



United States Department of the Interior



FISH AND WILDLIFE SERVICE

2800 Cottage Way, Ste 2606
Sacramento, CA 95825

In Reply Refer To:
FWS/LR8/IR08/IR10

July 7, 2022

Catherine McCalvin
Manager, SWP Ecosystem Improvements Branch
Division of Integrated Science and Engineering
Department of Water Resources
3500 Industrial Blvd.
West Sacramento, CA 95691
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Department of Water Resources
Post Office Box 942836
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Subject: APN Numbers 033-220-060, 033-220-067, 033-011-015, 033-011-004, 042-260-024, 033-440-002, 033-220-068, for which letters have been received from DWR.

APN Numbers 033-440-001, 033-220-054, 033-220-061, 033-220-058, 033-190-036, 033-190-038, for which no letters have yet been received from DWR.

Dear Ms. McCalvin:

The United States Fish and Wildlife Service (USFWS) is in receipt of several letters from Right-of-Way agents with the State of California Department of Water Resources (DWR), concerning the above-referenced APN numbers. In addition, we anticipate DWR will issue letters concerning the parcels identified by APN numbers above, for which letters have not yet been received, concerning additional easement parcels and one conservation bank parcel. The USFWS anticipates that DWR will notify us of prospective flowage through the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Project (Big Notch Project or Project). These letters are or will be directed to the USFWS Realty Office and/or to the Sacramento National

Wildlife Refuge Complex, or to the USFWS Fisheries and Aquatic Conservation Program, and identify that the USFWS holds conservation easements or a beneficial interest in properties over which DWR is proposing to acquire flowage easements. The letters also invite submission of written comments within forty-five (45) days, to include identification of any potential conflicts between the proposed public use and the terms of the USFWS conservation easements. By letter dated February 14, 2022, the USFWS provided its initial comments in response to the DWR notification letters received as of that time, concerning eight properties in which the United States holds conservation easements. These parcels were addressed in the California Water Commission Resolution of Necessity hearings held in April and May of 2022. This letter provides the USFWS' initial response to each of the remaining prospective notice letters that we anticipate DWR will be providing, including those received to date and those anticipated to be forthcoming.

The conservation easements are federally-held real property interests, in which title is held in the name of the United States of America. These easements were obtained by the United States for the purpose of protecting migratory bird habitat, and they are administered as part of the National Wildlife Refuge System. In addition, the USFWS is a third-party beneficiary of a conservation easement to a property containing the Pope Ranch Conservation Bank, providing protection in perpetuity for the giant garter snake, which is listed under the Endangered Species Act as a threatened species.

Please find enclosed a table indicating the USFWS' preliminary assessment of potential properties in which the United States holds conservation or other beneficial interests that may be affected by the Big Notch Project. Because DWR has not yet officially notified the USFWS of all properties that it considers will be affected or outlined the full extent of the anticipated impact to each property, the USFWS at this time cannot complete an assessment of the complete impacts of the proposed flowage of the property; we note, however, that the proposed flowage may impact migratory bird foraging habitat on the easement parcels. At this point, this letter simply provides DWR notice that there are federal land interests that may be affected by this Project and that must be addressed in accordance with federal law.

Please consider this letter as the USFWS' response to any further notification letters that DWR plans to send regarding additional USFWS conservation easement properties or properties in which the USFWS has a beneficial interest.

Sincerely yours,

**PRISCILLA
WHEELER**

Digitally signed by
PRISCILLA WHEELER
Date: 2022.07.07 08:06:21
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Polly Wheeler
Assistant Regional Director, Refuges Program
United States Fish and Wildlife Service
California Great Basin Region
2800 Cottage Way, Suite W-2606
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Enclosure – Preliminary Table of Affected USFWS Conservation Easement Properties

cc: Ashley Wilson, Right-of-Way Agent, DWR Ashley.wilson@water.ca.gov
Fahmi Kassis, Right-of-Way Agent, DWR Fahmi.kassis@water.ca.gov
Jesus Cedeno, Right-of-Way Agent, DWR Jesus.Cedeno@water.ca.gov
Craig Denisoff, Right-of-Way Agent, DWR Craig.Denisoff@water.ca.gov
Elizabeth Vasquez, DWR
Rachel Taylor, DWR
Mario Manzo, BOR

DWR #	FWS #	Approx Acres	Original Grantor	Current Owner from county	Mailing Address	APNs
131	24C	382	Swanston Ranch	WOODEN DECOY LLC	10121 MILLER AVE STE 200 CUPERTINO CA 95014	042-340-002-000
132	17C	851.9	Glide In Ranch	GLIDE IN RANCH	P O BOX 15941 SACRAMENTO CA 95852	033-180-008-000, 033-180-001-000, 033-180-020-000
135	24C	361	Swanston Ranch	ENGSTROM DANIEL G	27267 WILLOWBANK RD DAVIS CA 95618	042-260-019-000, 042-270-007-000
141	24C	156	Swanston Ranch	M L FARMS INC	1540 39TH ST SACRAMENTO CA 95816	042-260-021-000
136	24C	338	Swanston Ranch	WHITCOMBE JOHN & JUDY ETAL	3500 ANDERSON RD DAVIS CA 95616	042-270-013-000
138	24C	323	Swanston Ranch	DOUGHERTY NEIL ETAL	1233 E BEAMER ST STE A WOODLAND CA 95695	042-260-023-000, 042-270-014-000
139	24C	142	Swanston Ranch	THOMPSON TRUST ETAL	417 MACE BLVD STE 5 #290 DAVIS CA 95618	042-270-017-000
163	24C	170	Swanston Ranch	WS2 RANCH LLC	226 CALIFORNIA AVE RENO NV 89509	042-270-015-000
162	24C	314	Swanston Ranch	WS2 RANCH LLC	226 CALIFORNIA AVE RENO NV 89509	042-240-005-000, 042-260-020-000
129	29C-1,29C-2	140	Swanston Ranch	WS2 RANCH LLC	226 CALIFORNIA AVE RENO NV 89509	033-011-015-000, 033-011-004-000
155	447C	100.1	Rod Williams	WILLIAMS REV LIV TRUST	1461 SLIGER MINE RD GREENWOOD CA 95635	033-220-060-000,033-220-067-000
159	29C	44	Rising Wings Club	KLEARY and MARGARITE	3319 FOLSOM BLVD SACRAMENTO,CA 95816	033-220-068-000
172	27C	190.9	Channel Ranch	CHANNEL RANCH PARTNERS	1880 HERITAGE LN NEWCASTLE CA 95658	033-440-002-000
130	24C	158	Swanston Ranch	HUNTING FAM TRUST ETAL	9 HARRIS PL STE A SALINAS CA 93901	042-260-024-000
	19C	480	H Pond	H POND LLC	3600 ARDEN CREEK RD SACRAMENTO CA 95864	033-440-001-000
	16C	122.4	Laurel G Ranch	IP CALIFORNIA LLC	P O BOX 130339 CARLSBAD CA 92013	033-220-054-000
	436C	70	Hall_Mark Services	AROZ REV LIV TRUST	3749 ERLEEVINE CIR SACRAMENTO CA 95819	033-220-061-000, 033-220-058-000
		391.31	Wildlands, Inc.	RUNNING W LAND LLC	796 WEST RISE RD LINCOLN, CA 95648	033-190-036-000, 033-190-038-000