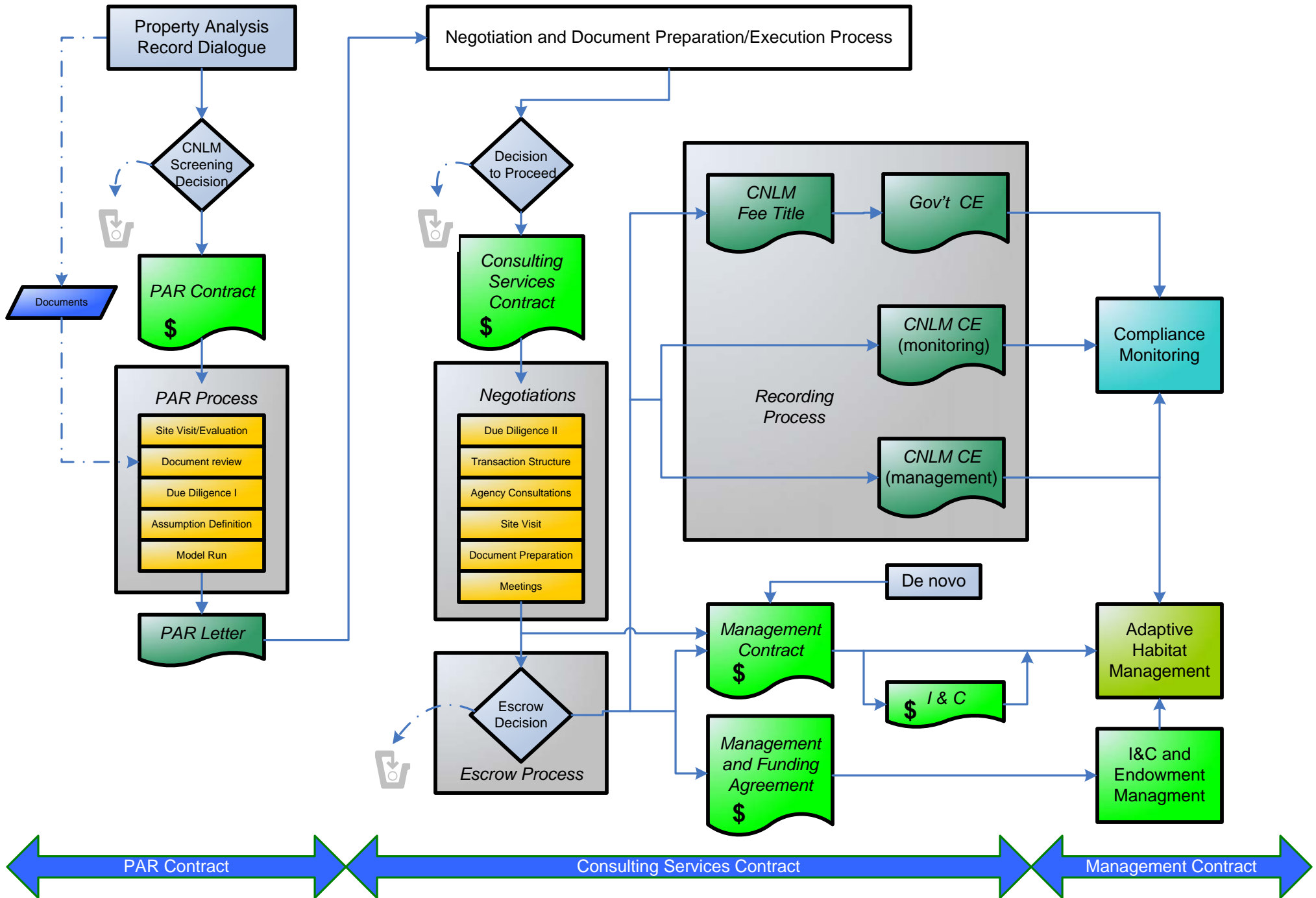
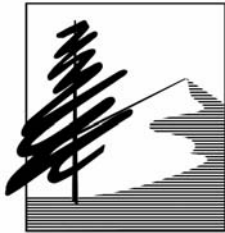


Center for Natural Lands Management Habitat Management Land Acquisition Process





Center for Natural Lands Management
PROJECT EVALUATION CHECKLIST
(Due Diligence and Acquisition Considerations)

Project: _____ Preserve Manager: _____

Proponent: _____ Agencies: _____

PAR Code: _____ Preserve Code: _____ HQ Reviewer: _____

Project Description: _____

Contact: _____

Tel: _____ Fax: _____ Email: _____

Contact: _____

Tel: _____ Fax: _____ Email: _____

Due Diligence Matters:

- Project background**
 - Proponent sponsorship (ID interest holders)
 - Project description and history
 - Agency jurisdiction and involvement
 - permit(s)
 - CEQA/NEPA
 - NCCP, HCP, MSHCP
 - Other (including binding, non-disclosed contracts)
 - CNLM involvement/engagement
 - PAR
 - Other conservation stewardship/land trust involvement
 - Crux issue(s): _____

- Title and survey matters**
 - Preliminary commitment for title insurance
 - Exceptions to title identified by commitment
 - Boundaries
 - survey
 - GIS
 - Encroachments

- Dimensions
 - ✧ property
 - ✧ habitat(s)
 - Accuracy of legal description
 - Easements
 - ✧ trial (pedestrian/equestrian)
 - ✧ road
 - ✧ utility
 - ✧ table of easements
 - ✧ Plot of easements
 - Rights-of-way
 - Reservations
 - ✧ mineral rights
 - ✧ water rights
 - ✧ rights of passage
 - ✧ other
 - Water rights (claimed; perfected; adjudicated)
 - ✧ surface
 - ✧ subsurface
 - Improvements (apparent, concealed)
 - ✧ slope modifications
 - ✧ abandon wells, sumps
 - ✧ other
 - Certification of survey
 - Parcel map
 - Vicinity map
 - Other
 - ✧ Setbacks
- Historical land use**
 - Public records
 - Oral history
 - Zoning and current land uses**
 - Entity(ies) w/ jurisdiction
 - Use compliance w/ zoning regulations
 - Permitted uses
 - Prohibited uses
 - "Open space"
 - Property taxes and assessments**
 - *Ad valorem* taxes
 - Assessments, special districts, and other levies
 - County rules on property taxes exemptions for non-profits
 - Special purpose government jurisdiction**
 - Sensitive biological areas (SBA) or critical habitats
 - Landscaping
 - ✧ fuel management
 - Other
 - Site visit and physical inspection**
 - Surrounding area characteristics

PROJECT EVALUATION CHECKLIST

- ✧ land uses
 - agricultural, residential, commercial, industrial
 - open space
 - ✧ activities
 - dirt biking; ORVs
 - other
 - Access to property
 - ✧ physical access
 - ✧ legal limitations
 - Impacts on natural setting (e.g., light pollution)
- Other legal restrictions**
 - Leases (e.g., grazing leases), reservations, licenses
 - Permits (other than environmental)
 - MOUs
 - CC&Rs for HOAs and COAs
 - ADA requirements
 - Other contracts (e.g., telecommunication site leases)
- Financial information**
 - Transferor/transferee financial health
 - User fees
 - Encumbrances (mortgages, liens)
- Appraisals and market analyses**
- Authority to transfer interest (in fee or conservation easement)**
 - Private individual owner
 - Public/private corporate owner (board resolution)
 - Public agency owner
- Conservation and environmental assessments**
 - Natural resources inventory
 - ✧ geology
 - ✧ water resources
 - ✧ other
 - "Biological Opinion"
 - Baseline biological survey (habitat value/estimate/exception)
 - Environmental assessment
 - ✧ standard or limited ASTM Phase I
 - ✧ ASTM Phase II
- Landowner disclosures**
 - Required
 - ✧ non-compliance matters
 - ✧ pending litigation
 - ✧ MOUs or agreements with permitting or general purpose jurisdictions
 - ✧ other
 - Other material matters
 - ✧ "clouds on title"

- Liabilities and Litigation risks**
 - Damages to natural resources
 - Personal injury
 - Damages to personal property
 - Trespass / attractive nuisance
 - Unauthorized occupancy
 - Potential for 3rd party lawsuits and exposures
 - Pending legal actions

- Insurance** (requirements, costs, coverage, limits, availability)

Considerations:

- Data sources consulted**
 - Proponents
 - Regulatory agencies
 - Public records
 - Personal network

- Structure and complexity of transaction**
 - Conservation easement
 - ✧ grantor
 - ✧ grantee
 - CNLM
 - other nonprofit
 - agency (city, county, special purpose, state)
 - ✧ third party beneficiaries
 - Fee title holder
 - Preserve management
 - ✧ CE compliance monitoring/defense of CE
 - ✧ inventorying
 - ✧ restoration, enhancement
 - ✧ reintroduction
 - ✧ invasive pest control
 - ✧ public use-related activities
 - Financing
 - ✧ PAR
 - ✧ transaction overhead charge
 - ✧ I&C
 - ✧ legal fund
 - ✧ endowment
 - ✧ donations
 - ✧ conveyance fees/transfer fees

- Site characteristics**
 - Physical
 - Biological
 - Ecosystem processes
 - Physical improvements, previous modifications
 - Management history
 - Current site issues
 - Constraints on management



Center for Natural Lands Management CLOSING CHECKLIST

Project: _____ Preserve Manager: _____
 Proponent: _____ Agency(ies): _____
 CNLM PAR/Preserve Code: _____ Headquarters reviewer: _____
 Project description: _____
 Escrow contact: _____ Tel: _____ Fax: _____
 Escrow Reference No. _____

Comments

Background

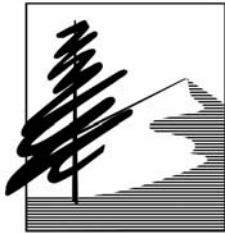
- Due diligence checklist completed and filed _____
- Baseline preserve biological data acquired and reviewed _____
- Summary of Transaction* prepared and filed _____
- E-documents requested from proponent _____
- Maps acquired _____
- Assessor's parcel number (APN) provided _____
- Comprehensive risk management analysis performed _____
- Project documentation inventoried and reviewed _____
- Correspondence file reviewed _____
- PAR and supporting materials reviewed _____
- Agency concurrence/acknowledgement secured and documented _____
- Reporting requirements defined and documented _____
 - monitoring _____
 - financial _____
- CNLM Board approval resolution _____

Pre-closure site evaluation

- "Walk-through" completed _____
- Documentation of required corrective action recorded _____
 - findings letter included in CNLM project file _____
 - requirements letter delivered to proponent _____

Documents reviewed

- Preliminary title report (PTR) and background documents _____
- Technical/process supporting documents (relevant original source materials) _____
 - permits _____
 - biological opinions; environmental assessments (including Phase I/II) _____
 - Implementing Agreement* _____
- Financial supporting documents _____
 - ad valorem* taxes, special district assessments _____
 - other: _____
- Transaction documents (as relevant) _____
 - legal description of property _____
 - grant deed, conservation easement _____
 - subordination agreement, loan reconveyance _____
 - assignment and assumption agreements _____
 - Management and Funding Agreement* _____
 - long-term management plan _____



Center for Natural Lands Management
CONSERVATION EASEMENT CHECKLIST
(Best Practices)

Project: _____ Preserve Manager: _____

Proponent: _____ Agencies: _____

PAR Code: _____ Preserve Code: _____ HQ Reviewer: _____

Project Description: _____

Contact: _____

Tel: _____ Fax: _____ Email: _____

Contact: _____

Tel: _____ Fax: _____ Email: _____

DRAFTING CONSIDERATIONS¹:

○ Caption

- Recording instructions – CNLM file/project reference number
- Effective date(s)/execution date
- Parties identification
 - ✧ Landowner (business association description and address)
 - ✧ CNLM (qualified nonprofit – citations)
 - ✧ Others
- Property “known as” identification (preserve name)

○ Recitals (background/intent)

- Description of parties
- Purpose (furthers preservation and satisfies described specific regulatory requirements)
 - ✧ Conservation/habitat values
 - ◆ Narrative description
 - ◆ List²

¹ This checklist has redundancies because by design it considers both legal concepts and specific types of provisions.

- ◆ List species of concern
 - ✘ Compensatory mitigation measures
 - ✘ Uses of property consistent with purpose
- Citation to other documents (e.g., MA, MFA, PAR letter/document, management plan) and attach as exhibits where warranted
- Property description (and reference to exhibits)
 - ✘ ownership
 - ✘ Legal description with assessor parcel numbers (APNs) and acreage
 - ✘ Survey of easement boundary (or acceptable standard)
 - ✘ Site map (as exhibits)]
 - ✘ Baseline survey/condition of property/photographs (as exhibits)
 - ✘ Clean of trash, debris at escrow closure
- Legal authority citations (identify lead agencies, document control numbers, and brief descriptions)³
 - ✘ Permits (e.g., “401,” “404,” “10(a)”)
 - ✘ Agreements (e.g., CDFG “1603”)
 - ✘ EA/EIR
 - ✘ Implementation agreements
 - ✘ Settlement agreements
- Mechanics (legal capacity to contract)
 - ✘ Landowner board resolution authorizing easement creation
 - ✘ CNLM authority (CA Civil Code Section 815.3)
- Definitions
 - ✘ “Conservation (and/or habitat) value”
 - ✘ Natural condition (land/water types with acreage)
 - ✘ Preserve property
 - ✘ Other (e.g., “Preserve Manager,” “Monitoring Biologist”)
- Other
 - ✘ Restoration project/success criteria
- **Consideration recital** (see PAR analyses)
- **Conveyance of legal interest in property**⁴
 - Conservation easement vs. in fee w/ deed restrictions
 - Fair Market Value (FMV)⁵
 - Scope (e.g., non-exclusive allowing unregulated public access)
 - Term (perpetuity)
 - Covenants, conditions, restrictions (If any)
 - ✘ “runs w/ the land”
 - ✘ CA Civil Code section 815.7(a)
 - Rights of and limitations on others
 - ✘ USFWS, Corps, CDFG

² For example, values include open space, riparian, scenic, wildlife, ecological/habitat, watershed protection, or adjacent to protected area.

³ Caveat: burden should be on project proponent to abstract documents, detail impact on preserve property, and represent and warrant accuracy.

⁴ Caveat re: grant deed extinguishment of CE, MFA obligations.

⁵ CNLM will makes no representations regarding property value.

- ✧ General public
- ✧ Other 3rd party beneficiaries
- Other: _____, _____, _____

○ **Conveyance of rights/obligations** [best practice depends upon CNLM role]

- Preservation of property conservation values
 - ✧ Transfer of development rights
 - ✧ Water rights necessary to meet preservation requirements
- Enforcement remedies
 - ✧ Self-held (grantee right to enforce against 3rd party, e.g., trespasser)
- Access to property (grantor, grantee, public, private parties)
 - ✧ Routes of ingress/egress
 - ◆ easements over appurtenant property
 - ◆ rights-of-way; licenses
 - ✧ Notice requirements for access
 - ✧ By government authorities
- Inspection and monitoring
- Maintenance
- Injunction/specific performance
 - ✧ Prevent inconsistent activity
 - ✧ Restoration at time of easement grant
- Rehabilitation, restoration, enhancement (limit to insurance coverage?)
- Other: _____, _____, _____

○ **Grantor rights and duties**

- Future easements
- Superior encumbrances
- Reservations (e.g., natural resources like groundwater or grazing)
- Non-diminution of rights of grantee
- Non-impairment of conservation values
- Development rights
- Assist (not non-interference) grantee and/or habitat manager
- Prevent trespass
- Repair/restore damage
- Signage (posting and maintenance)
- Fencing
- Gates to fencing (initial construction and maintenance)
- Permit/approval acquisition
- Taxes/liens
- Other: _____, _____, _____

○ **Grantee rights and duties**

- Habitat protection (conservation values)
- Restoration
- Compliance monitoring and enforcement
- Biological monitoring
- Other: _____, _____, _____

○ **Prohibitions**

- Construction

- Alteration of vegetation, topography, wildlife
- Unseasonal watering
- Incompatible fire protection activities
- Pesticide usage (unless ...)
- Deposition/discharge of materials
- Minerals extraction
- Agriculture
- Grazing
- Hunting and fishing
- Recreational uses
- Motorized vehicle use/off-road vehicle (ORV)
- Access
- Introduction of non-native species
- Subdivision
- Encumbrances
- Artificial lighting
- Other: _____, _____, _____

○ Management option components (grantor and grantee)

- Exotic species survey and removal
- Fuel burden management (e.g., prescribed burns, grazing, mechanical)
- Compliance monitoring / enforcement
- Public outreach/information
- Biological monitoring
 - ✧ General ecosystem health/biodiversity
 - ✧ Specific species
- Other: _____, _____, _____

○ Contributions for I&C and Endowment

- Stewardship level (monitoring/reporting – managing/reporting - defending)
- Enforcement / defense
- Funding (initial grant, endowment, HOA fees, sale of credits, transfer fees)

○ Land uses

- Permitted (e.g., grazing for fuel reduction or habitat maintenance)
- Prohibited (e.g., grazing in riparian habitat, unseasonable watering)
 - ✧ Subdivision (except with transfer fees?)
 - ✧ Transfer to multiple successor grantors

○ Insurance and Bonding

- Landowner insurance coverage (casualty and liability)
 - ✧ Adequate comprehensive general liability (\$1MM, \$2MM?)
 - ✧ Vehicle, other
- CNLM insurance coverage
 - ✧ Property impairment/habitat restoration (probably non-coverable)
 - ✧ General liability (personal injury) – land occupier duty to trespassers, licensees, invitees
 - ✧ Errors and omissions
 - ✧ Legal defense (3rd party claims)
- Performance bonds in favor of CNLM (e.g., fencing bonds)

- **Ownership costs** (determination of grantor/grantee responsibilities)
 - Property taxes
 - Insurance
 - Special assessment districts and community facilities districts
 - Maintenance (e.g., road repair)
 - Other: _____, _____, _____
- **Representations/warranties**
 - Title (indefeasible)
 - Legal capacity
 - No liens or other encumbrances/obligations to defend/options
 - Environmental warranty (toxics/hazardous wastes cleanups)
 - Remediation liability
 - Reports/documents true and complete
 - Apparent or latent defects
 - Conservation value and fitness for conservation purposes
 - Site transferred in agreed upon condition (e.g., trash removed); personal property
 - Pending/threatened litigation or civil/criminal actions
 - Other⁶: _____, _____, _____
- **Indemnification/shift liability**
 - Releases
 - Hold harmless
 - Indemnify
 - Defend
 - Acts beyond control/Acts of God
- **Dispute resolution/Remedies**
 - Good faith negotiation
 - Mediation
 - Arbitration
 - Fee allocation
 - Remedies (law and equity)
- **Cooperation, coordination, and communication** (express declarations)
 - Grantee right to communicate with neighbors, community, government
- **Estoppel**
- **Notice of actions**
 - Notification party identification (CNLM file/project identification number)
 - Notice of proposed/effective transfer of grantor/grantee legal interest
 - Forwarding to grantee of notices to grantor of proposed/effective public actions, hearings, or other material/germane matter
 - Notice by other easement holders (superior and subordinate) of proposed activities
 - Access requests
 - Notice and approval of permitted activities
- **Assignment/transfer by grantor or grantee of interest or rights**
 - Compensation to grantee for increased burden

⁶ For example, hidden hazards like abandoned mine shafts and sludge pits.

- ✧ Transfer fees for subdivision
 - General/special purpose government
 - Successor non-profit or public entity
 - Obligations to disclose
- **Amendment of easement/re negotiations**
 - Agreement of the parties
 - Emergency recourses
 - ✧ Foreseen
 - ✧ Unforeseen/extraordinary
- **Condemnation**
 - “[b]est and most necessary public use ...”⁷
 - Grantee right to FMV of interest
- **Extinguishment of easement**
- **Cessation of CNLM existence/qualifications**
 - Reversion of interest to agency, qualified nonprofit, grantor
- **Enforcement**
 - Notice of violation to landowner and/or relevant government agency; demand for corrective action; failure to act
 - Dispute resolution process
 - Remedies (cumulative)/burdens of proof
 - ✧ Injunctive relief
 - ✧ Damages
 - ◆ CA Civil Code section 815.7(c)
 - ◆ Agreed by landowner to be inadequate
 - ✧ Emergency enforcement
 - Statute of limitations
 - Cost recovery/burden (site restoration, legal fees, etc...)
 - Enforcement discretion (forbearance not waiver)
 - Waiver of claims and defenses by landowner
 - Limitations on enforcement (e.g., “acts of God”)
 - Granting 3rd party right of enforcement (in CE or MOA)
 - Costs of enforcement
- **Damages to natural resources**
 - Liability (acts/omissions) limited to policy coverage
 - Management endowment “lockbox”
 - ✧ protect from judgment damage assessments
 - ✧ funds not available for habitat restoration

⁷ CA Civil Procedure §1240.80

- **Subordination of security instrument liens**
 - Assure easement superior to prior liens (if no representation/warranty of no encumbrances)
 - Non-disturbance agreement
 - Title insurance (first priority position); Subordination Agreement
- **Recordation**
 - Conservation easement with appropriate exhibits
 - Deed/deed restriction
 - Subordinations
 - Memorandum of Agreement referencing management and funding agreements
- **General provisions (miscellaneous)**
 - Governing laws (forum/venue)
 - Construction/interpretation liberal and favorable to purposes of conservation
 - Easement terms binding on parties and successors/assigns
 - Counterparts
 - No forfeiture
 - Entire agreement
 - Exhibits
 - Modifications
 - Successors
 - Severability
 - Environmental provisions
 - Other (time, survival of provisions, etc...)
- **Execution**
 - Legally competent signators
 - "Acknowledgements to Form" by 3rd party enforcement beneficiaries
- **Appendices/Exhibits**
 - Legal description of property
 - Maps
 - Baseline biological survey
 - Aerial photo
 - PAR letter/document
 - Management and Funding Agreement
 - Other
- **Other consideration**
 - Assignment and assumption agreement for permits



Center for Natural Lands Management
MANAGEMENT & FUNDING AGREEMENT CHECKLIST
(Provisions and Exhibits)

Project: _____ Preserve Manager: _____
Proponent: _____ Agency(ies): _____
PAR Code: _____ Preserve Code: _____ Headquarters reviewer: _____
Project description: _____
Escrow contact: _____ Tel: _____ Fax: _____
Escrow Reference No. _____

- Recitals** (custom, case-by-case)
 - Proponent description and legal qualifications
 - Project description with geographic location
 - Preserve description (legal, map, APN)
 - Description of the underlying transaction with CNLM (monitoring, management, CE, fee, etc...)
 - Proponent's intentions
 - CNLM legal qualifications and intentions
 - Permitting/entitlement/approval/assessment history with citations
 - Conservation/habitat values description
- Conditions Precedent** (custom, case-by-case)
 - Grant deed
 - identified/committed CE grantee
 - Conservation easement
 - Success criteria
 - Contributions
 - acquisition
 - I&C
 - endowment
 - taxes/assessments
 - Open space designation
 - Surveyed/marked boundaries
 - Title insurance (\geq I&C + endowment)
 - Fuel modification provisions
 - CC&R provisions
 - invasive plant species
 - lighting
 - notice of Preserve and conservation value protection
 - trespass
 - Representations/warranties/defense provisions
 - Letters of acknowledgement/representation/warranties from third parties
- Site inspection** (modify template provision as necessary)
- Title review** (modify template provision as necessary)
- Endowment Contribution** (modify template provision based upon PAR)

- Management of Endowment by CNLM** (modify template provision as necessary)
- Successors to proponent** (template provision)
- Access to Preserve** (modify template provision as necessary)
- Preserve Management** (custom, case-by-case)
 - Proponent responsibilities
 - prevent unlawful access (trespass)
 - hydrology unchanged
 - cooperation with CNLM
 - fuel suppression
 - access to CNLM in perpetuity
 - compliance with CE
 - repair and restoration
 - signage
 - barriers
 - no discharges or releases
 - CNLM responsibilities for long-term management
 - description of general activities
 - citation to management plan
 - physical barriers/signage
 - surveys
 - site availability for research
 - management plan updating (adaptive management)
 - management administration
 - perform management plan tasks
 - maintenance
 - management
 - monitoring
 - reporting
 - other
 - report distribution
- General contract provisions** (template provisions)
 - Interpretation/headings
 - Modifications
 - Notices
 - Successors and assigns
 - Exhibits
 - Counterparts
 - Dispute resolution
 - Indemnification
 - No partnerships
 - Governing law
 - Severability
 - Terminations
 - Dissolution
- Exhibits** (custom, case-by-case)
 - Project description and map

MFA CHECKLIST

- Property legal description
- Property map
- PAR

PAR

Habitat Planning In Perpetuity

The Property Analysis Record

Title East Coyote Hills/UNOCAL
Dataset CA004
ID P141VER1
Prepared by CNLM - Stanton
Date 02/20/2004

The Center for Natural Lands Management prepared this software to assist conservation planners develop the management tasks and costs of long-term stewardship. While the sources are thought to be reliable, the Center makes no representations about the accuracy of cost estimates. The date of the cost information is 2000. The operation of the program is not guaranteed by the Center. Management requirements are determined by the user. Users should consult with their own financial advisors before relying on the results of their analysis.

Section 1 - Project Information

Property Title: East Coyote Hills/UNOCAL

Dataset: CA004

PAR ID: P141VER1 05/17/2005

U.S.G.S.Quad 1: U.S.G.S.Quad 2:

U.S.G.S.Quad 3: U.S.G.S.Quad 4:

Management type: Easement

Prepared by CNLM - Stanton

Date 02/20/2004

Address 425 East Alvarado St. Suite H

City, State, Zip Fallbrook, CA 92028

Phone 760-731-7790

Location/Jurisdiction Fullerton

County Orange

Acres 129

| Project Status | Start Date | Completion | Status/Notes |
|----------------|------------|------------|--------------|
| Construction | // | // | |
| Restoration | // | // | |
| Stewardship | // | // | |

| | Owner | Proponent |
|------------------|---------------------------|-----------|
| Name | Jim Martinez | |
| Organization | UNOCAL Land & | |
| Address | 376 South Valencia Avenue | |
| City, State, Zip | Brea, CA 92823 | |
| Phone | 714.577.3504 | |
| Fax | 714.577.1717 | |
| E-Mail address | jamartin@unocal.com | |

| | Consultant #1 | Consultant #2 |
|------------------|------------------------------|------------------------|
| Name | | Trish Smith |
| Organization | Natural Resource Consultants | |
| Address | 30 Crystal Cove | 2080 Catalina Street |
| City, State, Zip | Laguna Beach, CA 92651 | Laguna Beach, CA 92651 |
| Phone | 949-497-0931 | 949-376-8887 |
| Fax | 949-497-2971 | |
| E-Mail address | | |
| Specialty | Planning, compliance | Botany |

Section 1 - Project Information

Property Title: East Coyote Hills/UNOCAL

Dataset: CA004

PAR ID: P141VER1 05/17/2005

Cost Year 0

Date of site visit: / /

Development Project

Name

Acres 0

Stage of planning

Conserved acres 0...

Mitigation Bank

Log No MBCR: 0

Credit basis

Stage of planning

Notes

Section 2 - Contacts

Property Title: East Coyote Hills/UNOCAL

Dataset: CA004

PAR ID: P141VER 05/17/2005

Relation

Phone 714-577-3504

Name James Martinez

Fax 714-577-1717

Street 376 South Valencia Avenue

E-mail jamartin@unocal.com

Organization UNOCAL Land & Development Co.

City, State & Zip Brea, CA 92823

Section 3 - Purposes for Preservation

Property Title: East Coyote Hills/UNOCAL

Dataset: CA004

PAR ID: P141VER1 05/17/2005

Purposes for Preservation**Goals and Objectives**

Endangered Species

California gnatcatcher

Other

Cactus wren

Section 4 - Documents and References

Property Title: East Coyote Hills/UNOCAL

Dataset: CA004

PAR ID: P141VER1 05/17/2005

| Document & Reference | Contact | Phone/Fax/Email | Date Rcv'd |
|----------------------------------|-------------------------------|------------------------|-------------------|
| 0 Biotic Assessments and Maps | | | 02/14/2004 |
| 0 Current Tax Bill | | | 02/20/2004 |
| 0 General Development Plan | | | 02/11/2004 |
| 0 Hazardous Materials Evaluation | | | 02/14/2004 |
| 0 Improvement Maps | | | 02/11/2004 |
| 0 Mgmt.Implementation Agreements | | | 02/14/2004 |
| 0 Mitigation and Monitoring Plan | | | 02/14/2004 |
| 0 Restoration Plans and Maps | | | 02/11/2004 |
| 0 Soils Report | | | 02/14/2004 |
| 0 USFWS 7/10a/4d | | | 02/14/2004 |
| 0 Other | BreightBurn (Sales Agreement) | | 02/14/2004 |
| 0 Other | American Golf (Lease Agree.) | | 02/14/2004 |

Section 5 - Requirements Summary

Property Title: East Coyote Hills/UNOCAL

Dataset: CA004

PAR ID: P141VER1 05/17/2005

Division of Responsibilities

| Item | Type | Notes |
|---------------------------|------|--|
| Fences | W | American Golf: Conservation Easement parcel |
| Fences | M | Lot A; Lot 46; Lot 172 |
| Fences | A | Fullerton: equestrian easements |
| Maintenance, Road | W | American Golf: Conservation Easement parcels (no roads in Fee parcels) |
| Monitoring, Plant | M | CNLM |
| Monitoring, Wildlife | M | CNLM |
| Patrolling | M | CNLM: all parcels |
| Patrolling | W | American Golf: Conservation Easement parcels |
| Signs, Access Control | W | American Golf: Conservation Easement parcels |
| Signs, Access Control | M | CNLM: Fee parcels |
| Trails, Biking | A | Fullerton: all public trails |
| Trails, Equestrian | A | Fullerton: all public trails |
| Trails, Hiking | A | Fullerton: all public trails |
| Trash Collection, Ongoing | W | American Golf: Conservation Easement parcels outside habitat |
| Trash Collection, Ongoing | M | CNLM: Fee parcels and inside habitat on Conservation Easement |

Physical / Legal

| Item | Description | Notes |
|----------------|-------------|--|
| Access Points | Trails | Fullerton parks district |
| Access Points | Golf carts | American Golf or successors |
| Easements | Pipelines | Breightburn |
| Mineral Rights | | BreightBurn, but no entry into preserve |
| Right of Way | Golf carts | Paths between greens |
| Trails | Multi-use | Trails owned and maintained by Fullerton |

Section 6 - Site Conditions

Property Title: East Coyote Hills/UNOCAL

Dataset: CA004

PAR ID: P141VER1 05/17/2005

| Property Uses Item | Permitted/ Legal | Problem | Notes |
|-----------------------|---------------------|---------|---|
| Access Points | Y | Low | Interface with public golf course |
| Equestrian | Y | Low | Community trail through preserve |
| Hiking Trails | Y | Low | Community trail through preserve |
| Mountain Bikes | Y | Low | Community trail through preserve |
| Oil/Mineral Extract. | Y | Low | BrightBurn has active wells on private parcels within preserve matrix |

| Adjacent Land Use Item | Permitted/ Legal | Problem | Notes |
|---------------------------|---------------------|---------|---|
| Minor Roads | Y | Low | Several residential streets on perimeter |
| Oil/mineral extraction | Y | Low | active oil wells |
| Recreational | Y | Medium | public golf course; public sports park |
| Residential - Low Density | Y | Medium | single-family homes; vegetation clearing in preserve; irrigation runoff |

Hydrological Features

| Item | Notes |
|-------------------|---|
| Drainage Ditches | artificial water features for golf course |
| Ephemeral Streams | seasonal creek and flood plain |

Degraded Features

| Item | Notes |
|-------------------------|------------------------------------|
| Encroachments | horse paddock |
| Other Degraded Features | vegetation clearing from neighbors |

Invasive Exotics

| Item | Notes |
|--------------------------------|---|
| Ant, Argentine Fire | probable |
| Cowbird, Brown-headed | yes; trapping program |
| Dove, Rock (Domestic pigeon) | abundant |
| Dove, Spotted | possible |
| Sparrow, House | abundant |
| Starling, European | abundant |
| Turtle-dove, Ringed | possible |
| Cat, Feral House | probable |
| Grass, Pampas | present; needs regular control |
| Peppertree, Brazilian/Peruvian | widespread; ongoing eradication but will need regular control |

Section 7 - Biological Assessment

Property Title: East Coyote Hills/UNOCAL

Dataset: CA004

PAR ID: P141VER1 05/17/2005

| Natural Communities | Acres | Notes (Location condition & Rec.) |
|--|--------------|--|
| - CALIFORNIA NATURAL PLANT COM | | |
| Scrub, Coastal Sage (Low, dense shrubs, 0.5-2 m. with scattered grassy openings.) | 122.50 | |
| Woodland, Riparian (Broadleaved, deciduous trees, open canopy, on intermittent streams) | 4.70 | |

Section 7 - Biological Assessment

Property Title: East Coyote Hills/UNOCAL

Dataset: CA004

PAR ID: P141VER1 05/17/2005

| Animal Survey Species Name | Notes (Location condition & Rec.) |
|---|--------------------------------------|
| - CA LISTED BIRDS | |
| Chat, Yellow-Breasted (<i>Icteria virens</i> (nesting)) Status: State: CSC Federal: Global: | Observed |
| Gnatcatcher, Coastal Californi (<i>Polioptila californica californica</i>) Status: R State: CSC Federal: FT Global: | 22 pairs in 2001; 31 pairs in 2002 |
| Hawk, Cooper's (<i>Accipiter cooperi</i> (nesting)) Status: State: CSC Federal: Global: | Observed |
| Hawk, Red-shouldered (<i>Buteo linneanus</i>) Status: P State: CSC Federal: Global: | |
| Shrike, Loggerhead (<i>Lanius ludovicianus</i>) Status: P State: CSC Federal: Global: | |
| Sparrow, Bell's Sage (<i>Amphispiza belli belli</i>) Status: P State: CSC Federal: Global: | |
| Sparrow, So. Cal. Rufous-crowned (<i>Aimophila ruficeps canescens</i>) Status: P State: CSC Federal: Global: | |
| Warbler, Yellow (<i>Dendroica petechia brewsteri</i> (nesting)) Status: State: CSC Federal: Global: | Observed |
| Wren, San Diego (coast) Cactus (<i>Campylorhynchus brunneicapillus sandiegoense</i>) Status: State: CSC Federal: Global: | Observed0 |

Section 8 - Initial & Capital Tasks and Costs

Property Title: East Coyote Hills/UNOCAL

Dataset: CA004

PAR ID: P141VER1

05/17/2005

Budget: PAR

| Task list | Specificaton | Unit | Number of Units | Cost / Unit | Annual Cost | Times Years | Total Cost |
|---------------------------------|-------------------------------|----------|-----------------|-------------|-------------|-------------|------------|
| ACQUISITION | | | | | | | |
| Inspection | Property inspection | L. Hours | 4.00 | 43.00 | 172.00 | 1.0 | 172.00 |
| Legal Assistance | Prepare/review documents | C. Hours | 6.00 | 215.00 | 1,290.00 | 1.0 | 1,290.00 |
| Conservation Easement | Acquisition - Lots 46, 172, A | L. Hours | 8.00 | 50.00 | 400.00 | 1.0 | 400.00 |
| Conservation Easement | Acquisition - Lots 46, 172, A | Item | 1.00 | 125.00 | 125.00 | 1.0 | 125.00 |
| Sub-Total | | | | | | | 1,987.00 |
| SITE CONSTRUCTION/MAINT. | | | | | | | |
| Fence | Maintenance/materials | Year | 1.00 | 250.00 | 250.00 | 1.0 | 250.00 |
| Lock | Padlock | Item | 1.00 | 9.00 | 9.00 | 1.0 | 9.00 |
| Fence | Maintenance/labor | L. Hours | 16.00 | 33.00 | 528.00 | 1.0 | 528.00 |
| Sub-Total | | | | | | | 787.00 |
| BIOTIC SURVEYS | | | | | | | |
| Project Management | Plan/coordinate | L. Hours | 12.00 | 43.00 | 516.00 | 3.0 | 1,548.00 |
| Plant Ecologist | Quantitative Monitoring | L. Hours | 76.00 | 43.00 | 3,268.00 | 1.0 | 3,268.00 |
| Plant Ecologist | Qualitative Monitoring | L. Hours | 20.00 | 43.00 | 860.00 | 3.0 | 2,580.00 |
| Ornithologist | CAGN; cactus wren | L. Hours | 50.00 | 43.00 | 2,150.00 | 3.0 | 6,450.00 |
| Science Director | Oversight and Review | Hours | 26.00 | 46.50 | 1,209.00 | 3.0 | 3,627.00 |
| Other | Adaptive Management | Year | 1.00 | 2,500.00 | 2,500.00 | 3.0 | 7,500.00 |
| Sub-Total | | | | | | | 24,973.00 |
| HABITAT MAINTENANCE | | | | | | | |
| Exotic Plant Control | Hand Removal, Labor | L. Hours | 24.00 | 33.00 | 792.00 | 3.0 | 2,376.00 |
| Exotic Plant Control | Herbicide | Item | 1.00 | 140.00 | 140.00 | 3.0 | 420.00 |
| Exotic Plant Control | Backpack Spray | L. Hours | 16.00 | 33.00 | 528.00 | 3.0 | 1,584.00 |
| Exotic Animal Control | Cowbird trapping (5 traps) | Contract | 1.00 | 32,000.00 | 32,000.00 | 3.0 | 96,000.00 |
| Sub-Total | | | | | | | 100,380.00 |
| PUBLIC SERVICES | | | | | | | |
| Patrolling | Monthly | L. Hours | 50.00 | 33.00 | 1,650.00 | 3.0 | 4,950.00 |
| Sign | Boundary | Item | 25.00 | 6.00 | 150.00 | 1.0 | 150.00 |
| Sign | Labor | L. Hours | 8.00 | 33.00 | 264.00 | 1.0 | 264.00 |
| Other | Meetings | L. Hours | 16.00 | 43.00 | 688.00 | 3.0 | 2,064.00 |
| Sub-Total | | | | | | | 7,428.00 |

| Task list | Specificaton | Unit | Number of Units | Cost / Unit | Annual Cost | Times Years | Total Cost |
|----------------------------|-------------------------------|------------|-----------------|-------------|-------------|-------------|------------|
| REPORTING | | | | | | | |
| Database Management | Data Input | L. Hours | 20.00 | 43.00 | 860.00 | 3.0 | 2,580.00 |
| GIS/CAD Management | Data Management | L. Hours | 20.00 | 43.00 | 860.00 | 3.0 | 2,580.00 |
| Aerial Photo, 2 sets color | Digital | Flight | 1.00 | 900.00 | 900.00 | 1.0 | 900.00 |
| Annual Reports | Summary | L. Hours | 36.00 | 43.00 | 1,548.00 | 3.0 | 4,644.00 |
| Annual Work Plan | Plan and PAR Budget | L. Hours | 36.00 | 43.00 | 1,548.00 | 3.0 | 4,644.00 |
| Maintenance Report | Quarterly Report | L. Hours | 4.00 | 43.00 | 172.00 | 3.0 | 516.00 |
| Management Plan | 5-year Plan | L. Hours | 48.00 | 43.00 | 2,064.00 | 1.0 | 2,064.00 |
| Sub-Total | | | | | | | 17,928.00 |
| OFFICE MAINTENANCE | | | | | | | |
| Administrative | File maintenance | L. Hours | 8.00 | 33.00 | 264.00 | 3.0 | 792.00 |
| Preserve Office | Rent | Year | 0.17 | 1,800.00 | 306.00 | 3.0 | 918.00 |
| Office Supplies, Year | Stationery/envelopes | Year | 0.17 | 275.00 | 46.75 | 3.0 | 140.25 |
| Office Supplies, Year | Equipment | Year | 0.17 | 400.00 | 68.00 | 3.0 | 204.00 |
| Telephone | Service | Item | 0.17 | 950.00 | 161.50 | 3.0 | 484.50 |
| Computer software | Upgrades | Item | 0.17 | 325.00 | 55.25 | 3.0 | 165.75 |
| GIS ARC/INFO | GIS, PC based | Item | 0.17 | 750.00 | 127.50 | 1.0 | 127.50 |
| Sub-Total | | | | | | | 2,832.00 |
| FIELD EQUIPMENT | | | | | | | |
| GPS, Rover & Base Unit | GPS/Corrected | Item | 0.17 | 12,500.00 | 2,125.00 | 1.0 | 2,125.00 |
| Quad Runners, 2WD | Electric utility cart | Item | 1.00 | 6,500.00 | 6,500.00 | 1.0 | 6,500.00 |
| Vehicle | Small pickup | Item | 0.17 | 25,000.00 | 4,250.00 | 1.0 | 4,250.00 |
| Vehicle | Fuel/maintenance | Year | 1.00 | 450.00 | 450.00 | 3.0 | 1,350.00 |
| Vehicle | Insurance | Year | 0.17 | 1,100.00 | 187.00 | 3.0 | 561.00 |
| Camera 35mm/lens | Digital | Item | 0.17 | 625.00 | 106.25 | 1.0 | 106.25 |
| Binoculars | Binoculars 10 X 50 | Pair | 0.17 | 300.00 | 51.00 | 1.0 | 51.00 |
| Cellular Phone 3 watt | Service | Year | 0.17 | 938.00 | 159.46 | 3.0 | 478.38 |
| Chemical Sprayer | 5 Gallon, Classic | Item | 0.17 | 107.00 | 18.19 | 1.0 | 18.19 |
| Power Tools | Misc. Tools/Equipment | Item | 1.00 | 175.00 | 175.00 | 3.0 | 525.00 |
| Uniforms | Specification Unif. Allowance | Year | 0.17 | 155.00 | 26.35 | 3.0 | 79.05 |
| Sub-Total | | | | | | | 16,043.87 |
| OPERATIONS | | | | | | | |
| Audit | CPA Audit | Acre | 129.00 | 0.55 | 70.95 | 3.0 | 212.85 |
| Insurance | Liability/Fee | Acres | 129.00 | 0.37 | 47.73 | 3.0 | 143.19 |
| Legal/Emerg. Fund | Establish fund | 1% endow. | 1.00 | 16,889.00 | 16,889.00 | 1.0 | 16,889.00 |
| Research/Development Fund | Establish Fund | .5% endow. | 1.00 | 8,444.00 | 8,444.00 | 1.0 | 8,444.00 |
| Employee Training | Classes | Fee | 1.00 | 175.00 | 175.00 | 3.0 | 525.00 |
| Conferences | Conferences | Day | 1.00 | 150.00 | 150.00 | 3.0 | 450.00 |
| Other | Special District Taxes | Year | 1.00 | 158.75 | 158.75 | 3.0 | 476.25 |
| Sub-Total | | | | | | | 27,140.29 |

| Task list | Specificaton | Unit | Number of Units | Cost / Unit | Annual Cost | Times Years | Total Cost |
|---|--------------|------|--------------------|----------------|----------------|----------------|--------------------|
| CONTINGENCY & ADMINISTRATION | | | | | | | |
| Contingency | | | | | | | 19,949.92 |
| Administration | | | | | | | 52,667.78 |
| Sub-Total | | | | | | | ----- 72,617.70 |
| Total | | | | | | | 272,116.86 |

Section 9 - Ongoing Tasks and Costs

Property Title: East Coyote Hills/UNOCAL

Dataset: CA004

PAR ID: P141VER1

05/17/2005

Budget: PAR

| Task list | Specificaton | Unit | Number of Units | Cost / Unit | Annual Cost | Divide Years | Total Cost |
|---------------------------------|-----------------------------|----------|-----------------|-------------|-------------|--------------|------------|
| SITE CONSTRUCTION/MAINT. | | | | | | | |
| Project Planning | Plan/bid/oversight - fences | L. Hours | 10.00 | 43.00 | 430.00 | 20 | 21.50 |
| Fence | Split rail - Lot 46 | Lin. Ft. | 700.00 | 17.00 | 11,900.00 | 20 | 595.00 |
| Gate | Access to Lot 46 | Item | 1.00 | 275.00 | 275.00 | 20 | 13.75 |
| Fence | Maintenance/materials | Year | 1.00 | 250.00 | 250.00 | 1 | 250.00 |
| Lock | Padlock | Item | 1.00 | 9.00 | 9.00 | 2 | 4.50 |
| Fence | Maintenance/labor | L. Hours | 16.00 | 33.00 | 528.00 | 1 | 528.00 |
| Sub-Total | | | | | | | 1,412.75 |
| BIOTIC SURVEYS | | | | | | | |
| Project Management | Plan/coordinate | L. Hours | 12.00 | 43.00 | 516.00 | 1 | 516.00 |
| Plant Ecologist | Quantitative Monitoring | L. Hours | 76.00 | 43.00 | 3,268.00 | 3 | 1,089.33 |
| Plant Ecologist | Qualitative Monitoring | L. Hours | 20.00 | 43.00 | 860.00 | 1 | 860.00 |
| Ornithologist | CAGN; cactus wren | L. Hours | 50.00 | 43.00 | 2,150.00 | 1 | 2,150.00 |
| Science Director | Oversight and Review | Hours | 26.00 | 46.50 | 1,209.00 | 1 | 1,209.00 |
| Other | Adaptive Management | Year | 1.00 | 2,500.00 | 2,500.00 | 1 | 2,500.00 |
| Sub-Total | | | | | | | 8,324.33 |
| HABITAT MAINTENANCE | | | | | | | |
| Plant Maintenance | Buffer tree trim, Lot 172 | Contract | 1.00 | 500.00 | 500.00 | 5 | 100.00 |
| Exotic Plant Control | Hand Removal, Labor | L. Hours | 24.00 | 33.00 | 792.00 | 1 | 792.00 |
| Exotic Plant Control | Herbicide | Item | 1.00 | 140.00 | 140.00 | 1 | 140.00 |
| Exotic Plant Control | Backpack Spray | L. Hours | 16.00 | 33.00 | 528.00 | 1 | 528.00 |
| Exotic Animal Control | Cowbird trapping (5 traps) | Contract | 1.00 | 32,000.00 | 32,000.00 | 1 | 32,000.00 |
| Sub-Total | | | | | | | 33,560.00 |
| PUBLIC SERVICES | | | | | | | |
| Patrolling | Monthly | L. Hours | 50.00 | 33.00 | 1,650.00 | 1 | 1,650.00 |
| Sign | Boundary | Item | 25.00 | 6.00 | 150.00 | 8 | 18.75 |
| Sign | Labor | L. Hours | 8.00 | 33.00 | 264.00 | 8 | 33.00 |
| Other | Meetings | L. Hours | 16.00 | 43.00 | 688.00 | 1 | 688.00 |
| Sub-Total | | | | | | | 2,389.75 |
| REPORTING | | | | | | | |
| Database Management | Data Input | L. Hours | 20.00 | 43.00 | 860.00 | 1 | 860.00 |
| GIS/CAD Management | Data Management | L. Hours | 20.00 | 43.00 | 860.00 | 1 | 860.00 |
| Aerial Photo, 2 sets color | Digital | Flight | 1.00 | 900.00 | 900.00 | 3 | 300.00 |
| Annual Reports | Summary | L. Hours | 36.00 | 43.00 | 1,548.00 | 1 | 1,548.00 |
| Annual Work Plan | Plan and PAR Budget | L. Hours | 36.00 | 43.00 | 1,548.00 | 1 | 1,548.00 |
| Maintenance Report | Quarterly Report | L. Hours | 4.00 | 43.00 | 172.00 | 1 | 172.00 |
| Management Plan | 5-year Plan | L. Hours | 48.00 | 43.00 | 2,064.00 | 5 | 412.80 |
| Sub-Total | | | | | | | 5,700.80 |

| Task list | Specificaton | Unit | Number of Units | Cost / Unit | Annual Cost | Divide Years | Total Cost |
|---|-------------------------------|----------|-----------------|-------------|-------------|--------------|------------|
| OFFICE MAINTENANCE | | | | | | | |
| Administrative | File maintenance | L. Hours | 8.00 | 33.00 | 264.00 | 1 | 264.00 |
| Preserve Office | Rent | Year | 0.17 | 1,800.00 | 306.00 | 1 | 306.00 |
| Office Supplies, Year | Stationery/envelopes | Year | 0.17 | 275.00 | 46.75 | 1 | 46.75 |
| Office Supplies, Year | Equipment | Year | 0.17 | 400.00 | 68.00 | 1 | 68.00 |
| Telephone | Service | Item | 0.17 | 950.00 | 161.50 | 1 | 161.50 |
| Computer software | Upgrades | Item | 0.17 | 325.00 | 55.25 | 1 | 55.25 |
| GIS ARC/INFO | GIS, PC based | Item | 0.17 | 750.00 | 127.50 | 5 | 25.50 |
| Sub-Total | | | | | | | 927.00 |
| FIELD EQUIPMENT | | | | | | | |
| GPS, Rover & Base Unit | GPS/Corrected | Item | 0.17 | 12,500.00 | 2,125.00 | 5 | 425.00 |
| Quad Runners, 2WD | Electric utility cart | Item | 1.00 | 6,500.00 | 6,500.00 | 8 | 812.50 |
| Vehicle | Small pickup | Item | 0.17 | 25,000.00 | 4,250.00 | 8 | 531.25 |
| Vehicle | Fuel/maintenance | Year | 1.00 | 450.00 | 450.00 | 1 | 450.00 |
| Vehicle | Insurance | Year | 0.17 | 1,100.00 | 187.00 | 1 | 187.00 |
| Camera 35mm/lens | Digital | Item | 0.17 | 625.00 | 106.25 | 5 | 21.25 |
| Binoculars | Binoculars 10 X 50 | Pair | 0.17 | 300.00 | 51.00 | 5 | 10.20 |
| Cellular Phone 3 watt | Service | Year | 0.17 | 938.00 | 159.46 | 1 | 159.46 |
| Chemical Sprayer | 5 Gallon, Classic | Item | 0.17 | 107.00 | 18.19 | 5 | 3.64 |
| Power Tools | Misc. Tools/Equipment | Item | 1.00 | 175.00 | 175.00 | 1 | 175.00 |
| Uniforms | Specification Unif. Allowance | Year | 0.17 | 155.00 | 26.35 | 1 | 26.35 |
| Sub-Total | | | | | | | 2,801.65 |
| OPERATIONS | | | | | | | |
| Audit | CPA Audit | Acre | 129.00 | 0.55 | 70.95 | 1 | 70.95 |
| Insurance | Liability/Fee | Acres | 129.00 | 0.37 | 47.73 | 1 | 47.73 |
| Employee Training | Classes | Fee | 1.00 | 175.00 | 175.00 | 1 | 175.00 |
| Conferences | Conferences | Day | 1.00 | 150.00 | 150.00 | 1 | 150.00 |
| Other | Special District Taxes | Year | 1.00 | 158.75 | 158.75 | 1 | 158.75 |
| Sub-Total | | | | | | | 602.43 |
| CONTINGENCY & ADMINISTRATION | | | | | | | |
| Contingency | | | | | | | 5,571.87 |
| Administration | | | | | | | 14,709.74 |
| Sub-Total | | | | | | | 20,281.61 |
| Total | | | | | | | 76,000.32 |

Section 10 - Financial Summary

Property Title: East Coyote Hills/UNOCAL

Dataset: CA004

PAR ID: P141VER1 05/17/2005

| PAR(129 ac.) | Rate % | Total \$ |
|---|-----------|---------------|
| INITIAL FINANCIAL REQUIREMENTS | | |
| I & C Revenue | | 0 |
| I & C Management Costs | | 199,499 |
| I & C Contingency Expense | 10.00 | 19,950 |
| Total I & C Management Costs | | 219,449 |
| I & C Administrative Costs of Total I & C Management Costs | 24.00 | 52,668 |
| Total I & C Costs | | 272,117 |
| Net I & C Management and Administrative Costs | | 272,117 |
| ANNUAL ONGOING FINANCIAL REQUIREMENTS | | |
| Ongoing Costs | | 55,718 |
| Ongoing Contingency Expense | 10.00 | 5,572 |
| Total Ongoing Management Costs | | 61,291 |
| Ongoing Administrative Costs of Total Ongoing Management costs | 24.00 | 14,710 |
| Total Ongoing Costs | | 76,000 |
| ENDOWMENT REQUIREMENTS FOR ONGOING STEWARDSHIP | | |
| Endowment to Provide Income of \$ 76,000 | | 1,688,889 |
| Endowment per Acre is \$ 13,092. | | |
| Ongoing Management Costs Based on 4.50% of Endowment per Year. | | |
| Ongoing Management Funding is \$76,000 per Year Resulting in \$589 per Acre per Year. | | |
| TOTAL CONTRIBUTION | | 1,961,006 |