point is known as Engineer's Survey Station "H" 260 plus 14.7 point on tangent, which point is distant 1618.3 feet, more or less, measured North 89° 00 1/2' West on and along said South line of said Section from the SE corner thereof; thence in a Northerly direction on and along said center line of railroad a distance of 4129.3 feet, more or less, to a point on the North line of the SW 1/4 of the NE 1/4 of said Section 18 which point is distant 183.0 feet, more or less, measured West on and along said North line of said SW 1/4 of NE 1/4 from the NE corner thereof.

**Parcel B:**

A strip or tract of land 50 feet in width lying parallel with and immediately adjacent to on the Westerly side of the above described strip or tract of land, and more particularly described as follows:

Beginning at a point on the Northerly line of the County Road, which point is distant 50 feet, measured on and along said North line of County Road from a point on the center line of the said Former Minarets & Western Railway Company's railroad, known as Engineers Survey Station "H" 272 plus 10, point on tangent; thence in a Northerly direction parallel with and uniformly 50 feet distant from said center line of railroad to a point 50 feet distant, measured at right angles in a Southerly and Westerly direction from a point on said center line of railroad known as Engineer's survey Station "H" 292 plus 10, point on tangent.

**PARCEL 14:** APN: 051-036-003

Pursuant to LLA 2005-31, All that portion of Sections 23, 24 and 26, Township 10 South, range 20 East, Mount

Diablo Base and Meridian, in the unincorporated area, County of Madera, State of California according to the Official Plat thereof lying Southerly of County Road #208, being more particularly described as follows:

Beginning at the North 1/4 corner of said Section 24; thence South 0°04'08" East 2643.12. feet to the center 1/4 corner of Section 24; thence North 89°02'08" East 2659.43 feet to the East 1/4 corner of Section 24; thence South 0°06'35" West 2649.14 feet to the Southeast corner of Section 24; thence South 89°11'28" West 5302.14 feet to the Southwest corner of Section 24; thence South 0°53'46" West 2634.59 feet to the East 1/4 corner of said Section 26; thence South 0°25'21" East 1305.98 feet to the Southeast corner of the North 1/2 of the Southeast 1/4 of said Section 26; thence South 89°38'07" West 2639.13 feet to the Southwest corner of said North 1/2 of the Southeast 1/4; thence South 89°38'10" West 329.64 feet to the intersection with the court ordered partition line; thence along said partition line North 7°07'00" West 510.95 feet; thence North 7°29'40" West 440.27 feet; thence North 7°42'02" West 300.13 feet; thence North 30°48'29" West 76.17 feet; thence North 2°36'01" West 178.90 feet; thence North 0°56'42" East 129.64 feet; thence North 0°08'27"E. 179.16 feet; thence North 2°17'11" West 219.35 feet thence North 0°33'24" East 266.29 feet; thence North 2°08'28" West 193.97 feet; Thence South 71°07'52" West 207.62 feet; thence North 84°06'57"West 313.16 feet; thence North 15°22'05" East 144.64 feet; thence North 16°04'19" West 24.94 feet; thence North 7°24'26" East 91.29 feet; thence North 7°18'41" East 381.55 feet; thence North 8°45'32"E. 151.19 feet; thence North 77°11'57" West. 252.39 feet; thence North 78°16'44" West. 166.90 feet; thence North 6°29'27" East 109.49 feet; thence North 35°21'48" East 320.63 feet; thence North 33°18'50" West 298.64 feet thence North 9°45'56" West 636.05 feet; thence North 22°04'25" West 469.41 feet to the centerline of Madera County Road #208; which bears North 44°08'56" West 1470.21 feet from the Southwest corner of said Section 23 thence Northeasterly along said centerline 7722feet more or less to the intersection with the North line of the Northwest 1/4 of said Section 24; thence along said North line North 89°15'38" East 835.30 feet to the POINT OF BEGINNING.

**PARCEL 15: APN: 051-155-001**

The Northeast quarter, the North half of the Northwest quarter, the North half of the Southeast quarter and the Southeast quarter of the Southeast quarter of Section 25; all in Township 10 South, Range 21 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Madera, State of California according to the official plat thereof.

**PARCEL 16: APN: 051-161-001**

and Lots 1 and 2, being the West half of the Northwest quarter of Section 30, in Township 10 South, Range 21 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Madera, State of California according to the official plat thereof.

APN: 051-035-002,003,004,005, 051-036-003, 051-161-001, 051-155-001, 051-051-011 and 001

**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:**

**EXCEPTIONS AFFECTING PARCELS 1, 2 AND 3**

1. **Property taxes**, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2012-2013.
2. **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.
3. **Rights of the public** as to any portion of the land lying within the area commonly known as County Road 208 and Andrew Johnson Road.
4. **Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: County of Fresno  
Purpose: for a public road 60 feet in width  
Recorded: October 26, 1886, Book 52, Page 45 of Deeds,

The exact location and extent of said easement is not disclosed of record.

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

Granted to: County of Fresno  
Purpose: for a public road 60 feet in width  
Recorded: May 16, 1887, Book 58, Page 409 of Deeds,

The exact location and extent of said easement is not disclosed of record.

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

Granted to: County of Madera  
Purpose: public highway  
Recorded: December 19, 1894, Book 5, Page 37 of Deeds,  
Affects: S 1/2 of the SE 1/4 of Section 13

The exact location and extent of said easement is not disclosed of record.



**7. Covenants and restrictions** imposed by a Land Conservation Contract executed pursuant to Section 51200 et seq. California Government Code.

Dated: February 7, 1978  
Executed by: Ruth Klette Hjelm aka Ruth Hjelm, as Owner(s) and the County of Madera  
Recorded: February 17, 1978, Instrument No. 4041, Book 1380, Page 280, of Official Records  
Affects: Parcel No. 1

Partial Non-Renewal of Williamson Act Contract 2690-C-78, recorded November 8, 2006, as Document No. 2006050580, of Official Records.

Matters contained in that certain document entitled "Notice of Implementation Under Williamson Act, IMPLEMENTATION OF AB 1265 (AB1265) FOR FISCAL YEAR 2011/2012 GOVERNMENT CODE SECTION 51244(b)(2) LIST OF AFFECTED PARCELS MODIFICATION TO ALL AFFECTED WILLIAMSON ACT AND FARMLAND SECURITY ZONE CONTRACTS MODIFICATION OF WILLIAMSON ACT UNIFORM RULES AND PROCEDURES " dated September 22, 2011, executed by Madera County Planning Director, recorded September 27, 2011, Instrument No. 2011026291, of Official Records, which document, among other things, contains or provides for: as set forth therein.

Reference is hereby made to said document for full particulars.

**8. Covenants and restrictions** imposed by a Land Conservation Contract executed pursuant to Section 51200 et seq. California Government Code.

Dated: February 7, 1984  
Executed by: Ruth Klette Hjelm, as Owner(s) and the County of Madera  
Recorded: February 17, 1984, Instrument No. 3313, Book 1744, Page 396, of Official Records  
Affects: Parcels 2 and 3

Reference is made to said document for full particulars.

Matters contained in that certain document entitled "Notice of Implementation Under Williamson Act, IMPLEMENTATION OF AB 1265 (AB1265) FOR FISCAL YEAR 2011/2012 GOVERNMENT CODE SECTION 51244(b)(2) LIST OF AFFECTED PARCELS MODIFICATION TO ALL AFFECTED WILLIAMSON ACT AND FARMLAND SECURITY ZONE CONTRACTS MODIFICATION OF WILLIAMSON ACT UNIFORM RULES AND PROCEDURES " dated September 22, 2011, executed by Madera County Planning Director, recorded September 27, 2011, Instrument No. 2011026291, of Official Records, which document, among other things, contains or provides for: as set forth therein.

Reference is hereby made to said document for full particulars.

9. **An Agreement, affecting** the premises herein stated, for the purposes stated therein, upon the terms, covenants and conditions referred to therein, between the parties named herein

For: Certain, Covenants, Conditions and Restrictions, pertaining to said land

Dated: February 14, 1990

First Party: William O. Jamison and Cinda L. Jamison, husband and wife

Second Party: James A. McDougald and Sandra L. McDougald

Recorded: March 8, 1990 as Document 905732, of Official Records

Reference is made to said document for full particulars.

10. **An Agreement, affecting** the premises herein stated, for the purposes stated therein, upon the terms, covenants and conditions referred to therein, between the parties named herein

For: Fence Agreement

Dated: March 10, 1990

First Party: William O. Jamison and Cinda L. Jamison, husband and wife

Second Party: James A. McDougald and Sandra L. McDougald, husband and wife

Recorded: May 18, 1990 as Document No. 9012532, of Official Records

Reference is made to said document for full particulars.

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

Amount: \$2,500,000.00

Dated: January 28, 2008

Trustor: WILLIAM O. JAMISON and CINDA L. JAMISON, husband and wife

Trustee: Chicago Title Company

Beneficiary: THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, a New Jersey corporation

Loan No.: 717609915

Recorded: February 5, 2008, Instrument No. 2008003671, of Official Records

Affects: Parcels 1 through 13 and other property not covered in this report.

12. **Matters** which may be disclosed by an inspection and/or by a correct ALTA/ACSM Land Title Survey of said land that is satisfactory to this Company, and/or by inquiry of the parties in possession thereof.

13. **Any easements** not disclosed by those public records which impart constructive notice as to matters affecting title to real property and which are not visible and apparent from an inspection of the surface of said land.

14. **Water rights, claims or title to water**, whether or not disclosed by the public records.

**EXCEPTIONS AFFECTING PARCELS 4 AND 5**

15. **Property taxes**, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2012-2013.
16. **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.
17. **Rights of the public** as to any portion of the land lying within the area commonly known as County Road 208.
18. **Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.
- |             |   |
|-------------|---|
| Granted to: | County of Fresno                          |
| Purpose:    | public road                               |
| Recorded:   | May 16, 1887, Book 58, Page 409 of Deeds, |
| Affects:    | 60 feet in width                          |

The exact location and extent of said easement is not disclosed of record.

19. **Covenants and restrictions** imposed by a Land Conservation Contract executed pursuant to Section 51200 et seq. California Government Code.
- |              |  |
|--------------|--|
| Dated:       | February 14, 1984  |
| Executed by: | Ruth Klette Hjelm, as Owner(s) and the County of Madera                          |
| Recorded:    | February 17, 1984, Instrument No. 3313, Book 1744, Page 396, of Official Records |
| Affects:     | Parcels 4 and 5  |

Reference is made to said document for full particulars.

Matters contained in that certain document entitled "Notice of Implementation Under Williamson Act, IMPLEMENTATION OF AB 1265 (AB1265) FOR FISCAL YEAR 2011/2012 GOVERNMENT CODE SECTION 51244(b)(2) LIST OF AFFECTED PARCELS MODIFICATION TO ALL AFFECTED WILLIAMSON ACT AND FARMLAND SECURITY ZONE CONTRACTS MODIFICATION OF WILLIAMSON ACT UNIFORM RULES AND PROCEDURES " dated September 22, 2011, executed by Madera County Planning Director, recorded September 27, 2011, Instrument No. 2011026291, of Official Records, which document, among other things, contains or provides for: as set forth therein.

Reference is hereby made to said document for full particulars.



- 20. An Agreement, affecting** the premises herein stated, for the purposes stated therein, upon the terms, covenants and conditions referred to therein, between the parties named herein

For: Fence Agreement

Dated: March 10, 1990

First Party: William O. Jamison and Cinda L. Jamison, husband and wife

Second Party: James A. McDougald, Neil K. McDougald and Sandra L. McDougald

Recorded: May 18, 1990 as Document No. 9012532, of Official Records

Reference is made to said document for full particulars.

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

Amount: \$2,500,000.00

Dated: January 28, 2008

Trustor: WILLIAM O. JAMISON and CINDA L. JAMISON, husband and wife

Trustee: Chicago Title Company

Beneficiary: THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, a New Jersey corporation

Loan No.: 717609915

Recorded: February 5, 2008, Instrument No. 2008003671, of Official Records

Affects: Parcels 1 through 13 and other property not covered in this report.

- 22. Matters** which may be disclosed by an inspection and/or by a correct ALTA/ACSM Land Title Survey of said land that is satisfactory to this Company, and/or by inquiry of the parties in possession thereof.

- 23. Any easements** not disclosed by those public records which impart constructive notice as to matters affecting title to real property and which are not visible and apparent from an inspection of the surface of said land.

- 24. Water rights, claims or title to water**, whether or not disclosed by the public records.

#### **EXCEPTIONS AFFECTING PARCELS 6 THROUGH 13**

- 25. Property taxes**, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2012-2013.

- 26. 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.

- 27. Rights of the public** as to any portion of the land lying within the area commonly known as County Road 208.

- 28. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: County of Madera  
Purpose: right of way and incidents thereto for a public highway  
Recorded: February 5, 1919, Book 34, Page 312 of Deeds,

The exact location and extent of said easement is not disclosed of record.

- 29. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Pacific Gas & Electric Company  
Purpose: the right to construct, reconstruct, maintain and operate for the transmission of electricity, a single line of wood or steel poles, or towers, and such wires, cross arms, fixtures, appliances or guys as may from time to time be placed thereupon  
Recorded: January 19, 1940, Instrument No. 30989, Book 251, Page 88, of Official Records  
Affects: Parcel 9

Reference is made to said document for full particulars.

- 30. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Pacific Gas & Electric Company  
Purpose: right to construct, reconstruct, maintain and operate, for the transmission of electricity, a single line of wood or steel poles, or towers, and such wires, cross arms fixtures, appliances and guys as may from time to time be placed thereupon said property  
Recorded: February 28, 1940, Book 256, Page 37, of Official Records  
Affects: said land

The exact location and extent of said easement is not disclosed of record.

- 31. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Ponderosa Telephone Company  
Purpose: the right to enter upon 100 foot former railroad, and to construct, reconstruct, operate and maintain on or under said lands and in upon or under all streets, roads or highways abutting said lands  
Recorded: April 7, 1970, Book 1058, Page 309, of Official Records

The exact location and extent of said easement is not disclosed of record.

**32. Covenants and restrictions** imposed by a Land Conservation Contract executed pursuant to Section 51200 et seq. California Government Code.

Dated: February 7, 1978  
Executed by: Ruth Klette Hjelm aka Ruth Hjelm, as Owner(s) and the County of Madera  
Recorded: February 17, 1978, Instrument No. 4041, Book 1380, Page 280, of Official Records  
Affects: Parcels 7, 9, 11, 12 and 13

Matters contained in that certain document entitled "Notice of Implementation Under Williamson Act, IMPLEMENTATION OF AB 1265 (AB1265) FOR FISCAL YEAR 2011/2012 GOVERNMENT CODE SECTION 51244(b)(2) LIST OF AFFECTED PARCELS MODIFICATION TO ALL AFFECTED WILLIAMSON ACT AND FARMLAND SECURITY ZONE CONTRACTS MODIFICATION OF WILLIAMSON ACT UNIFORM RULES AND PROCEDURES " dated September 22, 2011, executed by Madera County Planning Director, recorded September 27, 2011, Instrument No. 2011026291, of Official Records, which document, among other things, contains or provides for: as set forth therein.

Reference is hereby made to said document for full particulars.

**33. Covenants and restrictions** imposed by a Land Conservation Contract executed pursuant to Section 51200 et seq. California Government Code.

Dated: February 6, 1979  
Executed by: Ruth Klette Hjelm aka Ruth Hjelm, as Owner(s) and the County of Madera  
Recorded: February 27, 1979, Instrument No. 4598, Book 1447, Page 296, of Official Records  
Affects: Parcels 6, 8 and 10

Matters contained in that certain document entitled "Notice of Implementation Under Williamson Act, IMPLEMENTATION OF AB 1265 (AB1265) FOR FISCAL YEAR 2011/2012 GOVERNMENT CODE SECTION 51244(b)(2) LIST OF AFFECTED PARCELS MODIFICATION TO ALL AFFECTED WILLIAMSON ACT AND FARMLAND SECURITY ZONE CONTRACTS MODIFICATION OF WILLIAMSON ACT UNIFORM RULES AND PROCEDURES " dated September 22, 2011, executed by Madera County Planning Director, recorded September 27, 2011, Instrument No. 2011026291, of Official Records, which document, among other things, contains or provides for: as set forth therein.

Reference is hereby made to said document for full particulars.



- 34. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Ponderosa Telephone Company  
 Purpose: right of way to place buried cable to serve this and adjacent properties and from time to time, to construct, reconstruct, excavate, install, inspect, repair replace, further extend, operate and maintain on above or under the above described real property and or in, upon or under all streets roads or highways abutting said real property, a telephone line or system, including, but not limited to, poles, wires, above or below ground installationns, and other facilities and appurtenances thereto, to cut, trim, or otherwise control the growth of trees and shrubbery that may interfere with or threaten to endanger the operation and maintenance of said line of system, and to license, permit or otherwise agree to joint use or occupance of said line or system by any other person, film or corporation for telephone, electrification or other cable transmission purposes  
 Recorded: June 26, 1985, Instrument No. 12862, Book 1833, Page 263, of Official Records  
 Affects: Parcels 6, 8, 9, 10, 12 and 13

The exact location and extent of said easement is not disclosed of record.

- 35. An Agreement, affecting** the premises herein stated, for the purposes stated therein, upon the terms, covenants and conditions referred to therein, between the parties named herein

For: Fence Agreement  
 Dated: March 10, 1990  
 First Party: William O. Jamison and Cinda L. Jamison  
 Second Party: James A. McDougald and Neil K. McDougald and Sandra McDougald  
 Recorded: May 18, 1990 as Document No. 9012532, of Official Records

Reference is made to said document for full particulars.

- 36. A Notice of** Manufactured Home (Mobilehome) or Commercial Coach, Installation on a Foundation System recorded October 11, 1995 as Document No. 9525930.

Affects: Parcels 6, 8, 10 and 11

- 37. A Right-To-Farm Notice** recorded April 25, 1997 as Document No. 9710562 Official Records.

- 38. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Pacific Gas & Electric Company, a California Corporation  
 Purpose: public utilities, ingress and egress  
 Recorded: June 4, 1998, Instrument No. 9815639, of Official Records  
 Affects: said land

Restrictions on the use, by the owners of said land, of the easement area as set forth in the easement document shown hereinabove.

Reference is made to said document for full particulars.

- 39. Any discrepancies in boundary** or area or any rights which may arise or exist which are disclosed by a Map of Survey on said property.

Dated: December 30, 1999

Recorded: in Book 48, Page 64 of Record of Surveys

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

Amount: \$2,500,000.00

Dated: January 28, 2008

Trustor: WILLIAM O. JAMISON and CINDA L. JAMISON, husband and wife

Trustee: Chicago Title Company

Beneficiary: THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, a New Jersey corporation

Loan No.: 717609915

Recorded: February 5, 2008, Instrument No. 2008003671, of Official Records

Affects: Parcels 1 through 13 and other property not covered in this report.

- 41. Matters** which may be disclosed by an inspection and/or by a correct ALTA/ACSM Land Title Survey of said land that is satisfactory to this Company, and/or by inquiry of the parties in possession thereof.

- 42. Any facts, rights, interests or claims** which a correct survey would disclose and which are not disclosed by the public records.

- 43. Any easements** not disclosed by those public records which impart constructive notice as to matters affecting title to real property and which are not visible and apparent from an inspection of the surface of said land.

- 44. Water rights, claims or title to water**, whether or not disclosed by the public records.

#### **EXCEPTIONS AFFECTING PARCELS 14, 15 and 16**

- 45. Property taxes**, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2012-2013.

- 46. 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.

**47. Reservations** contained in the Patent

From: The United States of America  
Recorded: of Patents

Which among other things recites as follows:

Subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of the courts; and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and the reservation from the lands hereby granted of a right of way thereon for ditches or canals constructed by the authority of the United States.

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

Granted to: the County of Madera  
Purpose: a public highway 60 feet wide  
Recorded: December 8, 1909, Book 34, Page 162, of Deeds  
Affects: a strip of land 60 feet wide over the East half of the Southeast quarter of Section 22, all of Section 23, and the Northwest quarter of Section 24, Township 10 South Range 20 East.

**49. Rights of the public** as to any portion of the land lying within the area commonly known as ROAD NO. 208.**50. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Pacific Gas and Electric Company  
Purpose: transmission and distribution of electricity such as a single line of poles  
Recorded: August 11, 1941, Book 289, Page 177, of Official Records  
Affects: The exact location and extent of said easement is not disclosed of record.

**51. Covenants and restrictions** imposed by a Land Conservation Contract executed pursuant to Section 51200 et seq. California Government Code.

Dated: February 21, 1968  
Executed by: John K. Jamison and Betty F. Jamison, and the County of Madera  
Recorded: February 28, 1968, Instrument No. 8106, Book 1014, Page 73, of Official Records



**Matters** contained in that certain document entitled "PARTIAL NONRENEWAL" dated November 21, 2006, executed by and between WILLIAM O. JAMISON and the County of Madera recorded November 28, 2005, Instrument No. 2005056809, of Official Records, which document, among other things, contains or provides for: The following parcels are "nonrenewed"  
Assessor's Parcel Numbers 051-186-002, 051-192-001, 051-215-002, 051-220-001..

Reference is hereby made to said document for full particulars.

**Matters** contained in that certain document entitled "OWNER'S NOTICE OF PARTIAL NONRENEWAL OF LAND CONSERVATION CONTRACT" dated November 21, 2006, executed by and between JOHN K. JAMISON AND BETTY F. JAMISON, ET AL and the County of Madera recorded November 28, 2006, Instrument No. 2006053086, of Official Records, which document, among other things, contains or provides for: The following parcels are "nonrenewed"  
Assessor's Parcel Numbers 051-191-001.

Reference is hereby made to said document for full particulars.

Matters contained in that certain document entitled "Notice of Implementation Under Williamson Act, IMPLEMENTATION OF AB 1265 (AB1265) FOR FISCAL YEAR 2011/2012 GOVERNMENT CODE SECTION 51244(b)(2) LIST OF AFFECTED PARCELS MODIFICATION TO ALL AFFECTED WILLIAMSON ACT AND FARMLAND SECURITY ZONE CONTRACTS MODIFICATION OF WILLIAMSON ACT UNIFORM RULES AND PROCEDURES " dated September 22, 2011, executed by Madera County Planning Director, recorded September 27, 2011, Instrument No. 2011026291, of Official Records, which document, among other things, contains or provides for: as set forth therein.

Reference is hereby made to said document for full particulars.

- 52. Matters** contained in that certain document entitled "License for Diversion and Use of Water" dated , recorded June 9, 1971, Instrument No. 6678, Book 1092, Page 402, of Official Records.

Reference is hereby made to said document for full particulars.

- 53. Matters** contained in that certain document entitled "License for Diversion and Use of Water" dated , recorded June 11, 1971, Instrument No. 6862, Book 1092, Page 638, of Official Records.

Reference is hereby made to said document for full particulars.

- 54. Matters** contained in that certain document entitled "INTERLOCUTORAY JUDGMENT OF PARTITION" dated April 4, 2003, executed by SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA recorded June 9, 2006, Instrument No. 2006025744, of Official Records, which document, among other things, contains or provides for: which among other things states:

Plaintiffs (JOHN O. JAMISON, et al) are awarded defendants' (BETTY F. JAMISON, et al) interest in Assessor Parcel Numbers 051-146-003, 051-151-003 and 051-032-008 and those portions of Assessor Parcel Numbers 051-034-01 and 051-036-01 lying northerly of the centerline of Madera County Road No. 208, togetehr with that portion of Assessor Parcel Number 051-153-01 lying easterly of the fence line as depicted on Exhibit 1-4

The parties are ordered to execute any and all documents necessary to effectuate the division of the property as ordered by the court, including such deeds as are necessary to transfer title to the property and to effectuate any lot line adjustment necessary to reconfigure the parcels in accordance wit the court's order.

NOTE: said Exhibit 1-4, was not attached to this document..

Reference is hereby made to said document for full particulars.

- 55. Matters** contained in that certain document entitled "Lot Line Adjustment 2005-31" dated , executed by Planning Department, County of Madera recorded April 19, 2006, Instrument No. 2006017610, of Official Records, which document, among other things, contains or provides for: said document states "The undersigned is the owner of the real property described as Assessor's parcel Number 051-034-001, 051-036-001 & 051-153-001 and hereby requests the County of Madera to adjust the property line(s) as shown on the maps attached hereto."

NOTE; There were no maps attached to said document..

Reference is hereby made to said document for full particulars.

- 56. Matters** contained in that certain document entitled "RIGHT-TO-FARM NOTICE" dated April 18, 2006, executed by The County of Madera recorded April 19, 2006, Instrument No. 2006-00017613, of Official Records.

Reference is hereby made to said document for full particulars.

- 57. Matters** which may be disclosed by an inspection and/or by a correct ALTA/ACSM Land Title Survey of said land that is satisfactory to this Company, and/or by inquiry of the parties in possession thereof.

- 58. Any facts, rights, interests or claims** which a correct survey would disclose and which are not disclosed by the public records.

- 59. Any easements** not disclosed by those public records which impart constructive notice as to matters affecting title to real property and which are not visible and apparent from an inspection of the surface of said land.

- 60. Water rights, claims or title to water**, whether or not disclosed by the public records.

**END OF ITEMS****Note 1. \*\*\*IMPORTANT RECORDING NOTE\*\*\***

For Madera County, please send all original documents for recording to the following office:

Chicago Title Company  
1653 N. Schnoor Ave., Ste 107  
Madera, CA 93637  
Phone (559) 673-3551  
Attn: Recording Desk

Please direct all other title communication and copies of documents, including recording release instructions, policy write-up instructions, lenders instructions and settlement statements, to the Title Only Department of the issuing office.

**Note 2. The name(s) of the buyer(s) furnished with this application for Title Insurance is/are:**

The Ewell Group, LLC and JPJ Development, a (unknown type of entity at this time)

If these names are incorrect, incomplete or misspelled, please notify the Company.

**Note 3. Before issuing its policy of title insurance, this Company will require for review, the following documents from the Limited Liability Company named below.**

Limited Liability Company: The Ewell Group, LLC

- (a) A copy of its operating agreement and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.
- (b) Confirmation that its Articles of Organization (LLC-1), and Certificate of Amendment (LLC-2), any restated Articles of Organization (LLC-10) and/or Certificate of Correction (LLC-11) have been filed with the Secretary of State.
- (c) If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.
- (d) If the Limited Liability Company was formed in a foreign jurisdiction, evidence satisfactory to the Company, that it was validly formed, is in good standing and authorized to do business in the state of origin.
- (e) If the Limited Liability Company was formed in a foreign jurisdiction, evidence satisfactory to the Company, that it has complied with California "doing business" laws, if applicable.

After review of the requested documents, the Company reserves the right to add additional items or make additional requirements prior to the issuance of any policy of title insurance.



**Note 4.** The current owner does NOT qualify for the \$20.00 discount pursuant to the coordinated stipulated judgments entered in actions filed by both the Attorney General and private class action plaintiffs for the herein described property.

**Note 5.** There are NO deeds affecting said land, recorded within twenty-four (24) months of the date of this report.

**Note 6.** The charge for a policy of title insurance, when issued through this title order, will be based on the Basic (not Short-Term) Title Insurance Rate.

**Note 7.** Property taxes for the fiscal year shown below are PAID. For proration purposes the amounts are:

Tax Identification No.: 051-035-004-000  
Fiscal Year: 2011 - 2012  
1st Installment: \$108.18  
2nd Installment: \$108.18  
Exemption: \$0.00  
Land: \$16,305.00  
Improvements: \$0.00  
Personal Property: \$0.00  
Code Area: 083-010

**Note 8.** Property taxes for the fiscal year shown below are PAID. For proration purposes the amounts are:

Tax Identification No.: 051-035-005-000  
Fiscal Year: 2011 - 2012  
1st Installment: \$324.53  
2nd Installment: \$324.53  
Exemption: \$0.00  
Land: \$48,916.00  
Improvements: \$0.00  
Personal Property: \$0.00  
Code Area: 083-010

**Note 9.** Property taxes for the fiscal year shown below are PAID. For proration purposes the amounts are:

Tax Identification No.: 051-035-002-000  
Fiscal Year: 2011 - 2012  
1st Installment: \$108.18  
2nd Installment: \$108.18  
Exemption: \$0.00  
Land: \$16,305.00  
Improvements: \$0.00  
Personal Property: \$0.00  
Code Area: 083-010

**Note 10.** Property taxes for the fiscal year shown below are PAID. For proration purposes the amounts are:

Tax Identification No.: 051-035-003-000  
Fiscal Year: 2011 - 2012  
1st Installment: \$216.35  
2nd Installment: \$216.35  
Exemption: \$0.00  
Land: \$32,611.00  
Improvements: \$0.00  
Personal Property: \$0.00  
Code Area: 083-010

**Note 11.** Property taxes for the fiscal year shown below are PAID. For proration purposes the amounts are:

Tax Identification No.: 051-051-011-000  
Fiscal Year: 2011 - 2012  
1st Installment: \$724.98  
2nd Installment: \$724.98  
Exemption: \$0.00  
Land: \$44,194.00  
Improvements: \$47,322.00  
Personal Property: \$35,980.00  
Code Area: 083-010

**Note 12.** Property taxes for the fiscal year shown below are PAID. For proration purposes the amounts are:

Tax Identification No.: 051-051-001-000  
Fiscal Year: 2011 - 2012  
1st Installment: \$103.79  
2nd Installment: \$103.79  
Exemption: \$0.00  
Land: \$15,647.00  
Improvements: \$0.00  
Personal Property: \$0.00  
Code Area: 083-010

**Note 13.** Property taxes for the fiscal year shown below are PAID. For proration purposes the amounts are:

Tax Identification No.: 051-161-001-000  
Fiscal Year: 2011 - 2012  
1st Installment: \$96.87  
2nd Installment: \$96.87  
Exemption: \$0.00  
Land: \$15,669.00  
Improvements: \$0.00  
Personal Property: \$0.00  
Code Area: 083-010

**Note 14.** Property taxes for the fiscal year shown below are PAID. For proration purposes the amounts are:

Tax Identification No.: 051-155-001-000  
Fiscal Year: 2011 - 2012  
1st Installment: \$435.90  
2nd Installment: \$435.90  
Exemption: \$0.00  
Land: \$73,374.00  
Improvements: \$0.00  
Personal Property: \$0.00  
Code Area: 083-010

**Note 15.** Property taxes for the fiscal year shown below are PAID. For proration purposes the amounts are:

Tax Identification No.: 051-036-003-000  
Fiscal Year: 2011 - 2012  
1st Installment: \$1,196.94  
2nd Installment: \$1,196.94  
Exemption: \$0.00  
Land: \$203,168.00  
Improvements: \$0.00  
Personal Property: \$0.00  
Code Area: 083-010

**Note 16.** If a county recorder, title insurance company, escrow company, real estate broker, real estate agent or association provides a copy of a declaration, governing document or deed to any person, California law requires that the document provided shall include a statement regarding any unlawful restrictions. Said statement is to be in at least 14-point bold face type and may be stamped on the first page of any document provided or included as a cover page attached to the requested document. Should a party to this transaction request a copy of any document reported herein that fits this category, the statement is to be included in the manner described.

**Note 17.** Wiring instructions for Chicago Title Company, Fresno, CA, are as follows:

Receiving Bank: Bank of America  
275 Valencia Blvd, 2nd Floor  
Brea, CA 92823-6340  
ABA Routing No.: 026009593  
Credit Account Name: Chicago Title Company - Fresno Palm  
7330 N. Palm Avenue, Suite 101, Fresno, CA 93711  
Credit Account No.: 12354-83953  
Escrow No.: 12-45038313-CRF

These wiring instructions are for this specific transaction involving the Title Department of the Fresno office of Chicago Title Company. These instructions therefore should not be used in other transactions without first verifying the information with our accounting department. It is imperative that the wire text be exactly as indicated. Any extraneous information may cause unnecessary delays in confirming the receipt of funds.



**Note 18.** Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirements cannot be met, please call the company at the number provided in this report.

**END OF NOTES**

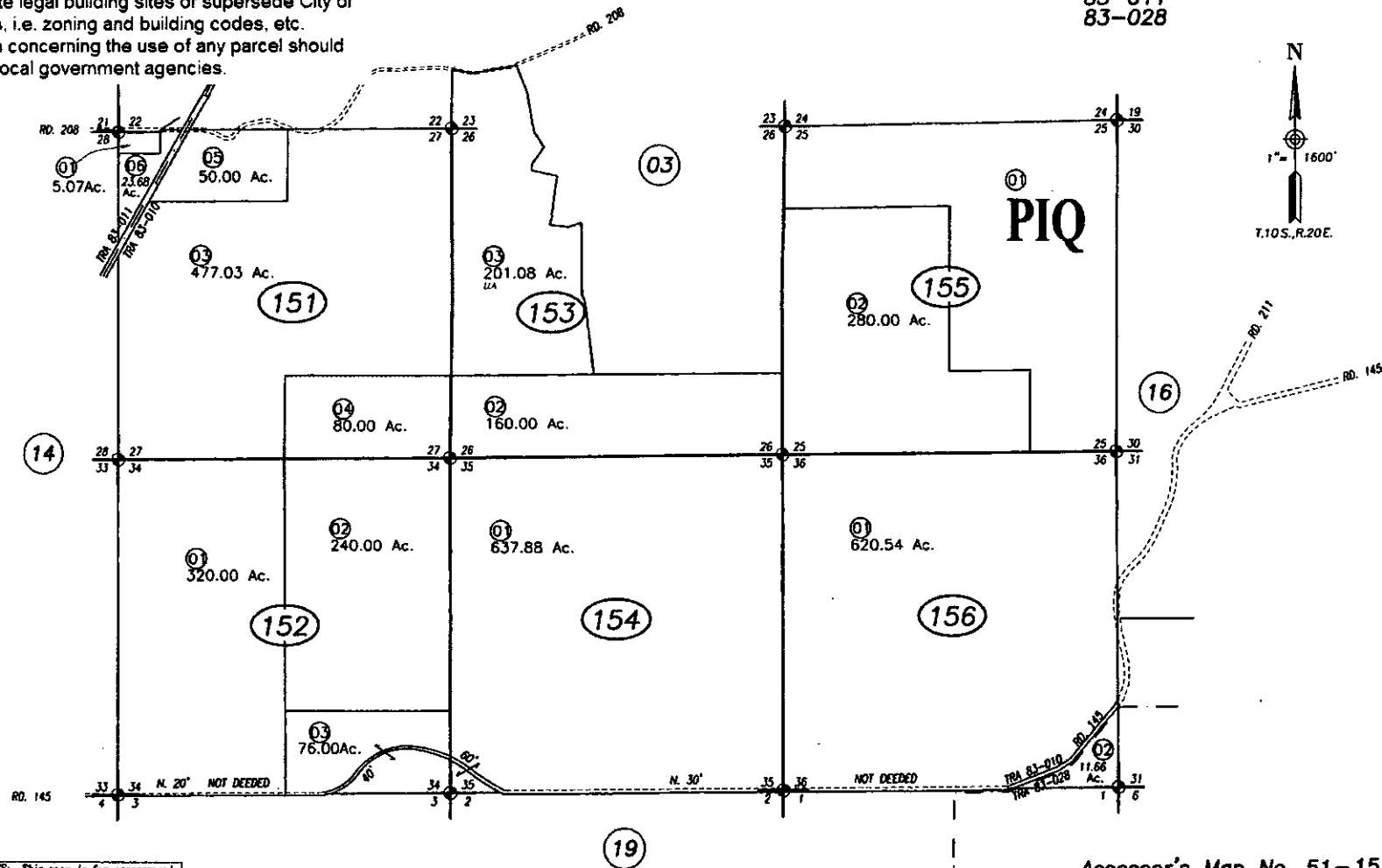
This Map is being furnished as a convenience to locate the herein described land in relation to adjoining streets and other lands. The Company does not guarantee dimensions, distances, bearings, or acreage stated thereon, nor is it intended to illustrate legal building sites or supersede City or County ordinances, i.e. zoning and building codes, etc. Official information concerning the use of any parcel should be obtained from local government agencies.

T.10S. T.20E. M.D.B.&M.

Tax Area Code

51-15

83-010  
83-011  
83-028



NOTE: This map is for assessment purposes only and is not intended for interpretation of boundary rights, zoning regulations or land division.

NOTE- Assessor's Block Numbers Shown in Ellipses. ○  
Assessor's Parcel Numbers Shown in Circles. ○

Assessor's Map No. 51-15  
Chawanahee  
County of Madera, Calif.  
1960

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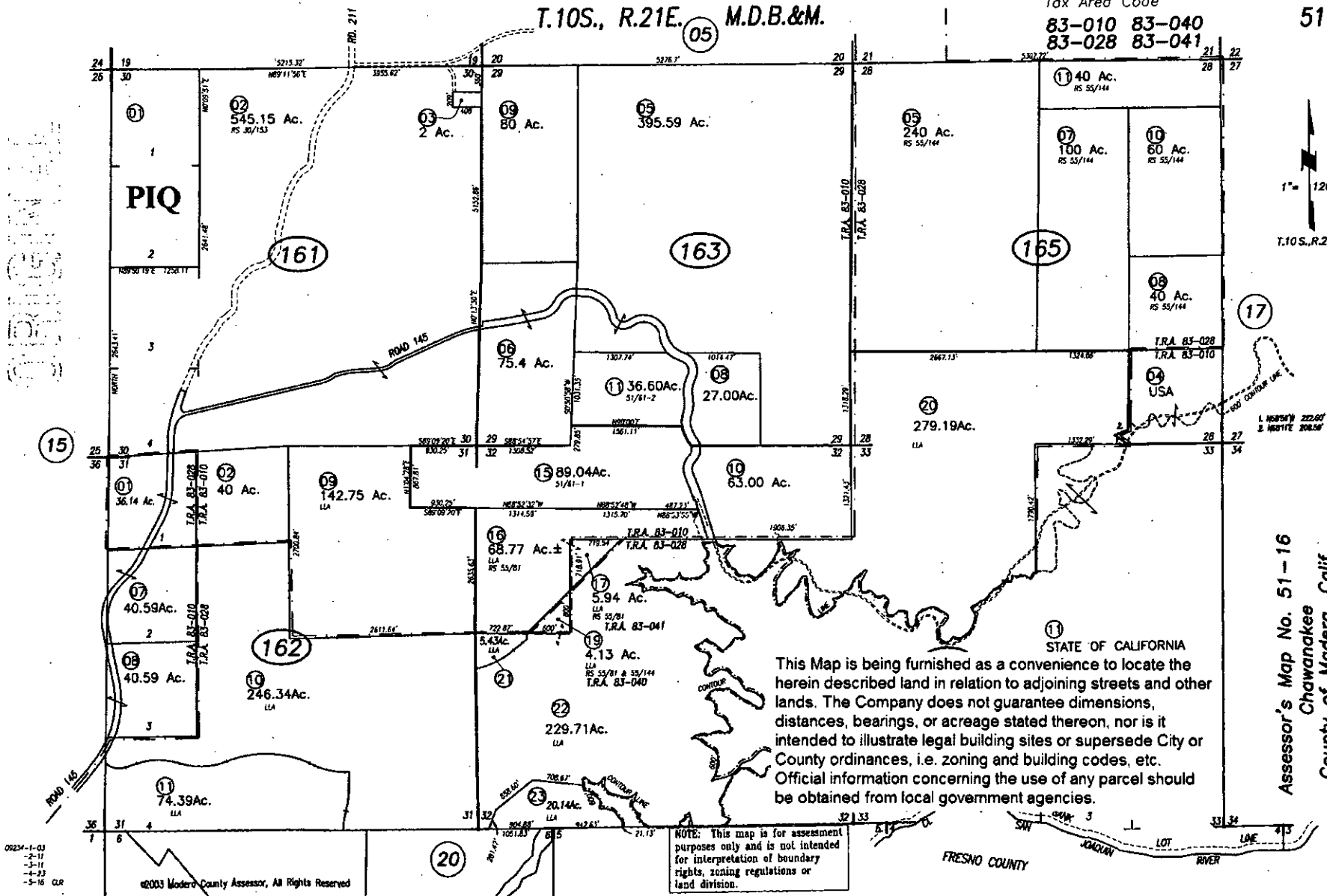
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-5-28  
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T.10S., R.21E. (05) M.D.B.&M.

Tax Area Code  
83-010 83-040  
83-028 83-041

51-16

1" = 1200'  
T.10S., R.21E.



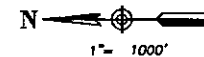
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T.10S. R.20E. M.D.B.&M.

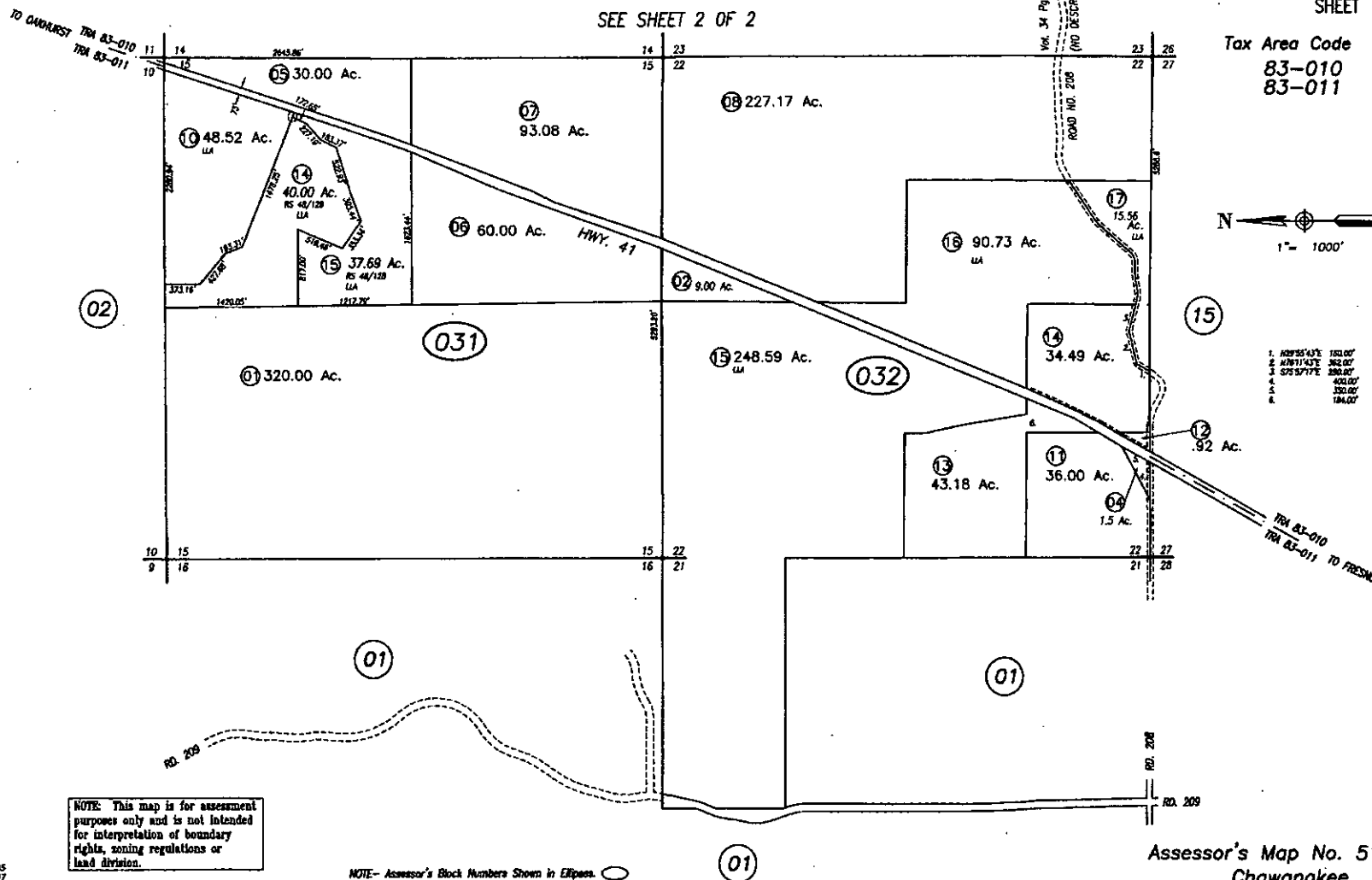
SEE SHEET 2 OF 2

51-03  
SHEET 1 of 2

Tax Area Code  
83-010  
83-011



1. 82°55'43"E 150.00'
2. 87°11'43"E 302.00'
3. 57°57'17"E 280.00'
4. 40.00'
5. 350.00'
6. 184.00'



Assessor's Map No. 51-03  
Chawanahee  
County of Madera, Calif.  
1960

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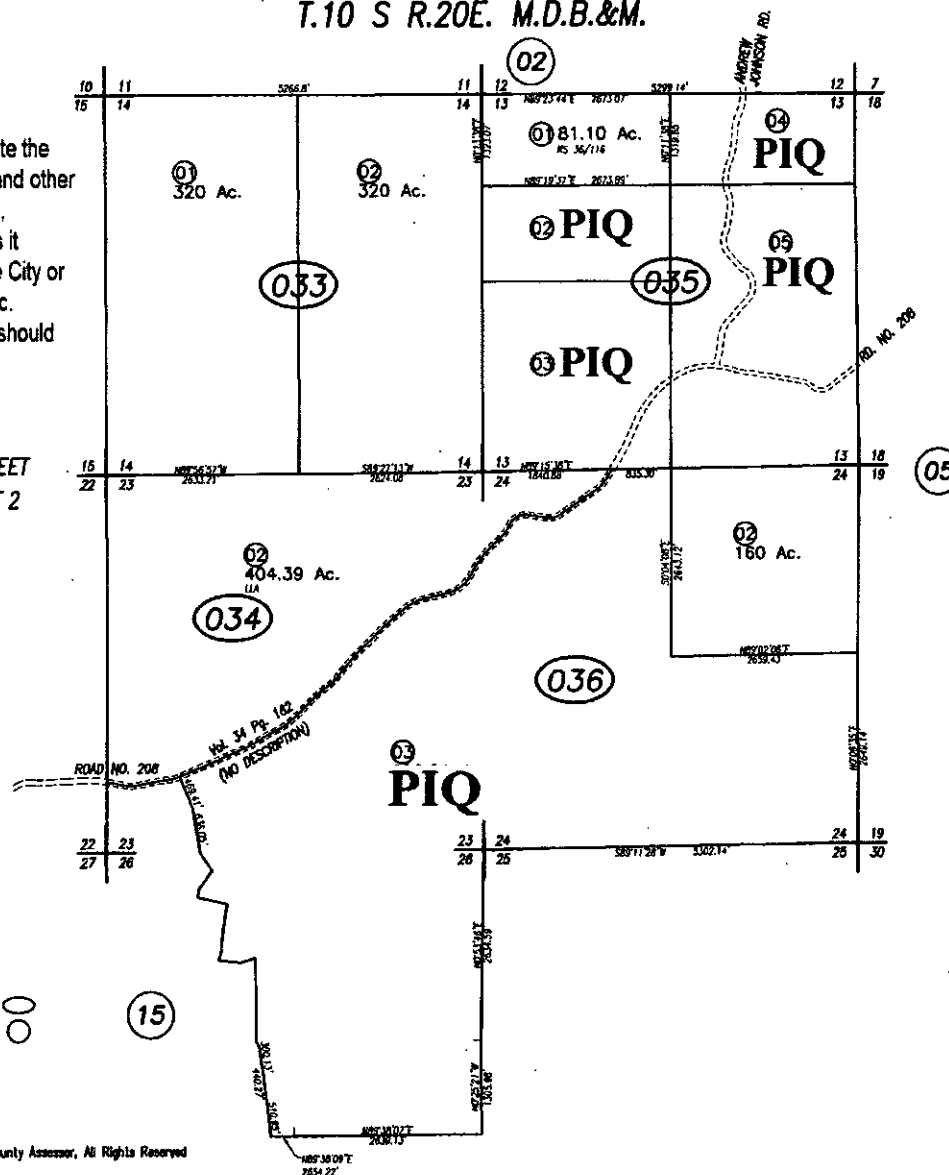
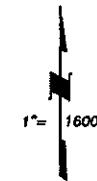
T.10 S R.20E. M.D.B.&M.

Tax Area Code **51-03**  
**83-010** SHEET 2 of 2

This Map is being furnished as a convenience to locate the herein described land in relation to adjoining streets and other lands. The Company does not guarantee dimensions, distances, bearings, or acreage stated thereon, nor is it intended to illustrate legal building sites or supersede City or County ordinances, i.e. zoning and building codes, etc. Official information concerning the use of any parcel should be obtained from local government agencies.

ORIGINAL

SEE SHEET  
1 OF 2



NOTE- Assessor's Block Numbers Shown in Ellipses.   
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map No. 51-03  
Sheet 2 of 2  
Chawakee  
County of Madera, Calif.  
1960

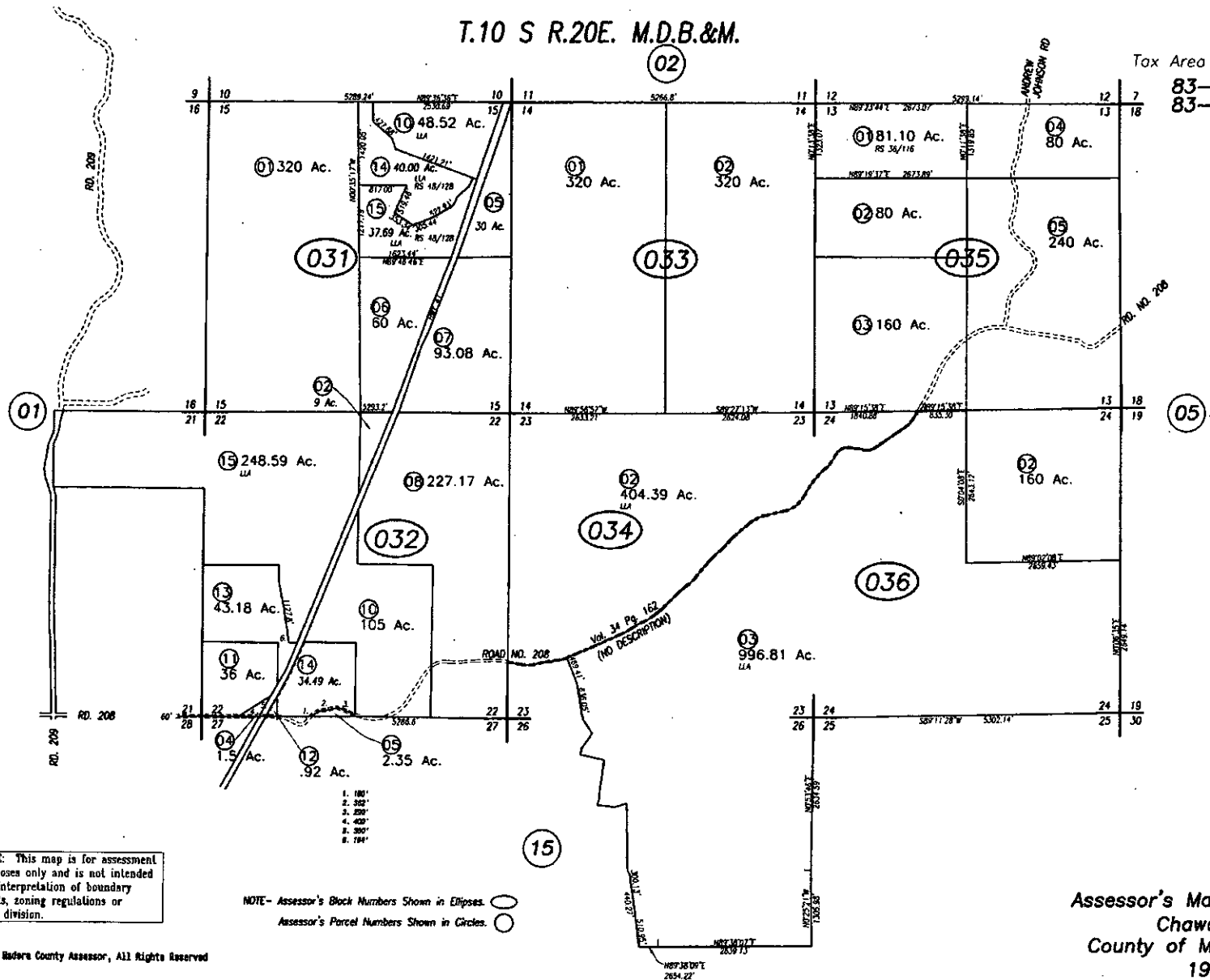
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T.10 S R.20E. M.D.B.&M.

51-03

Tax Area Code

83-010  
83-011



08272-1-19  
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-6-03 M.A.

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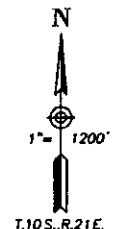
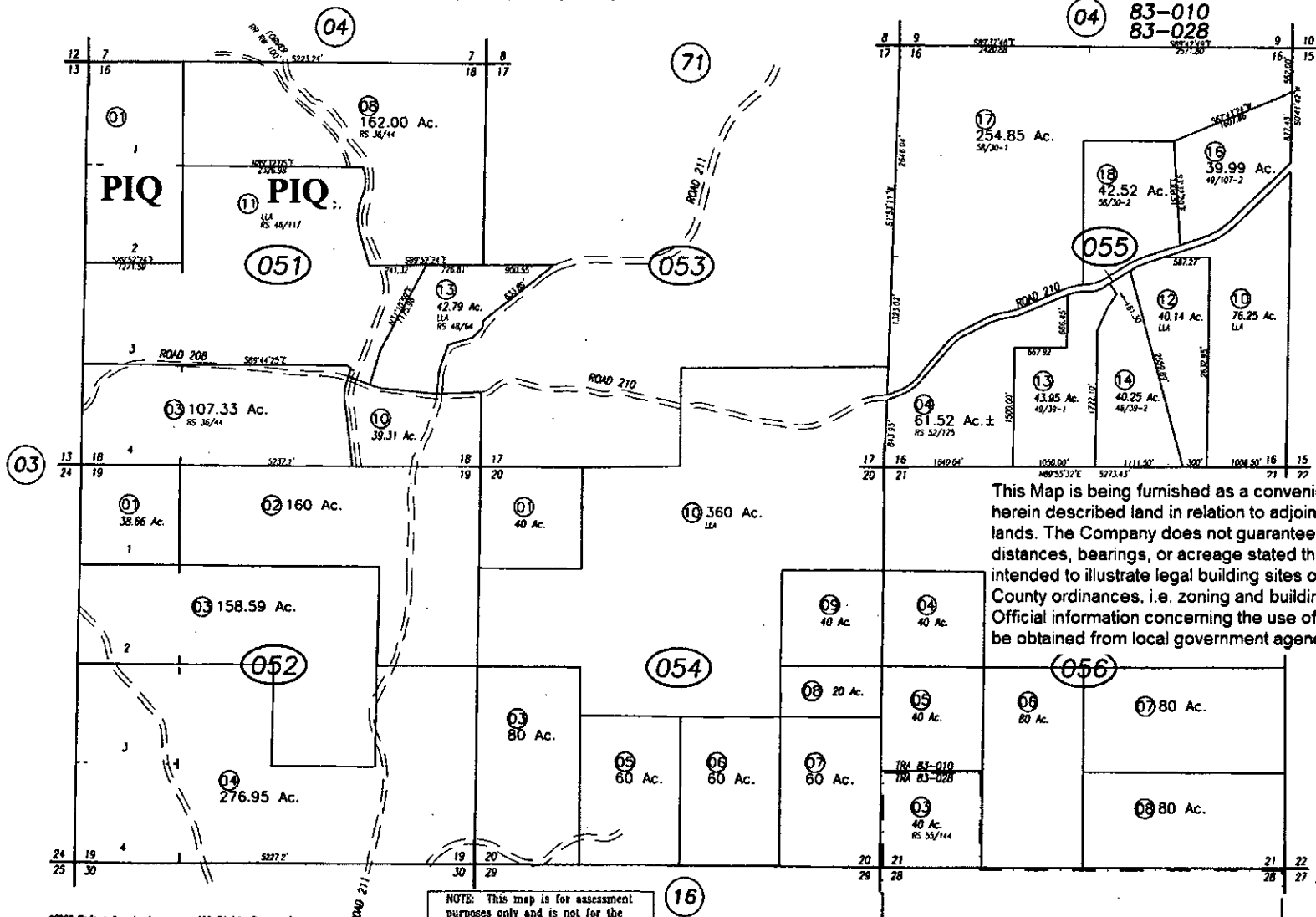
Assessor's Map No. 51-03  
Chawanakee  
County of Madera, Calif.  
1960

SEC. 16, 17, 18, 19, 20 & 21 T.10S. R.21E. M.D.B.&M.

Tax Area Code

51-05

04 83-010  
83-028



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NOTE- Assessor's Block Numbers Shown in Ellipses. Assessor's Parcel Numbers Shown in Circles.

Assessor's Map No. 51-05 Chawanahee County of Madera, Calif. 1960

## **APPENDICES B-F**

**(Will be completed once this site is approved for consideration as a Mitigation Preserve)**