

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, November 15, 2022

D. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- g. Authorization to Amend a Grazing License with Duane Martin Jr. Livestock for an Additional Five-Year Term with a Five-Year Option to Renew at Clayton Ranch: Black Diamond Mines Regional Preserve
(Graul/Goorjian)

RECOMMENDATION

The General Manager recommends that the Board of Directors authorize an amendment to an existing grazing license with Duane Martin Jr. Livestock of Elk Grove, California, to extend the term for an additional five years with a five-year option to review.

REVENUE/COST

Estimated revenue from this five-year license amendment is estimated to be \$67,773. The estimated revenue from grazing rent is based on the five-year average (2017-2022) of the Animal Unit Month (AUM) adjusted rate of \$20.50/AUM, totaling an estimated \$13,554 annually, depending on weather, rainfall, and forage conditions. The license will allow an annual average stocking level of 3,306 AUMs for these two grazing units. This rate is derived from a formula using the annual June Cattle Marketing Information Service's Cattle Fax Report, which is the industry standard for the average feeder cattle prices for California and the East Bay Regional Park's District's Rent Adjustment Table. Additional associated costs may include the expenses of maintaining, replacing, or installing new resource infrastructure, if necessary, over the term of the license. Standard grazing infrastructure improvement costs are funded from the Park District's Wildland Vegetation Program operating budget, the drought resiliency program, and the NRCS EQIP federal cost share.

BACKGROUND

The grazing license allows livestock grazing of approximately 3,269 acres of Black Diamond Mines Regional Preserve and 1,922 acres of Clayton Ranch Regional Preserve. Duane Martin Jr. has been an East Bay Regional Park District (Park District) grazing tenant since 1988 and is the current grazing tenant at four different Regional Parks. Since 2003, Duane Martin Jr. has been the current tenant at Black Diamond Mines Grazing Unit 1 and the grazing tenant at Clayton Ranch Unit 4 when it was acquired in 2011. He has proven to be good steward and outstanding tenant. The

Board of Directors previously approved Duane Martin Jr. of Duane Martin Jr. Livestock, a five (5) year grazing license, with a five (5) year option per Board Resolution 2010-9-228. Staff now recommends extending the grazing license for an additional five-year term, utilizing the Park District's current form of the grazing license. It is in the Park District's best interest to keep high performing tenants familiar with the land and who have made substantial improvements on the licensed areas.

Duane Martin Jr. has completed many livestock infrastructure improvement projects at Black Diamond Unit 1 and Clayton Ranch Unit 4 over the last decade. In 2019, he completed a new 6300-foot section of new cross fencing to improve the seasonal rotational grazing system. In 2017, he completed a Natural Resource Conservation Service (NRCS) Environmental Quality Incentive Program (EQIP) contract and installed a water development project which included a solar pumping system, a new storage tank and water trough to provide fresh, clean water within the licensed area that previously had no water. He also has replaced hundreds of feet of perimeter fencing and improved the corral system for safe animal handling. Duane Martin Jr. Livestock has demonstrated to be an excellent grazing licensee, and it is in the Park District's interest to grant an additional 5-year extension to this license.

Managed livestock grazing is used by the Park District to manage hazardous fuel loads and maintain plant species diversity and wildlife habitat. The 2013 District Master Plan states, "The District will conserve, enhance, and restore biological resources to promote naturally functional ecosystems. Conservation efforts may involve using managed conservation-grazing, in accordance with the District's Wildland Management Policies and Guidelines, prescribed burning, mechanical treatments, integrated pest management, and/or habitat protection and restoration." The grazing license will be issued following the policy of the Park District's 2013 Master Plan and the adopted Wildland Management Policy and Guidelines, as amended in 2001.

ALTERNATIVES

No alternative is recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2022 – 11 –

November 15, 2022

AUTHORIZATION TO AMEND A GRAZING LICENSE
WITH DUANE MARTIN JR. LIVESTOCK
FOR AN ADDITIONAL FIVE-YEAR TERM WITH A FIVE-YEAR OPTION
TO RENEW AT CLAYTON RANCH:
BLACK DIAMOND MINES REGIONAL PRESERVE

WHEREAS, East Bay Regional Park District (Park District) vegetation management policies are described in the Park District 2013 Master Plan and Wildland Management Policies and Guidelines, which include livestock grazing as a resource management tool; and

WHEREAS, the grazing practices allowed under the proposed grazing license are categorically exempt under Sections 15301 and 15304 of CEQA, and have been determined not to have a significant environmental effect; and

WHEREAS, the Board previously approved Duane Martin Jr. of Duane Martin Jr. Livestock, add city for a five-year license with a five- year option per Board Resolution No. 2010-9-228; and

WHEREAS, Duane Martin Jr. Livestock is an outstanding grazing operator and has made numerous park improvements including water development and fencing projects and continues to apply adaptative management during these times of drought; and

WHEREAS, it is in the Park District best interest to have excellent grazing operators that are familiar with the land and continue to make substantial improvements;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby authorizes to amend the grazing license for Duane Martin Jr. Livestock, from Elk Grove, CA for an additional five (5) year term with a five (5) year option as approved by the General Manager; and

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized and directed, on behalf of the Park District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, seconded by Director _____, and
adopted this 15th day of November, 2022 by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT: