



## MEMORANDUM

<b>TO:</b>	Terrence McGrath, MPI Hiddenbrooke Club, LLC	<b>FROM:</b>	Matt Richmond, WRA, Inc
<b>CC:</b>		Liz Allen, WRA, Inc	
<b>DATE:</b>	May 23, 2024		
<b>SUBJECT:</b>	Response to the Concerns of Hiddenbrooke Property Owners Association Regarding the Pond at Hole #18 of the Hiddenbrooke Golf Club		

WRA, Inc (WRA) has prepared this memorandum to address concerns received by MPI Hiddenbrooke Club, LLC (HGC) from the Hiddenbrooke Property Owners Association (HPOA) regarding the current state of the water features located within the Hiddenbrooke Golf Club in the City of Vallejo, Solano County, California. This memorandum is intended to provide an abbreviated history of the regulatory approvals involved in the development of the golf course, the golf course's management obligations, and the intended functions of the golf course water features.

### REGULATORY HISTORY

The Hiddenbrooke Golf Club was constructed in the early 1990s as part of the greater Sky Valley Residential Development Project (project). There is no one "Use Permit" for the project; however, several permits were issued in the late 1980s and early 1990s for the project by the following regulatory agencies:

- U.S. Army Corps of Engineers (Corps)
- California Department of Fish and Game (now California Department of Fish and Wildlife [CDFW])
- San Francisco Bay Regional Water Quality Control Board (RWQCB)

Two ponds were created within the Hiddenbrooke Golf Club as part of the project. Both ponds were constructed from existing drainages on the property to meet flood control and water quality requirements and to provide compensatory mitigation for impacts to existing jurisdictional wetlands resulting from the project.

The Sky Valley Residential Development Mitigation and Monitoring Plan (MMP) was developed by Western Ecological Services Company, Inc. (WESCO) in 1991 and was included as part of the project's regulatory approvals. The MMP describes the jurisdictional wetland features that were impacted by the project, actions undertaken to mitigate for these impacts (including development of the two retention ponds), information on how the ponds are intended to function, and details on management activities that are allowed and prohibited at the ponds. Because the

MMP is incorporated into the project's regulatory permits, the pond management requirements set forth within the MMP are considered part of the project's regulatory approvals.

### **Pond Design**

According to the MMP, both retention ponds were designed to have 80 percent of their shorelines planted with emergent wetland vegetation and riparian trees and shrubs. The ponds are specifically designed to encourage the proliferation of emergent vegetation, such as cattails, rushes, and sedges. The MMP states that the pond vegetation is designed to enhance the ponds' use and value as wildlife habitat by providing cover, nesting, and perching sites and is described as having potential to help stabilize sediments and remove toxins and nutrients.

### **Pond Maintenance**

Because the ponds were created as compensatory mitigation for impacts associated with the Sky Valley Residential Development Project, allowed maintenance activities are limited to ensure the ponds continue to function as wetland features in perpetuity. Specifically, the MMP prohibits the ponds' vegetation from being mowed or disced and prohibits the use of herbicides on pond vegetation. Pond dredging is also not allowed by the MMP.

### **CALIFORNIA RED-LEGGED FROG CONSIDERATIONS**

In addition to the regulatory constraints present within the past approvals issued for the Hiddenbrooke Golf Course, changes in environmental regulations since the project was permitted in the 1990s would further complicate McGrath Property's ability to remove vegetation from the golf course's water features. As noted in the HPOA's letter to McGrath Properties, the federal protected California red-legged frog (CRLF; *Rana draytonii*) is known to occur in the area and has potential to utilize both ponds. However, because CRLF was listed at the federal level 1996, after the project was constructed, the project and ongoing maintenance activities tied to the project do not have "take" coverage from the U.S. Fish and Wildlife Service for CRLF. Furthermore, because both ponds provide high-quality suitable habitat for CRLF, "take" coverage would likely be needed prior to commencing with vegetation removal activities due to the potential of this work to adversely affect CRLF.

### **EXISTING CONDITION OF THE POND AT HOLE #18**

The comment letter issued by the HPOA to McGrath Properties states that the water features (ponds) on the golf course have degraded considerably over the last five to seven years such that the features are "unhealthy and likely dangerous, to both persons on the golf course, and to habitat and wildlife as well". However, the HPOA letter does not provide information to substantiate these claims or describe what hazards the existing conditions of the ponds present to the public of wildlife.

As a wetland feature, it is expected that the emergent vegetation present within the pond may turn brown seasonally as part of natural plant senescence. While this may not be as aesthetically pleasing, seasonal plant senescence is a normal phenomenon in wetland habitats. In addition, healthy wetland systems often produce an oily sheen on the surface of the water. This sheen is a harmless film created as a by-product of naturally occurring microbes and is more apparent in still waters. The film easily breaks apart, which distinguishes it from pollutants such as oil. The microbes that generate this sheen, along with microbes that occur in wetland sediments, also

typically produce strong smells that may be considered undesirable to some but are typical for a healthy wetland ecosystem.

## **CONCLUSION**

Based on the observations and research of existing conditions of the pond made by WRA, as well as the requirements set forth in the entitlements, development approvals, and permits issued for the development of the Hiddenbrooke Golf Course, the ponds are functioning as intended and in compliance with the project's permits and maintenance requirements. As a result, we do not recommend any action be taken to alter the water features and their associated vegetation because the project's permits prohibit vegetation removal and management via herbicides.