

FINAL

LONG-TERM MANAGEMENT PLAN

FOR

ALISO CREEK MITIGATION SITE



April 2024

Prepared for:

**Orange County Transportation Authority
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Executive Summary

This long-term management plan (LTMP) is a supplement to the Aliso and Wood Canyons Wilderness Park (AWCWP) Resource Management Plan (RMP)¹ and should be used in conjunction with that plan. The AWCWP RMP was developed in compliance with the Orange County Central-Coastal Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP) and was approved by the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) (collectively referred to as “Wildlife Agencies”). The intent of this LTMP is to provide additional long-term management activities to be implemented at the Aliso Creek compensatory mitigation site (“Aliso Creek Project”), which is located within the AWCWP, after performance standards have been achieved (as described in the Aliso Creek Habitat Mitigation and Monitoring Plan (HMMP)²) to ensure the long-term sustainability of the resource, including long-term financing mechanisms to fund the activities in this LTMP and the party responsible for long-term management of the Aliso Creek Project site (hereinafter referred to as the “land manager”). This LTMP is applicable to the areas identified as compensatory mitigation as shown on the attached maps [Exhibits 1 and 2] and further described below. This document is consistent with the AWCWP RMP and will be subject to approval of the U.S. Army Corps of Engineers (Corps), California State Water Resources Control Board (SWRCB) (collectively referred to as “Regulatory Agencies”), and the Wildlife Agencies.

Location

The Aliso Creek Project site is located just south of Moulton Parkway and extends southerly for approximately 12,612 linear feet, terminating near the intersection of Avila Road and Alicia Parkway in Aliso Viejo, Orange County, California. The entire Aliso Creek Project site is located within the AWCWP [Exhibit 1].

Responsible Parties

Upon completion of and acceptance by the Regulatory and Wildlife Agencies that the 10-year performance standards have been achieved for the Aliso Creek Project site, implementation of long-term management for the Aliso Creek Project site will begin. The responsibility of long term management of Aliso Creek Project site will be transferred from Orange County Transportation Authority (OCTA) to Orange County Parks Department (OC Parks) via an appropriate mechanism, subject to review and written approval by the Corps, Wildlife Agencies, SWRCB, and OC Parks. As noted above, the Aliso Creek Project site is located within the AWCWP RMP area and an approved protection mechanism will be established for the Aliso Creek Project site. Funding for long-term management activities not currently covered in the existing AWCWP RMP will be provided by OCTA to OC Parks through coordination with the Regulatory Agencies and OC Parks via an endowment.

¹LSA Associates, Inc. *Resource Management Plan, Aliso and Wood Canyons Wilderness Park, County of Orange, California*. August 2009. Available at: <http://ocparks.com/parks/aliso/links>.

²Laguna Canyon Foundation. *Habitat Mitigation and Monitoring Plan, OCTA Measure M – Aliso Creek, Aliso Viejo, California*. September 2017.

Management and Monitoring

While it is not anticipated that major management actions will be needed, an objective of the LTMP is to conduct monitoring to identify any issues that arise, and using adaptive management, including as defined in the Corps' regulations, to determine what actions might be appropriate to conserve the Aliso Creek Project site's natural resource functions and services in perpetuity. The land manager for the Aliso Creek Project site shall implement the following:

A. Biological Resources

A.1 Waters of the U.S., including wetlands

Objective: To the extent consistent with and limited to the Tasks set forth below, monitor the Aliso Creek Project site's waters of the U.S., including wetlands.

Task: At least one annual walk-through survey will be conducted to monitor the general condition of the waters of the U.S., including wetlands. General topographic conditions, hydrology, general vegetation cover and composition, invasive species, and erosion will be noted, evaluated and mapped during a site examination in the spring. Notes to be made will include observations of species encountered, general water quality (i.e., turbidity, pollutants such as oil and sheen), general extent of wetlands, and any occurrences of erosion, and weed/non-native species invasion.

Task: Establish reference sites for photographs and prepare a site map showing the reference sites for the Aliso Creek Project site. Alternatively, utilize photographic reference sites, if any, developed during HMMP management period. Reference photographs will be taken once per year.

A.2 Minimization of Impact/Take to Threatened/Endangered Animal Species

Objective: To the extent consistent with and limited to the Tasks set forth below, minimize take of federally listed species.

Task: Avian Species: Least Bell's vireo (vireo), Southwestern willow flycatcher (flycatcher) and Coastal California gnatcatcher (gnatcatcher) - Management activities during the breeding season³ that have the potential to destroy active nests (e.g., spraying or pulling vegetation off existing roads or trails within coastal sage scrub or woody riparian vegetation) or disrupt nesting activities (e.g., weed whipping along roads and trails adjacent to coastal sage scrub or woody riparian vegetation) will be conducted under the

³ The breeding season for gnatcatcher is February 15 through August 31, and the breeding season for vireo and flycatcher is March 15 through September 15.

oversight⁴ of a monitoring biologist⁵ who will ensure that nesting activities for gnatcatcher, vireo, and flycatcher nests are not disrupted and that no nests are destroyed.

A.3 Invasive Plant Species

Objective: To the extent consistent with and limited to the Tasks set forth below, monitor and maintain control over target invasive plant species that threaten native plant communities within the site, including Arundo (*Arundo donax*), Italian thistle (*Carduus pycnocephalus*), Pampas grass (*Cortaderia selloana*), tree tobacco (*Nicotiana glauca*), castor bean (*Ricinus communis*), artichoke thistle (*Cynara cardunculus*), and tamarisk (*Tamarix ramosissima*). These species have a moderate to high level of invasiveness within onsite habitats, rated as “high” or “moderate” by the California Invasive Plant Council (Cal-IPC). The Aliso Creek Project site will be monitored on an annual basis to ensure that the site maintains its biological functions and conservation value and does not degrade due to invasive plant species, trespassing, or illegal dumping.

Task: Each year’s annual walk-through survey (or a supplemental survey) will include a qualitative assessment of potential or observed weed invasions and appropriate weed removal (e.g., weed removal is limited to funds allocated for this Task), primarily in or around the waters of the U.S. Actions to control invasive species will be evaluated and prioritized on an annual basis, as necessary to address new growth of invasive plant species as efficiently as possible within the funding allocated for this Task. Any ground disturbing activities to remove invasive plant species, such as digging and grading, that may impact cultural resources are strictly prohibited within the Aliso Creek Project site unless written approval from the Corps is obtained.

B. Security, Safety, and Public Access

Element B.1 – Trash and Trespass/Fire Hazard Monitoring

Objective: To the extent consistent with and limited to the Tasks set forth below, monitor sources of trash, trespass, and fire hazards. Collect and remove trash, repair vandalized structures (which for purposes of this LTMP only consist of the Aliso Creek Bikeway/service road, dirt trails, concrete spillways, and rip rap), rectify trespass impacts, and identify fire hazards.

⁴ “Oversight” includes, but is not limited to, the following activities, which will be conducted as necessary to ensure that no nests are destroyed and that nesting activities of listed species are not disrupted: training personnel on vegetation to be avoided and removed; flagging specific areas to be avoided; training personnel on avoidance and minimization measures; regularly inspecting work activities; and providing direct supervision of management activities when necessary.

⁵ The monitoring biologist will be familiar with the listed species that potentially occur in the affected habitat (gnatcatcher, vireo, and/or flycatcher) and their breeding behavior.

Task: During each annual site visit, record general areas of persistent or problematic trash and/or trespass, including homeless encampments and fire hazards. Record type, location, and management recommendations to avoid, minimize, or remove potential fire hazard impact threatened by debris and toxic substances as a result of trespass.

Task: As needed, and at least once yearly, repair and rectify vandalism, trespass, and potential fire hazard impacts by collecting and removing trash in accordance with law and established Homeless Encampment Protocols.

C. Reporting and Administration

Element C.1 – Annual Report

Objective: To the extent consistent with and limited to the Task set forth below, assess and record management tasks and general site conditions for the purpose of reporting and determining management priorities.

Task: Prepare an annual report that (1) summarizes general site conditions/monitoring results and management activities related to each of the elements of this plan and (2) notes (a) any habitat enhancement measures deemed to be warranted, (b) any problems that need near term attention (e.g., weed removal, erosion control), and/or (c) any changes in the monitoring or management program that appear to be warranted based on monitoring results to date. This annual report may be included in the NCCP/HCP Annual Report; applicable section(s) of the NCCP/HCP Annual Report will be made available at the request of the Corps and the NCCP/HCP Annual Report may also be downloaded from the NCCP/HCP website at <http://occonservation.org/>.

Funding for this Task also includes administrative costs to be used as needed.

D. Equipment and Materials

Element D.1 – Equipment and Materials

Objective: Include funding for equipment and materials needed to accomplish long-term management tasks described herein.

Task: Field supplies consistent with the HMMP, such as herbicides (or equivalent), and pin flags/markers, will be purchased. Vehicle mileage to and from the site will be charged. Missing and damaged signs will be replaced as necessary.

Amendments and Notices

A. Amendments

The land manager, property owner, Wildlife Agencies, and Regulatory Agencies may meet and confer from time to time, upon the request of any one of them, to discuss any needed revisions to the LTMP to better meet management objectives and preserve the habitat and conservation values of the Aliso Creek Project. If revisions are proposed, they will not expand on or increase the funding committed to in the LTMP, unless agreed to in writing by OCTA or the County. Any proposed changes will be designed with input from all parties. Amendments to the LTMP approved by the Corps via a permit amendment, SWRCB and Wildlife Agencies in writing shall be required management components and shall be implemented by the land manager.

B. Notices

Any notices regarding this LTMP shall be directed as follows:

To OC Parks as Land Manager:

OC Parks
13042 Old Myford Road
Irvine, CA 92602
Attn: Director of OC Parks
Telephone: 714.973.6855

To the Corps:

U.S. Army Corps of Engineers
Los Angeles District, Regulatory Division
915 Wilshire Boulevard, Suite 930
Attn: Chief, Regulatory Division
RE: SPL-2012-00830-VCL

To the USFWS:

U.S. Fish and Wildlife Service
Carlsbad Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008
Attn: Field Supervisor
Telephone: (760) 431-9440
Fax: (760) 918-0638

To the CDFW:

California Department of Fish and Wildlife
Region 5
3883 Ruffin Road
San Diego, CA 92123
Attn: Regional Manager
Telephone: (858) 467-4201
Fax: (858) 467-4299

California Department of Fish and Wildlife
Habitat Conservation Planning Branch
1416 Ninth Street, 12th Floor
Sacramento, CA 95814
Attn: Branch Chief
Telephone: 916-653-4875
Fax: 916-653-2588

To the SWRCB:

State Water Resources Control Board
1001 I Street, 15th Floor
Sacramento, CA 95814
Attn: Water Quality Certification Unit Program Manager
Telephone: (916) 558-1709

Funding and Task Prioritization

A. Funding

Table 1 summarizes the anticipated costs of long-term management for the Aliso Creek Project site. These include an endowment establishment fee, legal defense fund, estimates of time and funding needed to conduct the basic monitoring site visits and reporting, weed maintenance, trash removal, and other itemized tasks. The cost to establish the endowment account is \$3,000 which will be funded from OCTA directly to the endowment manager. The cost to establish the legal defense fund is \$7,500 which will be funded from OCTA directly to the County. The average annual perpetual costs for management tasks are estimated to be approximately \$21,518. A 15% contingency amount has been added to the management tasks for an annual total of \$24,746. To provide funding for the management tasks with contingency amount, the total endowment amount required will be \$707,020. The Property Analysis Record (PAR) is attached as Appendix A. No further monetary obligations will be required of OCTA, except as provided for Amendments to this plan.

B. Task Prioritization

Table 1 below provides a list of ongoing tasks and anticipated costs associated with this LTMP. The property owner/land manager's liability for completion of the tasks is limited to the endowment funding made available in any given year as well as the labor commitments from the County as specified in the table below. The activities that are expected to be conducted annually include waters of the U.S. monitoring, reference photography, assessing weed growth and extent, and trash, trespass, and fire hazard monitoring. Activities that may be conducted on an as-needed basis include weed removal, trash and fire hazard removal, replacing signage, and monitoring work conducted during the nesting season.

Table 1 - Aliso Creek Management and Monitoring Activities and Costs		
Initial and Capital Tasks and Costs		
Task	Cost	
Endowment Establishment Fee	\$3,000	
Legal Defense Fund	\$7,500	
OCTA Initial Costs Total	\$10,500	
Ongoing Tasks and Costs		
Task	Frequency	Cost
Element A.1 Waters of the U.S., Including Wetlands		
Monitor waters of the U.S.	Annually	\$1,260
Reference photography	Annually	\$882
Element A.2 Minimization of Impact/Take to Threatened/Endangered Animal Species		
Monitor work conducted during the nesting season	As-needed	\$4,920
Element A.3 Invasive Plant Species		
Assess weed growth, extent	Annually	\$3,424
Weed removal	As-needed	\$2,520
Element B.1 Trash and Trespass		
Trash and trespass monitoring/fire hazard monitoring	Annually	Covered in existing AWCWP RMP and not included in the OCTA Endowment Summary Task Total below.
Trash/fire hazard removal	As-needed (Annually)	Task is funded by existing AWCWP RMP and not included in the OCTA Endowment Summary Task Total below.
Element C.1 Annual Report		
Annual report	Annually	\$1,260
Account administration	As-needed	\$4,100

Element D.1 Equipment/Materials		
Vehicles and supplies	As-needed	\$1,009
Signage	30 per year	Task is funded by existing AWCWP RMP and not included in the OCTA Endowment Summary Task Total below.
Additional Funding		
As-Needed	As-Needed	\$2,143
OCTA Endowment Summary		
Task Total for Endowment		\$21,518
Contingency for Endowment	15%	\$3,228
Total Estimated Annual Cost for Endowment		\$24,746



DESIGNED AND PRODUCED BY:
 OC Public Works
 GIS Mapping Unit
 Brian Anderson

DATA SOURCE:
 - Geomatics Land Information Systems Division
 - Eagle Aerial Image 1 foot resolution, flown 04/2004

The County of Orange and Geomatics/LGIS make no representations or warranties regarding the accuracy of the data from which this map was derived. Neither the County nor Geomatics/LGIS shall be liable under any circumstances for any direct, indirect, special, incidental or consequential damages with respect to any claim by any user or any third party on account of or arising from the use of this map.

DATE: June 3, 2008

Aliso and Wood Canyons Wilderness Park Resource Management Plan Exhibit 1 Watersheds



Aliso Creek Restoration HMMP

Site Map

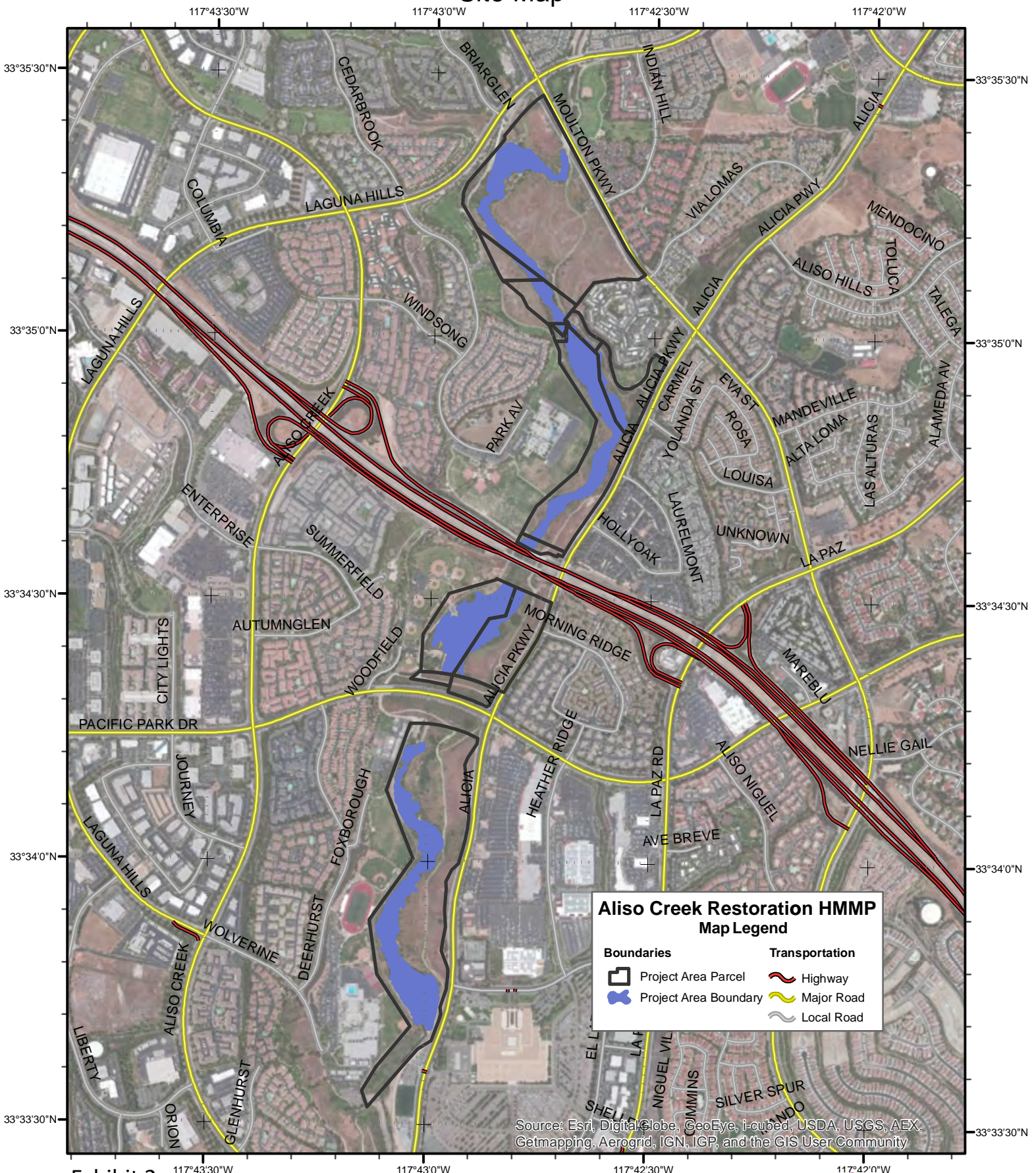


Exhibit 2



Map Scale: 1:17,500 if printed on a letter size (8.5" x 11") sheet.



Projection: Web Mercator Auxiliary Sphere WGS1984



APPENDIX A

PAR

Property Analysis Record

“Planning for Conservation in Perpetuity”

Title: OCTA Aliso Creek Restoration Site - 2024 Dollars
Orange County, California

PAR Code/ Internal Reference: 1184-4REGS

Prepared For: OCTA

Prepared By: Lexi Kessans
Glenn Lukos Associates

Date:

Contents: The PAR report potentially contains 11 sections, from (I) Property Information to (XI) Labor and Contract Summary. Some sections, if not relevant, may not be included in this report.

Attributions and Disclaimers: The Center for Natural Lands Management (CNLM) designed the first "PAR" (Property Analysis Record) software—a program that supports the calculation of perpetual stewardship costs of conservation lands. This PAR analysis was produced using a QuickBase application developed by Veilsun, Inc. and was based on CNLM's PAR3©. CNLM makes no representations about the accuracy of the cost estimates. The PAR analysis represented in this report was only prepared by CNLM if indicated specifically on this cover. External users of this application or recipients of this report, who may make related decisions or investments based on this information, should consult with their own internal sources and financial advisors concerning appropriate interpretation and financial assumptions.

I. Property Information

PAR Name: OCTA Aliso Creek Restoration Site - 2024 Dollars

Preserve Name: Aliso Creek

PAR Code: 1184-4REGS

Size of Conserved Area: 11.19 acres

Part of Larger Anticipated Preserve? No

Location/Jurisdiction: Aliso Viejo

County: Orange County

City, State, Zip Code: Aliso Viejo, California

Prepared For: OCTA

Prepared By: Lexi Kessans, Glenn Lukos Associates

Date PAR Initiated: 02-12-2024

Purpose of Preservation

Preserve Type: Mitigation

II. Project Structure

III. Property Details

Title Report

No Title Report Data

Tax and Fees

No Taxes and Fees Data

IV. Preserve Context

Adjacent Land Use

No Adjacent Land Use Data

Adjacent Developed Features

No Adjacent Developed Features Data

Hydrological and Geographic Context

No Hydrological and Geographic Context Data

Regional and Adjacent Protection

No Regional and Adjacent Protection Data

V. Site Features, Use, and Responsibilities

Site/Preserve Use and Responsibilities

No Site/Preserve Use and Responsibilities Data

Site/Preserve Features and Responsibilities

No Site/Preserve Features and Responsibilities Data

VI. Biological Assessment

Animals

No Animal Data

Plants and Fungi

No Plants or Fungi Data

Natural Communities

No Natural Communities Data

Non-Natives

No Non-Natives Data

VII. Permits and Agreements

Preserve Creation

No Preserve Creation Data

Preserve Stewardship

No Preserve Stewardship Data

VIII. Documents List

No Document List Data

IX. Tasks and Cost Analysis

Initial and Capital

Task	Specific Description	Unit	# of Units	Cost per Unit	# of Years	Contin (%)	Subtotal	Admin (%)
Acquisition								
Endowment Set up Fee	Fee	Dollars	1	\$3,000.00	1		\$3,000.00	
Biological Surveys								
Ornithologist	Field Survey	L. Hours	0				\$0.00	
Plant Ecologist	Field Survey	L. Hours	0				\$0.00	
Resource Monitor	General Surveys	L. Hours	0				\$0.00	
Data Management & Reports								
Annual Reports	Summary	L. Hours	0				\$0.00	
Photo-documentation	Field Survey	L. Hours	0				\$0.00	
Habitat Restoration & Enhancement								
Exotic Plant Control	Backpack Spray, Labor	Acre	0				\$0.00	
Operations								
As-Needed	As-Needed	Dollars	0				\$0.00	
Project Accounting	Setup and Maintain	L. Hours	0				\$0.00	
Site Construction & Maintenance								
Gate	Additional Materials	Item	0				\$0.00	

Task	Specific Description	Unit	# of Units	Cost per Unit	# of Years	Contin (%)	Subtotal	Admin (%)
Vehicle & Field Equipment								
Chemical Sprayer	5 Gallon	Item	0				\$0.00	
Vehicle	Equipment	Year	0				\$0.00	

Subtotal: \$3,000.00
Administration: \$0.00
Total: \$3,000.00

Perpetual

Task	Specific Description	Unit	# of Units	Cost per Unit	Freq (Yrs)	Contin (%)	Subtotal	Admin (%)
Acquisition								
Endowment Set up Fee	Fee	Dollars	0					
Biological Surveys								
Ornithologist	Field Survey	L. Hours	30	\$164.00	1	15%	\$5,658.00	
Plant Ecologist	Field Survey	L. Hours	32	\$107.00	1	15%	\$3,937.60	
Resource Monitor	General Surveys	L. Hours	10	\$126.00	1	15%	\$1,449.00	
Data Management & Reports								
Annual Reports	Summary	L. Hours	10	\$126.00	1	15%	\$1,449.00	
Photo-documentation	Field Survey	L. Hours	7	\$126.00	1	15%	\$1,014.30	
Habitat Restoration & Enhancement								
Exotic Plant Control	Backpack Spray, Labor	Acre	2	\$1,260.00	1	15%	\$2,898.00	
Operations								
As-Needed	As-Needed	Dollars	1	\$2,143.00	1	15%	\$2,464.45	
Project Accounting	Setup and Maintain	L. Hours	50	\$82.00	1	15%	\$4,715.00	
Site Construction & Maintenance								
Flags	Additional Materials	Item	1	\$32.00	1	15%	\$36.80	
Vehicle & Field Equipment								
Chemical Sprayer	5 Gallon	Item	1	\$252.00	1	15%	\$289.80	
Vehicle	Equipment	Year	1	\$725.00	1	15%	\$833.75	

Subtotal: \$24,745.70
Administration: \$0.00
Total: \$24,745.70

X. Financial Summary

Item Description	Total
Financial Requirements—Initial and Capital	
Management Costs	\$3,000
Contingency Expense	\$0
Administrative	\$0
Total Costs	\$3,000
Financial Requirements—Perpetual	
1. Average Annual Perpetual Costs	
Management Costs	\$21,518
Contingency Expense	\$3,228
Administrative	\$0
Total Costs	\$24,746
2. Endowment	
Endowment to Produce Income of \$24,746	\$707,020
<i>Stewardship costs are based on 3.5% of endowment earnings per year</i>	
Total Funding Required	\$710,020
<i>Includes Initial and Capital Total Cost plus Endowment</i>	

XI. Labor and Contract Summary

Labor Summary

No PAR Position Data

Contract Summary

Type	Initial and Capital		Perpetual [^]	
	Total Units	Cost*	Total Units	Cost*
Items/Other				
Contract Hours				
Summarized Costs				
Contract Subtotal		\$0		\$0
Contract Admin				
Contract Total		\$0		\$0

* Includes contingency cost

[^] Represents average annual labor costs or time (hours)