

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Glenn
516 West Sycamore Street
Willows, CA 95988

From: (Public Agency): Colusa Basin Drainage District
P.O. Box 390
Willows, CA 95988

(Address)

Project Title: Conservation Grazing Lease

Project Applicant: Martin Land & Cattle Company and Herb Holzapfel

Project Location - Specific:

2,942 acres on County Road 302, approximately 11 miles west of Willows

Project Location - City: Willows Project Location - County: Glenn County

Description of Nature, Purpose and Beneficiaries of Project:

The project is a five-year grazing lease of the District's South Fork Willows Creek Ranch. The Ranch has been grazed under five-year leases for the past 20 years, and this lease will not change the existing uses, characteristics, or physical properties of the Ranch.

Name of Public Agency Approving Project: Colusa Basin Drainage District

Name of Person or Agency Carrying Out Project: Martin Land & Cattle Company and Herb Holzapfel

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: Lease of Existing Facility, CEQA Guidelines, section 15301
Statutory Exemptions. State code number:

Reasons why project is exempt:

The District is re-leasing its existing facility and topographical feature for another five-year grazing lease. The property has been historically grazed and this is the fifth consecutive grazing lease. As such, the project is exempt under California Code of Regulations, title 14, section 15301. Please see attached resolution and staff report for more information.

Lead Agency

Contact Person: Merrilee Vanderwaal Area Code/Telephone/Extension: 530-934-7794

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Merrilee Vanderwaal Date: 7-12-24 Title: District Manager

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

**BEFORE THE BOARD OF DIRECTORS OF THE  
COLUSA BASIN DRAINAGE DISTRICT**

**RESOLUTION 2024-05**

**A RESOLUTION FINDING THE SOUTH FORK WILLOW CREEK RANCH LEASE  
EXEMPT FROM CEQA**

WHEREAS, the Colusa Basin Drainage District (“District”) is a special district formed and organized pursuant to the Colusa Basin Drainage District Act, Water Code Appendix sections 127-001 and following; and

WHEREAS, the District owns the South Fork Willow Creek Ranch (“Ranch”), a 2,942 acre property in Glenn County; and

WHEREAS, the District acquired the Ranch pursuant to a Grant Agreement (Agreement No. Z2-3-04) with the State of California Resources Agency in 2004, a Memorandum of which is recorded in the Official Records of Glenn County on January 9, 2004 as Document no. 2004-0194; and

WHEREAS, the District acquired the Ranch to meet various goals under the District’s Integrated Watershed Management Plan, including restoring and enhancing native vegetation and habitats, improving water quality by minimizing erosion and sedimentation, and providing additional opportunities for groundwater recharge; and

WHEREAS, the District entered into a series of conservation grazing leases of the Ranch with local ranchers for the purpose of meeting the Integrated Watershed Management Plan’s goals; and

WHEREAS, the District executed a Conservation Lease Agreement with Martin Land & Cattle Company, a California Partnership, and Herb Holzapfel, an individual on June 24, 2024; and

WHEREAS, the California Environmental Quality Act (Public Resources Code, section 21000 and following) (“CEQA”) requires public agencies to consider the environmental consequences of proposed activities; and

WHEREAS, the California Code of Regulations, Title 14 (“CEQA Guidelines”), specifically Chapter 3, Article 19 provides categorical exemptions from CEQA for classes of projects which have been determined not to have a significant effect on the environment; and

WHEREAS, Section 15301 of the CEQA Guidelines provides a categorical exemption for the operation, repair, maintenance, permitting, licensing, or minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination; and

WHEREAS, the District Board of Directors has considered the Conservation Lease Agreement, as outlined in the *Findings of the Board of Directors of the Colusa Basin Drainage District Regarding the South Fork Willow Creek Ranch Conservation Lease Agreement*, attached hereto.

NOW, THEREFORE, BE IT RESOLVED as follows:

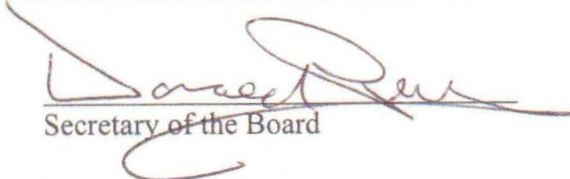
1. After due consideration, the Board adopts the findings of fact as stated and contained in the *Findings of the Board of Directors of the Colusa Basin Drainage District Regarding the South Fork Willow Creek Ranch Conservation Lease Agreement* and concludes that the Conservation Lease is exempt from CEQA.
2. The District General Manager is authorized as agent of the District to file and/or record a Notice of Exemption from CEQA, consistent with this Resolution, with any and all appropriate public agencies or entities.

APPROVED at a meeting of the Board of Directors of the Colusa Basin Drainage District held on June 24, 2024, by the following vote:

AYES: 5  
NOES: 0  
ABSTAIN: 0

#### Certification

I, Donald Perez, hereby certify that I am and at all times mentioned herein was contracted as the Secretary of the Colusa Basin Drainage District, organized and existing under and by virtue of the laws of the State of California, that the foregoing is a full, true and correct copy of a Resolution duly and regularly adopted at a regular meeting of the Board of Directors of said District duly held on June 24, 2024, a majority and quorum of the members of said Board of Directors being present and voting in favor of said Resolution; and that said Resolution has not been modified, rescinded, altered or amended and is now in full force and effect.

  
Secretary of the Board

**Findings of the Board of Directors of the Colusa Basin Drainage District Regarding the South Fork Willow Creek Ranch Conservation Lease Agreement**

1. The Colusa Basin Drainage District (“District”), a California special district formed and operated pursuant to the Colusa Basin Drainage District Act, Water Code Appendix Sections 127 *et seq.*, purchased the South Fork Willow Creek Ranch (“Ranch”) pursuant to a Grant Agreement between the District and the State of California Natural Resources Agency (“Grant Agreement”) (**Exhibit A**) to implement the District’s Integrated Watershed Management Plan in 2004.
2. The Ranch is approximately 2,942 acres situated in Glenn County, and consists of rangeland and grassland habitats typical of the Sacramento Valley and northern California.
3. For the last twenty years, the District has leased the Ranch to Mike and Kathy Landini (collectively the “Landinis”) to provide conservation grazing practices. The current Conservation Grazing Lease with the Landinis (**Exhibit B**) is set to expire on August 31, 2024.
4. The Landinis seasonally grazed cattle on the Ranch and provided public access on planned community outreach days pursuant to the Conservation Grazing Lease. The Conservation Grazing Lease allows the Landinis graze, farm, and hunt on the Ranch subject to certain restrictions.
5. For example, the terms of the Conservation Grazing Lease allowed the Landinis to graze cattle on the Ranch to the extent such grazing was consistent with the Grant Agreement and does not induce damage to the vegetation or related resources on the Ranch.
6. The District noticed a request for proposals for a Conservation Grazing Lease in September and October of 2023 on terms consistent with the existing Conservation Grazing Lease. Four ranchers submitted proposals, and after deliberation at a publicly noticed meeting in December, 2023, the District selected the proposal from Martin Land & Cattle Company and Herb Holzapfel.
7. The District staff drafted a proposed Conservation Grazing Lease Agreement (“Proposed Lease”) (**Exhibit C**) with terms consistent with the prior leases. Any differences in terms are drafting decisions that do not allow more intensive uses of the Ranch. The Proposed Lease allows the tenant graze, farm, and hunt under terms that are substantially similar to the current Conservation Grazing Lease. And, the Proposed Lease requires the tenant provide the same amount of public access on planned community outreach days.
8. The Proposed Lease requires the tenants undertake conservation grazing practices in a manner that is consistent with the Grant Agreement and does not damage the Ranch’s native vegetation and related resources. Specifically, the Proposed Lease only allows the tenant to graze cattle between October 1 and May 1 of the following year, which is consistent with what the District allowed the Landinis to graze under the current Conservation Grazing Lease. The District’s experience with the Landinis is that grazing after May 1 damages the Ranch’s native vegetation and related resources. Thus, the Proposed Lease restricts grazing to the same extent as the Conservation Grazing Lease.

9. Similarly, the Proposed Lease's hunting provisions do not allow the tenant hunt on the property in a manner that is more intensive than the current Conservation Grazing Lease. Both leases allow the same amount of hunting, and the Proposed Lease further reserves the right to the District to disallow assignment or licensing of the Proposed Lease's hunting rights. Thus, the Proposed Lease's hunting terms are consistent with the Conservation Grazing Lease.

10. In sum, the Proposed Lease is a continuation of the prior 20 years of use of the Ranch. The terms of the Proposed Lease ensure that there will be no expansion of use nor intensity of use of the Ranch for the duration of the Proposed Lease and any extensions.



Topographic map of South Fork Willow Creek Ranch. Showing the location of Fields 1 - 10 and boundary lines with the South Fork Willow Creek flowing through the northern portion of the property. Located in Glenn County, CA.

