

Los Cerritos Wetlands Authority

Date: May 7, 2020

To: Governing Board Members

From: Mark Stanley, Executive Officer

Subject: Item 7: Status Report on Workplan Implementation including Los Cerritos Wetlands Stewardship Program and Los Cerritos Wetlands Conceptual Restoration Plan.

BACKGROUND: At the September 19, 2006 meeting, the Board adopted the Workplan set forth below. An updated description of the status of each workplan item is detailed in the following table:

| May 2020 WORKPLAN STATUS UPDATE | | |
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| LCWA Projects | | |
| Task | Description | Status |
| Potential Funding Sources | | |
| State Water Board Once-through Cooling Interim Mitigation Funding will depend on mitigation fees collected | The Once-Through Cooling (OTC) Policy requires owners or operators of existing power plants to implement measures to mitigate interim impingement and entrainment impacts resulting from their cooling water intake structures. The interim mitigation period commenced on October 1, 2015 and continues up to and until owners or operators achieve their final compliance deadlines as outlined in the OTC Policy. | Funding will depend on the mitigation fees collected by the State Coastal Conservancy |
| Wetlands Recovery Project In-Lieu Fee Program Progress Report Funding will depend on mitigation fees collected | Implementation of the proposed Program will provide a potential funding source to implement projects that fulfill the SCWRP goals, thereby generating substantial ecological benefits within the Program's Service Area, while also providing a cooperative mechanism for Compensatory Mitigation that addresses the needs of multiple federal, state, and local agencies. | The pursuit of this program has been cancelled. Therefore, this item will be omitted from future work plan updates. |

Item 7: Workplan Update

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| <p>California Department of Fish and Wildlife Prop 1 and Prop 68 grant program</p> | <p>This funding for competitive grants for watershed restoration projects that implement the California Water Action Plan.</p> | <p>The LCWA was selected as an awardee for CDFW's Prop 1 grant program. A resolution to accept this funding will be present during the May 2020 LCWA board meeting.</p> |
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| Task | Description | Status |
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| <p>Capital Projects & Initiatives</p> | | |
| <p>Los Cerritos Wetlands Planning and Restoration Project</p> | <p>Complete the Environmental Review of the Conceptual Restoration Plan through CEQA in a Program Environmental Impact Report</p> | <p>Funding is provided to conduct CEQA analysis to engage an environmental consultant contract.</p> <p>Environmental Science Associates is under contract and the project kick-off meeting occurred on December 4, 2017. A series of meetings have been conducted since March of 2018.</p> <p>The NOP and Initial Study were filed with the appropriate agencies on March 8, 2019. All required mailings and postings were completed and notified the public of the NOP comment period (March 8-April 8, 2019).</p> <p>The AB52 tribal consultations have been completed. Critical stakeholders are being regularly updated. ESA is currently preparing the DEIR.</p> <p>The DEIR is scheduled to be released for public comment in May 2020. The public comment period will be 45 days and will include two webinars to provide the public information about the document and assist with answering questions.</p> |
| <p>Los Cerritos Wetlands Acquisition of the Bryant Properties</p> | <p>Complete the acquisition of all property owned by the Bryant Family for an additional 18 acres along the frontage of 2nd Street- Westminster Avenue added to the property preserved for perpetuity as public.</p> | <p>Staff and Legal Counsel are working with Steve Bryant and Kevin Brazil to complete the final Appraisal Report for a final state review for the acquisition of Assessor Parcel Nos 7237-020-053; 054.</p> |

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| <p>Los Cerritos Wetlands LLC Restoration and Oil Consolidation Project</p> | <p>The project would implement a comprehensive wetlands restoration project which will restore a privately-owned oil field in the City of Long Beach through creation of a wetlands mitigation bank. The project includes the relocation of oil operations currently located on the Synergy Site and City-owned property to two off-site properties (LCWA's OTD Parcel and Pumpkin Patch site).</p> | <p>The project was approved by the LB Planning Commission on November 30, 2017. It was then approved by the LB City Council on January 16, 2018. The LCP amendment was approved at the California Coastal Commission hearing on August 8th, 2018 in Redondo Beach. The CDP application went before the California Coastal Commission on December 13th, 2018 and was passed. The LCWA and BOMP are working collaboratively to meet the conditions set forth by the Coastal Commission staff report.</p> <p>LCWA continues to track all other aspects of the project including the mitigation bank, land exchange agreement, and entitlement process.</p> |
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| Task | Description | Status |
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| <p>Capital Projects & Initiatives</p> | | |
| <p>Option Agreement to transfer properties between Los Cerritos Wetlands LLC(LCWLLC) and the LCWA</p> | <p>LCWLLC and the LCWA executed an option agreement that provides for the exchange of real property. Agreement was signed on 9/2/16 to transfer the LCWA APN 7237-019-809, approximately 5.11 acres for the LCWLLC property described as APNs 7237-017-010; 7237-017-011; 7237-017-012; 7237-0217-013; 7237-017-014; 7237-017-019; 7237-017-805; 7237-017-806; 7237-017-807; 7237-017-808;7237-017-809 approximately 154 acres.</p> | <p>The LCWA received the option agreement funds which will be used to hire consultants to review technical studies.</p> |
| <p>LCWA Mitigation Policy</p> | <p>Staff will require consultant services in order to assist in the development of the mitigation policy and currently the FY18/19 Budget does not have any unrestricted funds to support authorizing a consultant contract.</p> | <p>The LCWA would require additional funds from its joint partners in order to provide the financial support for authorizing a consultant contract for services and development of the mitigation policy. The cost to develop the mitigation policy would range from \$50,000 to \$100,000. These cost estimates were determined by researching various non-profits, regulatory agencies and other local and state agencies whom have completed similar and comparable mitigation policies.</p> |

| Task | Description | Status |
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| City of Long Beach Pending Environmental Documents | | |
| <p>City of Long Beach Southeast Area Specific Plan (SEASP)</p> | <p>The City of Long Beach continues to work on the Southeast Area Specific Plan which covers approximately 1,500-acres of southeast Long Beach. http://www.lbds.info/seadip_update/</p> | <p>The Draft Environmental Impact Report was approved by City of Long Beach Planning Commission and Long Beach City Council with some changes to the document. Buildings over 7 stories tall are not allowed on the Marketplace Property but can be allowed on the other sites under certain conditions. The plan includes a Wetlands Mitigation Fund that will be used to offset potential impacts to Los Cerritos Wetlands habitat. The LCWA is named in the document as an entity that the City will consult when developments are proposed.</p> <p>Approval of the project's DEIR was stalled since the Los Cerritos Wetlands Land Trust filed a writ of mandate to CA Superior Court following the City Council's decision stating the City was unlawful to approve SEASP. They reached a settlement in July 2018, and the City's EIR will be brought back to Coastal Commission at a date yet to be determined.</p> |

| Task | Description | Status |
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| Lease Agreements | | |
| <p>OTD/Edison Parcel Los Angeles County APN 7237-019-809</p> <p>Ellis Equipment, Inc. Lease Agreement</p> <p>Lease Fee = \$2,090 per month</p> | <p>The OTD Parcel is located on the northeast corner of Studebaker road and 2nd Street in the City of Long Beach and commonly referred to as the 'Edison Parcel' or 'Offer to Dedicate (OTD) Parcel.'</p> | <p>Ellis lease agreement utilizes only a portion of the OTD Parcel for storage of construction material. Ellis lease agreement has an end date of September 30, 2020.</p> |
| <p>OTD/Edison Parcel Los Angeles County APN 7237-019-809</p> <p>D & S Washout Systems Lease Agreement</p> <p>Lease Fee = \$950 per month</p> | <p>The OTD Parcel is located on the northeast corner of Studebaker road and 2nd Street in the City of Long Beach and commonly referred to as the 'Edison Parcel' or 'Offer to Dedicate (OTD) Parcel.'</p> | <p>D & S Washout Systems Lease Agreement utilizes a portion of the OTD parcel for the storage of work trucks and construction materials. The lease agreement has an end date of September 30, 2020.</p> |
| <p>California State Lands Commission Lease Agreement PRC9005.9. Orange County APNs: 043- 160-47; 043-160-36; 043-160-45; and 043- 160-53</p> <p>August 14, 2012 through August 13, 2022</p> | <p>The State Lands Commission issued the LCWA a lease agreement for four parcels approximately totaling four acres adjacent to the Los Cerritos Wetlands Authority Hellman/Phase 2 in the City of Seal Beach.</p> | <p>Staff coordinates with SLC office for ongoing repairs of fence property and continues to stage the Los Cerritos Wetlands Stewardship Program from this site.</p> |
| <p>City of Long Beach Marketplace Marsh License Agreement for Los Angeles County APN 7237-020-21</p> <p>June 7, 2010 through June 30, 2020</p> | <p>The property is approximately 29.38-acres south of 2nd Street</p> | <p>The LCWA recently updated the license agreement to allow tours of the wetlands and extended the license agreement through June 30, 2020.</p> |

| Task | Description | Status |
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| Grants – COMPLETED | | |
| A total of 12 grants have been completed by the LCWA and LCWLT as of November 2018 | A total of \$6,228,400 grant funds has been acquired and applied towards acquisition, restoration studies, restoration projects, and education programs. | See link for details on all completed grants. |
| Grants – ACTIVE | | |
| National Coastal Wetlands Conservation Grant Application <u>Active</u> | The State Coastal Conservancy (SCC) applied on behalf of the LCWA for the NCWC grant. Performance Period January 29, 2013 through December 31, 2019 Total Funding \$1,000,000 Funding Remaining \$1,000,000 | The National Coastal Wetlands Conservation Grant was submitted on July 13, 2012 by the SCC for the acquisition of the Steam Shovel Slough. The SCC was awarded the \$1,000,000 grant for the acquisition of Steam Shovel Slough on January 29, 2013. The funds have been re-assigned to the Bryant acquisition. An amendment to extend this grant from December 31, 2019 to December 31, 2020 was approved. LCWA is currently applying to SCC for the grant funds to be awarded to the LCWA. |
| State Coastal Conservancy Proposition 1 Los Cerritos Wetlands Planning and Restoration Project <u>Active</u> | Grants funds to complete the environmental review of the CRP per CEQA. Environmental review of the CRP's three proposed alternatives or a hybrid alternative. Performance Period June 5, 2017 through April 25, 2020 Total Funding \$500,000 Funding Remaining: \$23,110.74 | The LCWA was successfully awarded the grant funds for the CEQA Planning Document. Implementation of the project has commenced. |

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| <p>San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy Grant State Coastal Conservancy Proposition 1</p> <p>Los Cerritos Wetlands Planning and Restoration Project Proposition 1 Grants</p> <p><u>Active</u></p> | <p>Grants funds to complete the environmental review of the CRP per CEQA. Environmental review of the CRP's three proposed alternatives or a hybrid alternative.</p> <p>Performance Period January 23, 2017 through December 31, 2020</p> <p>Total Funding \$500,000 Funding Remaining: \$136,878.24</p> | <p>The LCWA was successfully awarded the grant funds for the CEQA Planning Document, implementation of the project has commenced.</p> <p>An amendment to amend the budget and extend the performance period from June 30, 2020 to December 31, 2020 was approved by the RMC on April 6, 2020.</p> |
| <p>National Fish and Wildlife Foundation – National Coastal Resilience Fund 2018</p> <p>Los Cerritos Wetlands Planning and Restoration Project</p> <p><u>Active</u></p> | <p>Grant funds to complete detailed wetlands hydrodynamic modeling for the Optimized Restoration Plan.</p> <p>Performance Period: June 1, 2018 – August 31, 2020</p> <p>Total Funding: \$249,500 Funding Remaining: \$14,048.96</p> | <p>The LCWA was successfully awarded the grant funds for hydrodynamic modeling for the Optimized Restoration Plan, implementation of the project has commenced.</p> |

| Task | Description | Status |
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| Consultant Contracts - ACTIVE | | |
| <p>LCWA 19501 Los Cerritos Wetlands Stewards Homeless Liaison Contract Amended</p> <p><u>Active</u></p> | <p>The Los Cerritos Wetlands Stewards and the LCWA have a mutual interest in the implementation of the Stewardship Program which will promote and provide leadership in conservation for educating members as well as the community to further the appreciation of the wetlands' habitat conservation.</p> | <p>The contract addresses the safety and security of the LCWA properties and meets the LCWA goals and objectives. Currently the Los Cerritos Wetlands Stewards are coordinating any removal of homeless encampments at several locations within the LCWA properties.</p> <p>The contract with LCWS was renewed on May 2, 2019 (LCWA Resolution 2019 – 07) for three years until May 2, 2022, with the option of 2 one-year extensions.</p> |

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| <p>LCWA 19502 Moffat & Nicol Mitigation Bank Technical Review</p> <p><u>Active</u></p> | <p>The LCWA is currently working with BOMP on the formation of the Upper Los Cerritos Wetlands Mitigation Bank. Additional technical services were needed to review the mitigation bank.</p> | <p>A contract was approved at the August 1, 2019 Board meeting (LCWA Resolution 2019 – 11) for an amount not to exceed \$10,000.</p> |
| <p>LCWA 19503 RWG Law Mitigation Bank Legal Services</p> <p><u>Active</u></p> | <p>The LCWA is currently working with BOMP on the formation of the Upper Los Cerritos Wetlands Mitigation Bank. Additional legal services were needed to review the mitigation and associated documents.</p> | <p>A contract was approved at the August 1, 2019 Board meeting (LCWA Resolution 2019 – 11) for services rendered based on a fee schedule.</p> |
| <p>LCWA 19504 RWG Law Puvunga Wetlands Protectors v. California Coastal Commission, et al Legal Services</p> <p><u>Active</u></p> | <p>The LCWA has been named as a real party in interest on the matter of Puvunga Wetlands Protectors v. California Coastal Commission, et al, Los Angeles Superior Court Case No. 19STCP00435. This lawsuit challenges a coastal development permit issued by the California Coastal Commission, which relates to the Land Swap Option Agreement (Option Agreement) entered into on September 2, 2016 with Los Cerritos Wetlands, LLC (the LLC). Thus, LCWA must retain outside counsel to represent it in this litigation.</p> | <p>A contract was ratified at the August 1, 2019 Board meeting (LCWA Resolution 2019 – 10) for services rendered based on a fee schedule.</p> |
| <p>Memorandum of Understanding/Agreements</p> | | |
| <p>LCWA08008 Signal Hill Petroleum, Inc. Coastal Development Permit for Vegetation Removal</p> <p>LCWA Phase 1 Properties</p> <p><u>Active</u></p> | <p>Signal Hill Petroleum, Inc. conducts the following activities (1) removing vegetation, debris and soil from the storm water collection and retention system, (2) controlling vegetation surrounding all oil pumps, electrical poles, and pipelines, and (3) removing vegetation surrounding all oil production facilities and buildings.</p> <p>Performance Period February 1, 2018 through January 31, 2020</p> <p>Total Funding: \$20,000 Remaining Funding: \$4.17</p> | <p>Tidal Influence was contracted to manage MOA.</p> <p>Signal Hill Petroleum, Inc. annually provides \$10,000 to offset their impacts from proposed work. The LCWA completed the 2018-2019 workplan and is working with Coastal Commission staff to approve a spending plan for 2020-2021.</p> |

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| <p>LCWA13002 Southern California Edison Company Memorandum of Agreement</p> <p>Active</p> | <p>The LCWA entered into a Memorandum of Agreement with Southern California Edison Company to accept funds to provide out-of-kind compensatory mitigation for impacts to shoreline habitat at Catalina Island.</p> <p>Performance Period June 14, 2014 through June 30, 2020</p> <p>Total Funding: \$25,000 Remaining Funding: \$0.00</p> | <p>Tidal Influence was contracted to manage this MOA. Staff has completed the Habitat Mitigation and Monitoring Plan which allowed for procurement and installation of 425 salt marsh plants in Spring 2015. Quarterly vegetation monitoring began in May 2015 and will continue until February 2020.</p> <p>Tidal Influence prepared the year 5 monitoring report to submit to Southern California Edison for the purpose of presenting the existing conditions of the 0.16-acre restoration site at Zedler marsh and comparing it to the data collected in previous years. The project met all performance standards.</p> |
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| LCW Stewardship Program | | |
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| Task | Description | Status |
| Potential Funding Sources | | |
| <p>City of Long Beach Measure A, Public Safety, Infrastructure Repair and Neighborhood Services Measure</p> | <p>The City of Long Beach established a one percent (1%) transactions and use (sales) tax for six years, generating approximately \$48 million annually, declining to one-half percent for four years and then ending, requiring a citizens' advisory committee and independent audits, with all funds remaining in Long Beach.</p> | <p>The City of Long Beach allocated an estimated \$500,000 for restoration work for the Los Cerritos Wetlands. The status of the funding is pending.</p> |
| <p>Los Angeles County: Safe, Clean Neighborhood Parks, Open Space, Beaches, Rivers Protection, and Water Conservation Measure Section 6(e); subsection 2(A) Supervisor Janice Hahn, Fourth District</p> <p>Potentially \$463,983 in funding</p> | <p>To replace expiring local funding for safe, clean neighborhood/city/county parks; increase safe playgrounds, reduce gang activity; keep neighborhood recreation/senior centers, drinking water safe; protect beaches, rivers, water resources, remaining natural areas/open space; 1.5 cents will be levied annually per square foot of improved property in Los Angeles County, with bond authority, requiring citizen oversight, independent audits, and funds used locally.</p> <p>Funding Remaining: \$43,648.31</p> | <p>Up to fifteen percent (15%) shall be set aside and designated as the maintenance and servicing amount, and shall be used only to maintain and service, including resource protection activities for the capital outlay projects funded by the District...</p> <p>...The maintenance and servicing amount shall be allocated each year as follows: ...point five percent (0.5%) to the Los Cerritos Wetlands Authority...</p> <p>\$67,770.92 has been allocated to fund maintenance of the LCW trails system. This funding was released in Q2 of 2019, and the LCWA has begun utilizing these funds for the maintenance of the Zedler Marsh Trails.</p> |

| Education Programs | | |
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| Public Access Improvement and Wetlands Restoration | Restoration and enhancement of existing wetlands function is one of the primary objectives of the LCWA. Public access for wildlife viewing and enjoyment may involve site improvements. | LCWA has successfully partnered with Los Cerritos Wetlands Land Trust (LCWLT), who have sponsored guided nature walks in Los Cerritos Wetlands as well as secured funding to support Los Cerritos Wetlands Stewardship Program events. Please refer to the attached Exhibit B: Los Cerritos Wetlands Stewardship Program updates for a full report. |

| Task | Description | Status |
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| Capital Projects & Initiatives | | |
| <p>County of Orange, OC Public Works Contract (MA-080-15010071)</p> <p>Active</p> | <p>Orange County Public Works entered into contract with LCWA to provide wetland restoration services and supplies including five years of monitoring reports from the LCWA's Stewardship Program</p> <p>Performance Period October 28, 2019 through October 27, 2020</p> <p>Total Funding: \$20,660.00 Funding Remaining: \$14,0015.00</p> | <p>Tidal Influence was contracted to manage and implement the project. Planting and site maintenance regularly occur on the Orange County mitigation site, and staff continue to monitor the progress on the project.</p> <p>LCWA staff have submitted Year 5 Monitoring Report in October of 2019.</p> <p>Orange county has approved a proposal from the LCWA for continued management of the site through October of 2020. Management of the restoration site continues along with monitoring and oversight activities.</p> |
| <p>Tarplant Mitigation Project - Ascon</p> <p>Active</p> | <p>The LCWA entered into a Memorandum of Agreement with Ascon to accept mitigation funds for the Southern Tarplant Mitigation Plan for a five-year mitigation plan to grow and monitor Southern Tarplant at Zedler Marsh</p> <p>Performance Period November 3, 2016 through November 1, 2021</p> <p>Year 4 Funding: \$60,110 Year 4 Remaining Funding: \$38,998.38</p> | <p>Tidal Influence was contracted to manage and implement this project, seeding, and monitoring plan at Zedler Marsh. Staff continues to monitor the progress on the project.</p> <p>Regular watering and invasive species control are currently conducted on site. Annual monitoring was conducted in July of 2019 and resulted in a total of 214,983 individuals of the 189,774 individual goal set forth in the projects performance standards.</p> <p>A fourth year of funding has been negotiated and approved. Project implementation will continue through 2020.</p> |

| Grants – COMPLETED | | |
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| A total of 12 grants completed by the LCWA and LCWLT | A total of \$6,228,400 grant funds was acquired and used towards acquisition, restoration studies, restoration projects, and education programs. | See link for details on all completed grants. |
| Task | Description | Status |
| Grants – ACTIVE | | |
| <p>The Orange County Community Fund</p> <p>Warne Family Endowment Fund for Endangered Species Protection Grant</p> <p><u>Active</u></p> | <p>The LCWLT applied for the Warne Foundation Grant Program to fund Belding's Savannah Surveys at Los Cerritos Wetlands. This is a competitive grant that needs to be reapplied to annually.</p> | <p>Belding's Savannah Sparrow (BSS) surveys were conducted during breeding and nesting season to determine breeding territories for pairs of Belding's. Least Bell's Vireo (LBV) surveys began to determine potential nesting areas. Surveys were completed along with restoration of BSS and LBV habitat outside of nesting season.</p> <p>This grant was first awarded to the LCWLT on January 1, 2017, and then reapplied for and approved for a fourth year of monitoring and restoration efforts for 2020.</p> |
| Memorandum of Understanding/Agreements | | |
| <p>Signal Hill Petroleum, Inc. (SHPI) Memorandum of Agreement</p> <p><u>Active</u></p> | <p>The LCWA entered into a Memorandum of Agreement with SHPI to use specific areas within the SHPI current exclusive easement for growth of Southern Tarplant under the Southern Tarplant Mitigation Plan.</p> <p>Performance Period February 3, 2017 through perpetuity</p> | <p>The LCWA will have access to these specific areas within the SHPI exclusive easement into perpetuity.</p> |
| <p>LCWA13001 Aquarium of the Pacific Memorandum of Agreement</p> <p><u>Active</u></p> | <p>The LCWA entered into a Memorandum of Agreement in order to provide a citizen science sea turtle monitoring program for the general public.</p> <p>Performance Period August 11, 2016 through December 30, 2020.</p> | <p>For updates on the citizen science sea turtle monitoring program, please visit http://www.aquariumofpacific.org/give/member-ship/seaturtles</p> <p>This agreement has been extended from December 30, 2019 to December 30, 2020.</p> |

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| <p>LCWA13000 Los Cerritos Wetlands Land Trust Memorandum of Agreement</p> <p><u>Active</u></p> | <p>The LCWA entered into a MOA with the Los Cerritos Wetlands Land Trust for stewardship services of the Los Cerritos Wetlands Stewardship Program</p> <p>Performance Period August 11, 2016 through December 30, 2020.</p> | <p>Please see the attached Los Cerritos Wetlands Stewardship Program Summary Report.</p> <p>This agreement has been extended from December 30, 2019 to December 30, 2020.</p> |
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| Task | Description | Status |
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| Memorandum of Understanding/Agreements | | |
| <p>Memorandum of Agreement with the El Dorado Audubon</p> <p><u>Active</u></p> | <p>El Dorado Audubon is working with the LCWA to develop bird walks at LCWA Phase 2 properties.</p> <p>Performance Period February 11, 2016 through December 30, 2020.</p> | <p>Please see the attached El Dorado Audubon Society report for a summary of the Los Cerritos Wetlands Nature/Bird Walks. For more information, please visit http://eldoradoaudubon.org/</p> <p>This agreement has been extended from December 30, 2018 to December 30, 2020.</p> |
| <p>Sea and Sage Monthly Bird Counts</p> | <p>Darrell Wilson conducts bird counts using a research permit on the Hellman Properties.</p> | <p>Bird counts from monthly surveys are summarized in reports submitted to LCW Ebird account.</p> |