

# Conservation Easements for Agricultural Lands/CEAL Project

## Project Information

**1. Proposal Title:**

Conservation Easements for Agricultural Lands/CEAL Project

**2. Proposal applicants:**

Ronald Stromstad, Ducks Unlimited, Inc.

**3. Corresponding Contact Person:**

Olen Zirkle  
Ducks Unlimited, Inc.  
3074 Gold Canal Drive Rancho, Cordova, CA 95670  
916 852-2000  
ozirkle@ducks.org

**4. Project Keywords:**

**Monitoring**  
**Waterfowl**  
**Wildlife-friendly Agriculture**

**5. Type of project:**

Implementation\_Pilot

**6. Does the project involve land acquisition, either in fee or through a conservation easement?**

Yes

**If yes, is there an existing specific restoration plan for this site?**

No

**7. Topic Area:**

Uplands and Wildlife Friendly Agriculture

**8. Type of applicant:**

Private non-profit

**9. Location - GIS coordinates:**

Latitude:

Longitude:

Datum:

**Describe project location using information such as water bodies, river miles, road intersections, landmarks, and size in acres.**

The Project will be located in multiple regions. The proposed agricultural easement pilot projects are located in the Sacramento Region, but requests funding to expand the program to the San Joaquin Region and the Delta. Easements will be solicited where ever agriculture and wildlife protection are indicated as high priority using the Ducks Unlimited Interactive GIS Model.

**10. Location - Ecozone:**

Code 15: Landscape

**11. Location - County:**

Merced, Sacramento, San Joaquin, Stanislaus, Sutter

**12. Location - City:**

Does your project fall within a city jurisdiction?

No

**13. Location - Tribal Lands:**

Does your project fall on or adjacent to tribal lands?

No

**14. Location - Congressional District:**

3, 11, 18

**15. Location:**

**California State Senate District Number:** 4, 5, 12

**California Assembly District Number:** 3, 10, 25, 26

**16. How many years of funding are you requesting?**

3

**17. Requested Funds:**

a) Are your overhead rates different depending on whether funds are state or federal?

No

If no, list single overhead rate and total requested funds:

Single Overhead Rate: 18.96%

Total Requested Funds: \$4,001,400

b) Do you have cost share partners already identified?

No

c) Do you have potential cost share partners?

No

d) Are you specifically seeking non-federal cost share funds through this solicitation?

No

If the total non-federal cost share funds requested above does not match the total state funds requested in 17a, please explain the difference:

**18. Is this proposal for next-phase funding of an ongoing project funded by CALFED?**

No

Have you previously received funding from CALFED for other projects not listed above?

Yes

If yes, identify project number(s), title(s) and CALFED program.

**99-B02 Lower Butte Creek Project: Phase II ERP**

**96-M22 Gorrill Dam Fish Screen Category III**

**96-M21 Rancho Esquon/Adams Fish Screen Category III**

**95-M05 M&T/Parrott, Pumping Station and Fish Screen Category III**

**19. Is this proposal for next-phase funding of an ongoing project funded by CVPIA?**

No

Have you previously received funding from CVPIA for other projects not listed above?

Yes

If yes, identify project number(s), title(s) and CVPIA program.

**113329-9-J135    Lower Butte Creek Project Phase II Facilitation/Coordination    AFRP**

**1448-11332-9-J006    Lower Butte Creek Project, Phase III Drumheller Slough  
Exclusion Barrier Construction    AFRP**

**11332-9-J122    Lower Butte Creek Project Phase II East-West/Weir #5 Desting    AFRP**

**113329-9-J136    Lower Butte Creek Project Phase II Weir #3 Design    AFRP**

**1448-11300-97-J172    3406 (b) 22    Agricultural Wildlife Incentive  
Adminsitration    Program**

**11300-7-J043    3406 (b) 22 Adminsitration    Agricultural Wildlife Incentive Program**

**20. Is this proposal for next-phase funding of an ongoing project funded by an entity other than CALFED or CVPIA?**

Yes

If yes, identify project number(s), title(s) and funding source.

**3000-433    Montna Farms    Dept. of Conservation, California Farmland  
Easements    Conservancy Program**

**Please list suggested reviewers for your proposal. (optional)**

**21. Comments:**

# Environmental Compliance Checklist

## Conservation Easements for Agricultural Lands/CEAL Project

### 1. CEQA or NEPA Compliance

a) Will this project require compliance with CEQA?

No

b) Will this project require compliance with NEPA?

No

c) If neither CEQA or NEPA compliance is required, please explain why compliance is not required for the actions in this proposal.

This is an agricultural easement proposal. It does not change current use

### 2. If the project will require CEQA and/or NEPA compliance, identify the lead agency(ies). If not applicable, put "None".

CEQA Lead Agency:

NEPA Lead Agency (or co-lead:)

NEPA Co-Lead Agency (if applicable):

### 3. Please check which type of CEQA/NEPA documentation is anticipated.

#### **CEQA**

-Categorical Exemption

-Negative Declaration or Mitigated Negative Declaration

-EIR

**Xnone**

#### **NEPA**

-Categorical Exclusion

-Environmental Assessment/FONSI

-EIS

**Xnone**

If you anticipate relying on either the Categorical Exemption or Categorical Exclusion for this project, please specifically identify the exemption and/or exclusion that you believe covers this project.

### 4. CEQA/NEPA Process

a) Is the CEQA/NEPA process complete?

Not Applicable

b) If the CEQA/NEPA document has been completed, please list document name(s):

### 5. Environmental Permitting and Approvals (If a permit is not required, leave both Required? and Obtained? check boxes blank.)

## **LOCAL PERMITS AND APPROVALS**

Conditional use permit

Variance

Subdivision Map Act

Grading Permit

General Plan Amendment

Specific Plan Approval

Rezone

Williamson Act Contract Cancellation

Other

## **STATE PERMITS AND APPROVALS**

Scientific Collecting Permit

CESA Compliance: 2081

CESA Compliance: NCCP

1601/03

CWA 401 certification

Coastal Development Permit

Reclamation Board Approval

Notification of DPC or BCDC

Other

## **FEDERAL PERMITS AND APPROVALS**

ESA Compliance Section 7 Consultation

ESA Compliance Section 10 Permit

Rivers and Harbors Act

CWA 404

Other

## **PERMISSION TO ACCESS PROPERTY**

Permission to access city, county or other local agency land.

Agency Name:

Permission to access state land.

Agency Name:

Permission to access federal land.

Agency Name:

Permission to access private land.

Landowner Name:

**6. Comments.**

# Land Use Checklist

## Conservation Easements for Agricultural Lands/CEAL Project

1. Does the project involve land acquisition, either in fee or through a conservation easement?

Yes

If you answered yes to #1, please answer the following questions:

- a) How many acres will be acquired?

Fee: 0

Easement: 2312

Total: 2312

- b) Will existing water rights be acquired?

Yes

- c) Are any changes to water rights or delivery of water proposed?

No

2. Will the applicant require access across public or private property that the applicant does not own to accomplish the activities in the proposal?

No

3. Do the actions in the proposal involve physical changes in the land use?

No

If you answered no to #3, explain what type of actions are involved in the proposal (i.e., research only, planning only).

The actions involved will be to protect the existing agricultural and wildlife uses. No changes will be required.

4. Comments.



# Conflict of Interest Checklist

## Conservation Easements for Agricultural Lands/CEAL Project

Please list below the full names and organizations of all individuals in the following categories:

- Applicants listed in the proposal who wrote the proposal, will be performing the tasks listed in the proposal or who will benefit financially if the proposal is funded.
- Subcontractors listed in the proposal who will perform some tasks listed in the proposal and will benefit financially if the proposal is funded.
- Individuals not listed in the proposal who helped with proposal development, for example by reviewing drafts, or by providing critical suggestions or ideas contained within the proposal.

The information provided on this form will be used to select appropriate and unbiased reviewers for your proposal.

### **Applicant(s):**

Ronald Stromstad, Ducks Unlimited, Inc.

### **Subcontractor(s):**

Are specific subcontractors identified in this proposal? Yes

If yes, please list the name(s) and organization(s):

Chris Leininger    C L & Co.

None                      None

None                      None

None                      None

None                      None

### **Helped with proposal development:**

Are there persons who helped with proposal development?

Yes

If yes, please list the name(s) and organization(s):

Chris Leininger    C L & Co.

**Comments:**

Chris Leininger is included in this proposal as a public outreach and project development person. Here roll is to assist the project manager by attending appropriate public meetings and forums and by researching and identifying additional funding sources for additional easements.

# Budget Summary

## Conservation Easements for Agricultural Lands/CEAL Project

Please provide a detailed budget for each year of requested funds, indicating on the form whether the indirect costs are based on the Federal overhead rate, State overhead rate, or are independent of fund source.

### Independent of Fund Source

Year 1												
Task No.	Task Description	Direct Labor Hours	Salary (per year)	Benefits (per year)	Travel	Supplies & Expendables	Services or Consultants	Equipment	Other Direct Costs	Total Direct Costs	Indirect Costs	Total Cost
1.0	Project Management	200	8200	2200	-	-	-	-	8400	18800.0	3496	22296.00
2.0	Multi-region Project Development	550	15400	4400	-	-	10000		23100	52900.0	9839	62739.00
3.0	Easement Purchase	-	-	-	-	-	-	-	-	0.0	-	0.00
3.1	Amaral Ranch	200	8200	2200	-	846000	15000	-	8400	879800.0	163643	1043443.00
3.2	Akin Ranch	-	-	-	-	-	-	-	-	0.0	-	0.00
3.3	C&P Duck Club	-	-	-	-	-	-	-	-	0.0	-	0.00
3.4	Shannon Farms	200	8200	2200	-	1119000	15000	-	8400	1152800.0	214421	1367221.00
4.0	Monitoring	100	2800	750	-	-	-	-	4200	7750.0	1442	9192.00
		1250	42800.00	11750.00	0.00	1965000.00	40000.00	0.00	52500.00	2112050.00	392841.00	2504891.00

Year 2												
Task No.	Task Description	Direct Labor Hours	Salary (per year)	Benefits (per year)	Travel	Supplies & Expendables	Services or Consultants	Equipment	Other Direct Costs	Total Direct Costs	Indirect Costs	Total Cost
1.0	Project Management	200	8500	2281					9543	20324.0	3853	24177.00
2.0	Multi-region Project Development	200	8500	2281			10000		9543	30324.0	5749	36073.00
3.0	Easement Purchase	-	-	-	-	-	-	-	-	0.0	-	0.00
3.1	Amaral Ranch	-	-	-	-	-	-	-	-	0.0	-	0.00
3.2	Akin Ranch	200	8500	2281	-	657600	15000	-	9543	692924.0	167099	860023.00
3.3	C&P Duck Club	200	8500	2281	-	375600	15000	-	-	401381.0	76102	477483.00
4.0	Monitoring	200	5800	5714	-	-	-	-	9543	21057.0	3992	25049.00
		1000	39800.00	14838.00	0.00	1033200.00	40000.00	0.00	38172.00	1166010.00	256795.00	1422805.00

Year 3												
Task No.	Task Description	Direct Labor Hours	Salary (per year)	Benefits (per year)	Travel	Supplies & Expendables	Services or Consultants	Equipment	Other Direct Costs	Total Direct Costs	Indirect Costs	Total Cost
1.0	Project Management	200	8800	2361	-	-	-	-	10960	22121.0	4194	26315.00
2.0	Multi-region Project Development	200	8800	2361	-	-	10000	-	-	21161.0	4012	25173.00
3.0	Easement Purchase	-	-	-	-	-	-	-	-	0.0	-	0.00
3.1	Amaral Ranch	-	-	-	-	-	-	-	-	0.0	-	0.00
3.2	Akin Ranch	-	-	-	-	-	-	-	-	0.0	-	0.00
3.3	C&P Duck Club	-	-	-	-	-	-	-	-	0.0	-	0.00
3.4	Shannon Farms	-	-	-	-	-	-	-	-	0.0	-	0.00
4.0	Monitoring	200	6000	1714	-	-	-	-	10960	18674.0	3542	22216.00
		600	23600.00	6436.00	0.00	0.00	10000.00	0.00	21920.00	61956.00	11748.00	73704.00

**Grand Total=4001400.00**

**Comments.**

The cost to purchase the easements were listed in the Supplies and Expendables column. The costs listed are the estimated cost of the easement purchase, not including miscellaneous due diligence or closing costs. Those costs are listed in the Services and Consultants column.

# Budget Justification

## Conservation Easements for Agricultural Lands/CEAL Project

**Direct Labor Hours.** Provide estimated hours proposed for each individual.

Year 1: Project Manager: 200 hours - Olen Zirkle GIS Technician: 550 hours - Brendan O'Hara Real Estate Coord: 400 hours - Olen Zirkle Monitoring Biologist: 100 hours - Pat Fitzmorris Year 2: Project Manager: 200 hours - Olen Zirkle Real Estate Coord: 600 hours - Olen Zirkle Monitoring Biologist: 200 hours - Pat Fitzmorris Year 3: Project Manager: 200 hours - Olen Zirkle Real Estate Coord: 200 hours - Olen Zirkle Monitoring Biologist: 200 hours - Pat Fitzmorris

**Salary.** Provide estimated rate of compensation proposed for each individual.

Year 1: Project Manager \$41.00/hr. Real Estate Coordinator: \$41.00/hr. Gis Technician: \$28.00/hr. Monitoring Biologist \$28.00/hr. Year 2: Project Manager \$42.50/hr. Real Estate Coordinator: \$42.50/hr. Gis Technician: \$29.00/hr. Monitoring Biologist \$29.00/hr. Year 3: Project Manager \$44.00/hr. Real Estate Coordinator: \$44.40/hr. Gis Technician: \$30.00/hr. Monitoring Biologist \$30.00/hr.

**Benefits.** Provide the overall benefit rate applicable to each category of employee proposed in the project.

Project Manager/Real Estate Coordinator: 26.83% Gis Technician/Monitoring Biologist: 28.57%

**Travel.** Provide purpose and estimate costs for all non-local travel.

Included in Direct Overhead

**Supplies & Expendables.** Indicate separately the amounts proposed for office, laboratory, computing, and field supplies.

This section of the budget was used for the total cost of the easement purchase. All supplies & expendables are included in the direct overhead cost column.

**Services or Consultants.** Identify the specific tasks for which these services would be used. Estimate amount of time required and the hourly or daily rate.

Program Development and funding: 200 hours @ \$50/hour. Closing Costs including appraisal, Hazardous Phase I report, Title insurance, Escrow services and Baseline Documentation report are estimated at \$15,000

**Equipment.** Identify non-expendable personal property having a useful life of more than one (1) year and an acquisition cost of more than \$5,000 per unit. If fabrication of equipment is proposed, list parts and materials required for each, and show costs separately from the other items.

None

**Project Management.** Describe the specific costs associated with insuring accomplishment of a specific project, such as inspection of work in progress, validation of costs, report preparation, giving presentatons, reponse to project specific questions and necessary costs directly associated with specific project oversight.

Inspection of work in progress; validation of costs; Preparation of periodic reports; Supervision of project staff, and; Preparation of financial reports; Contract compliance and invoicing

**Other Direct Costs.** Provide any other direct costs not already covered.

Direct Cost Rate: Year 1: \$42.00/hr.; Year 2: \$46.23 (est.); Year 3: \$54.80 (est.) Direct expenses are those expenses directly attributable to project related hourly charges. The rates are comprised of costs for salaries, benefits, office space, general insurance, support staff, office supplies, and other various direct expenses incurred at the regional offices and conservation department at the home office.

**Indirect Costs.** Explain what is encompassed in the overhead rate (indirect costs). Overhead should include costs associated with general office requirements such as rent, phones, furniture, general office staff, etc., generally distributed by a predetermined percentage (or surcharge) of specific costs.

Indirect Overhead Charge \$18.96% The Indirect Overhead costs primarily consists of home office costs and general support functions. The costs includes but are not limited to the following categories: Home Office salaries wages and fringe benefits; Accounting and finance; Operations & maintenance; General office expenses and supplies; Software and equipment rental/lease; Membership dues and subscriptions; Postage; Printing; Communications; Insurance; Conferences fees and travel; Legal; and, Information services.

# **Executive Summary**

## **Conservation Easements for Agricultural Lands/CEAL Project**

Executive Summary - Conservation Easements for Agricultural Lands/CEAL Project Project Location: Multi-Region Central Valley. Pilot projects located in the Sutter County area of the Sacramento Region. ERP Region: Landscape - Code 15 (See CALFED Project Information Form) Project Type: Wildlife Friendly Agriculture Project Description/Approach: Ducks Unlimited (DU) proposes to develop a Central Valley-wide program to identify and protect areas where wildlife friendly agriculture meets CALFED Draft Stage 1 Implementation Plan goals and objectives. DU proposes to purchase up to 4 wildlife friendly agricultural easements in the Sacramento Region and to monitor the easements as a pilot project and develop and refine terms and conditions for additional easement throughout the Central Valley. As part of this grant, DU will expand its GIS interactive model to include the Delta and San Joaquin Regions. The model will identify areas where wildlife friendly agriculture will meet agriculture and natural resource goals. Once the areas are identified, DU's Conservation Easements for Agricultural Lands Program (CEAL) will work with the community and willing landowners within the community to preserve and protect those important agricultural lands Hypothesis: Does the restriction of development (urbanization) through the use of Agricultural Conservation Easements on wildlife friendly agricultural property protect wildlife habitat necessary for waterfowl and other at-risk species within the Central Valley. Key Uncertainties: · Growth patterns of Central Valley communities. · Acceptance of agricultural easements by neighboring farmers and communities. · Criteria for protecting both wildlife and agriculture. Expected Outcome(s): · Recorded Conservation Easement purchasing developments rights and securing conservation values. · Farmland/wildlife habitat modeling for Delta and San Joaquin Regions. (Completed for Sacramento Region) · Report of new easement and funding opportunities. Relationship to CALFED ERP and CVPIA Goals: This project specifically addresses Priority Number 2 of the Multi-Regional Bay-Delta Areas: Develop programs for Wildlife-Friendly Agriculture and conduct studies to better understand relationships between farming and wildlife habitat - Wildlife-friendly agriculture incentive program. This project fulfills the Ecosystem Restoration Goals 1, 2 & 4 and CVPIA goals: Section 3402(a): To protect, restore, and enhance fish, wildlife, and associated habits in the Central Valley of California; Section 3406(b)(1) - protect and restore natural channel and riparian habitat values; and, Section 3406(b)(1)(a): First priority given to measures, which protect and restore natural channel and riparian habitat values.

# **Proposal**

**Ducks Unlimited, Inc.**

**Conservation Easements for Agricultural Lands/CEAL Project**

Ronald Stromstad, Ducks Unlimited, Inc.



## Conservation for Agricultural Lands/CEAL Project

### A. Project Description: Project Goals and Scope of Work

Location: CEAL Program – Program area encompasses the Central Valley with pilot projects in the Sutter Basin. ERP Region: Landscape – Code 15 (See CALFED Project Information Form)

**Project Description:** Ducks Unlimited, Inc. (DU) proposes to develop a Central Valley-wide program to identify and protect areas where wildlife friendly agriculture meets CALFED Draft Stage 1 Implementation Plan goals and objectives. DU proposes to purchase up to 4 wildlife friendly agricultural easements in the Sacramento Region and to monitor the easements and develop and refine terms and conditions for additional easement throughout the Central Valley. As part of this grant, DU will expand its GIS interactive model to include the Delta and San Joaquin Regions. The model will identify areas where wildlife friendly agriculture will meet both agriculture and natural resource goals. Once the areas are identified, DU's Conservation Easements for Agricultural Lands Program (CEAL) will work with the community and willing landowners within the community to preserve and protect those important agricultural lands. The objectives of the project are:

- Purchase up to 4 pilot project easements which will be adaptively managed to produce information for an expanded Central Valley-wide agricultural easement program
- Develop a Central Valley-wide GIS Interactive Model to identify additional easement sites
- Work with willing landowners, communities and others to protect and preserve new wildlife friendly agricultural sites using agricultural conservation easements
- Establish criteria for wildlife friendly agricultural easements through monitoring and adaptive management of existing projects

**1. Problem Statement:** Early in the 19<sup>th</sup> century, the Central Valley consisted of large numbers of small creeks, sloughs and oxbows that, along with the major rivers, were subjected to periodic flooding. During these periods, sinks were formed that remained undrained except during periods of high water. The scouring associated with seasonal flooding created a mosaic of channels, depressions, lowland swamps, marshes and hummocks across wide expanses of the Central Valley. Extensive grasslands, riparian and valley oak forests together formed a complex diversity of habitats that supported enormous flocks of ducks, geese, swans, cranes, shorebirds and a host of other species. Today, most of the original habitat has been lost to urbanization, agricultural conversion, water diversion and levee construction. (CRIA 1994)

With the gradual loss of habitat in the Central Valley, wildlife has become increasingly dependent on agricultural lands for food and cover. Much of this historic mosaic of natural habitats has been replaced with a mosaic of agricultural uses. Uplands have been replaced with livestock grazing, riparian lands with orchards and seasonal wetlands with rice.

Increased urbanization pressures are now threatening these agricultural uses. It is estimated that by the year 2020 that the human population of the Central Valley will increase by 12,000,000 people. (Medvitz 1999) This increased population pressure will have a two-fold impact on agriculture and its imbedded wildlife habitat. Primarily, it will take land out of agriculture production and place it into urban uses. Just as important, there will be a secondary effect of reducing the habitat values of those lands adjoining the development. Pressure from urban communities to alter agricultural use that cause adjoining farms to either stop producing or alter their crop patterns can inadvertently impact imbedded habitat values. Rural subdivisions (3-20 acres parcels) that develop on the fringes between urban communities and agricultural lands also have an impact on habitat values. Domestic animals, fences, mobile homes and out buildings all have a negative impact on wildlife. . (Olen Zirkle & Chris Unkel, Ph.D., 1997)

There are only a limited number of wildlife friendly agricultural easements in the Central Valley. Pilot projects need to be established and monitored so that information can be obtained and better easement programs developed. In addition to the agricultural and natural resource information, additional information needs to be obtained on procedural matters such as due diligence (baseline reports, hazardous materials reports and title reports) funding and setting local and regional priorities.

## **2. Justification.**

**Conceptual Model.** The conceptual model assumes that a wide array of wetland species that are recognized by the State and Federal governments as threatened, endangered, and candidate species are present in the Sutter Basin and rely on Sutter Basin wetland ecosystems to sustain an important part of their life history. (ERPP, 1999) Seasonal flooding of leveed lands and flood bypasses provide seasonal wetlands and also contributes to the aquatic foodweb. By protecting agricultural land use, opportunities for the frequency and extent of over-bank flooding in the river floodplains and Sutter Basin and by managing farmlands in a wildlife friendly environment are created. (ERPP, 1999) The concept of this project is designed around the hypotheses that protecting key farmlands within the buffer zone of the Sutter Bypass and inside the Bypass which are predominately flood irrigated crops can be managed for the replication of floodplain processes which will provided the following ecosystem benefits: (1) increased foodweb/nutrient supply; (2) contribute to habitat connectivity; (3) implement ecosystem management; (4) maintain flood control capacity; and, (5) protect the stability of the local economy. By protecting the land use management and ecological values of these lands with an Agricultural Conservation Easement, an adaptive management plan process is implemented in perpetuity to protect key wetlands in the Central Valley. (ERPP, 1999) (See Attachment “A” – Conceptual Model) On the Healey Ladder of the Adaptive Management Process, this project falls under “Implement Large-Scale Restoration” and includes monitoring of the baseline conditions and responses to program actions.

**Hypothesis being tested:** Does the restriction of development (urbanization) through the use of Agricultural Conservation Easements on wildlife friendly agricultural property protect wildlife habitat necessary for waterfowl and other at-risk species within the Central Valley?

The vision for the Feather River/Sutter Basin Ecological Management Zone includes restoring and enhancing important fishery, wildlife and plant communities by restoring ecological processes and habitats and reducing stressors. Attaining this vision requires restoring or reactivating important ecological processes that create and maintain fish, wildlife, and plant community habitats throughout the Ecological Management Zone. The vision for this Ecological Management Zone focuses on maintaining and improving floodplain and flood processes, streamflow, coarse sediment recruitment and transport, and seasonally flooded aquatic habitats that provide important wintering areas for waterfowl and shorebird guilds. (ERPP, 1999) The vision for the Sutter Bypass Ecological Management Unit is to restore adequate riparian and wetland habitats in the floodplain. (ERPP, 1999) Seasonal wetland habitat: Season flooding of leveed lands and flooded bypasses provide important habitat for waterfowl, native fish, native plants, and wildlife. Flooding and draining seasonal wetlands also contributes to the aquatic foodweb. The vision is to increase the frequency and extent of over-bank flooding in the river floodplains and Sutter Basin. (ERPP, 1999)

**Agricultural Lands:** Improving habitats on and adjacent to agricultural lands in the Feather River/Sutter Basin Ecological Management Zone will benefit native waterfowl and wildlife species. Emphasizing certain agricultural practices (e.g. winter flooding and harvesting methods that leave some grain in the fields) will also benefit many wildlife that seasonally use these important habitats.

The CALFED long-term comprehensive Ecosystem Restoration Program Plan is designed to provide a framework for resource management activities within the Central Valley. The CEAL Program is designed to implement the goals and objectives of this comprehensive plan for the long-term sustainability of valuable

habitat and resident species through long-term protection of the agricultural productivity using agricultural conservation easements. Reduction of the impacts of stressors on diverse agriculture habitat will be accomplished through the implementation of adaptive management plans that include appropriate land use management techniques accompanied by reimbursement programs to the agricultural stakeholders.

**Uncertainties:**

- Growth patterns of Central Valley communities.
- Acceptance of agricultural easements by neighboring farmers and communities.
- Criteria for protecting both wildlife and agriculture.

**Adaptive Management:**

CALFED has adopted Adaptive Management as an essential program concept and acknowledged the need to constantly monitor the system and adapt the actions to restore ecological health and improve water management. (ERPP Vol. II) The primary reason for using an adaptive management framework is to allow for changes in land use management that may be necessary to reach long-term goals (or biological objectives) and to ensure the likelihood of sustainability of species in their associated habitat. The CEAL Program embraces this adaptive management concept within the legal terms and conditions of Agricultural Conservation Easement agreements and fully implements the process by designing Adaptive Management Plans with each landowner. (Thomas S. Barret, 1996.)

The Agricultural Conservation Easement implements an on-going adaptive management process in perpetuity. In compliance with the terms and conditions of the easement agreement, certain restrictions and management options are agreed upon to fulfill the intent of protecting agricultural lands and associated conservation values by promoting wildlife friendly crops and maintain habitat for wetland species. (Janet Diehl and Thomas S. Barret, 1988.) Once the baseline criteria has been established to meet the requirements of the easement, an on-going relationship begins with the landowner and Ducks Unlimited, Inc. to monitor the lands on a yearly basis for the purposing of assessing the results of management practices and impacts of environmental stochasticity. An important opportunity for the exchange of information is created and maintained. The landowner provides valuable anecdotal and local knowledge and the DU representative becomes an important resource for technical and biological information that would pertain to on-the-ground management decisions critical to the economic stability for the landowner and sustainability of the habitat. As the partnership assesses the yearly conditions and evaluates the outcomes compared to the targets of the management plan, management actions can be adjusted to assure that on-going protection and maintenance of land values continue.

**3. Approach:**

Ducks Unlimited (DU) proposes to develop a Central Valley-wide program to identify and protect areas where wildlife friendly agriculture benefits CALFED Draft Stage 1 Implementation Plan goals and objectives. Once the areas are identified, DU's Conservation Easements for Agricultural Lands Program (CEAL) will work with the community and willing landowners within the community to preserve and protect agricultural lands being managed for certain crops and following certain agricultural practices that create significant habitat and wetland-like benefits for aquatic and terrestrial species.

DU has designed an interactive GIS Model to expand the capabilities of predicting future development patterns and the impact they may have on existing natural resource values. With this tool, landowners are assisted taking appropriate actions to preserve, protect and enhance conservation values while maintaining the productivity of their agricultural operation. This system has been used to identify four properties in Sutter County and DU proposes to purchase agricultural conservation easements on these properties as part of a pilot project, which will be adaptively managed to produce information for an expanded Central Valley-wide agricultural easement program.

The easement documentation begins with the completion of a Baseline Documentation Report that concisely details existing resources. Specific resource protection strategies and easement restrictions will be negotiated on a case-by-case basis with the landowner. Resource benefits in the easement must meet area resource plan objectives and DU Continental Conservation Plan objectives in order to proceed. (Ducks Unlimited Continental Conservation Plan, June 1994)

When the easement restrictions are agreed on, the information is given to a qualified appraiser along with the title information and survey. The appraised price is then the basis for proceeding. If the price is acceptable, an option agreement is executed which commits the landowner to close the sale on the negotiated terms, at a future date for the appraised value. The option period will allow DU to raise the necessary funding, complete the due diligence, clear any title issues and close the purchase, usually six months to one year. Once the transfer of funds has been made, the documentation can be executed and recorded to complete the purchase transaction. A DU biologist or supervised consultants will carry out the monitoring requirements. (See Attachment "B" – Draft Preliminary Property Inspection, Baseline Documentation Report, and monitoring report.)

#### **4. Feasibility:**

The CEAL Program, including the first year purchase of the Sutter County pilot project easements is feasible for a number of reasons. First and foremost, agricultural easements are acceptable to landowners wanting to protect their agricultural lands. Most landowners feel that selling agricultural conservation easements present an alternative to selling their land for development. Easement proceeds allow the landowner to sell the development value of the property while maintaining its agricultural value. Cash received from the sale of the development rights can then be invested in other businesses or additional farmland, thus offsetting potential loss of future income from the sale of the property for development.

The language of the model agricultural easement used by DU allows full flexibility of crop decisions by the landowner as long as the landowner maintains the conservation values of the farmland that are inherent with the historic cropping pattern on the land. In the case of CEAL Pilot Project area, the historic cropping pattern was predominantly rice.

The CEAL Program is also acceptable to Sutter County. DU has entered into a MOU with Sutter County, which gives DU the right to purchase agricultural conservation easements with the full blessing of the County and the Board of Supervisors. Under the terms of the MOU, agricultural easements purchased within a defined area within Sutter County do not require any further County approval.

The CEAL Program model easement meets all established legal requirement. Property owners who have negotiated the easements or assumed land associated with the pertinent deed restrictions will be subject to court action if they violate the deed restrictions. Under the CEAL Program agricultural conservation easement will purchase certain develop rights including subdivision rights from willing sellers (landowners). This voluntary action will then be recorded on the property deed in perpetuity. Once recorded, any future owner of the property will be under the agricultural conservation easement restrictions recorded on the property deed. This transaction has no further cost to the project except annual monitoring of landowner compliance with the deed restrictions. In comparison to land use planning tools like Williamson Act, the deed restrictions purchased by the agricultural conservation easement cannot be removed over a period of time. Zone changes and county general plan changes will not affect the restriction recorded on the deed.

**Documentation:** No CEQA or NEPA documentation necessary. There are no state or federal permits necessary for CEAL Program easements with the exception of appropriate permits associated with toxic cleanup, if sites are identified in the required Hazardous Materials Report. To meet the criteria of the

conservation easement contract, the following non-regulatory reports are required to complete the execution of the agreement:

- **Baseline Documentation Report:** For easement donors who wish to donate an easement, IRS regulations require an easement donor to provide the donee with documentation of the property's condition prior to the time of the execution of the gift. See Treas. Reg. Section 1.170A-14(g)(5)(I). This report has also become an integral step for easements that purchase development rights as well. The assessment and evaluation of existing conditions of the easement lands determines the baseline information for future monitoring of the terms and conditions of the easement. This document is also required for the DU CEAL easement.
- **Hazardous Materials Report:** An on-site evaluation by a qualified hazardous waste specialist is required to determine if any toxic conditions that exist on the easement properties. If such sites exist, cleanup and/or mitigation must be addressed in the easement documentation.

Since the agricultural conservation easement does not change the underlying land use (agriculture), there is no permitting or approval by the county for implementation of the CEAL Program. However, DU has garnered Sutter County approval and support for the CEAL Program.

As the second largest conservation organization in America, DU is a fiscally responsible mechanism for receipt of private, state and federal funding targeted for the purchase conservation easements and facilitate enhancement/restoration projects. The organization has established solid working relationships with government agencies, foundations, corporations and countless individuals/landowners to maximize available resources for on-going implementation.

The project staff is comprised of experienced professional staff to ensure project acceptability. All project lands and the associated Agricultural Conservation Easements will be facilitated and managed by Olen Zirkle, Agricultural Programs Coordinator. Agricultural Conservation Easement negotiations, documentation and easement compliance will be conducted by Laural Florio, Private Lands Counsel. Monitoring of easement lands will be assigned to a DU Valley/Bay Care Regional Biologist. All DU biologists have extensive academic training and extensive field experience in wetland enhancement and restoration.

Ducks Unlimited, Inc. is in a strong position to fulfill the monitoring and compliance requirements that are to be maintained in perpetuity as required by the terms and conditions of the Agricultural Conservation Easement Agreement.

## 5. Performance Measures

**Table 1: Breakdown of Performance Measures**

Performance Measure	Metric	Target	Baseline
1. GIS Mapping	GIS maps showing priority sites for ag. easements	Maps showing priority agricultural easement lands in the San Joaquin and South Delta Regions	NA
2. Identification of potential agricultural easement lands	Identification of new agricultural easement lands	Begin discussions with four land owners in priority sites	NA
3. Identification of additional sources of funds	Additional funding sources for agricultural easements	Up to 50% of needed funds for purchase of easements	
4. Easement Purchase	Easement documentation	Record Four Sutter	NA

	negotiated and closed; Due diligence completed; Easements recorded	County wildlife friendly agricultural easements	
<b>5. Monitoring</b>	Annual monitoring of specific issues identified in the easement document (See below)	Waterfowl and wildlife use of four Sutter County wildlife friendly agricultural easements	Established in the Due Diligence process: Baseline Documentation Report

### **Monitoring and Assessment Plans:**

**Background:** The CEAL Program provides for annual monitoring of the provisions of the agricultural conservation easements and compliance with the provisions of the adaptive management plans. A DU staff biologist or qualified consultant will meet with the landowner on an annual basis to review past activities and develop future plans for the property. A Baseline Documentation Report will serve as a basis for judging compliance with easement restrictions and comparison with historic uses. Activities associated with the status of the species and habitat on the property will be noted in a monitoring report and reviewed with the landowner and plans for the following year will be developed.

### **Monitoring and Enforcement Description:**

Once the Agricultural Conservation Easement has been executed, DU has a legal obligation to monitor the property protected by the easement to ensure that the terms of the easement are being met. The easement documentation provides language that secures access to conduct monitoring and options for taking corrective action, if necessary.

### **Frequency of Monitoring**

The Baseline Documentation Report will be timed to coincide with the ideal time of year to monitor resources being protected. Thereafter, inspections will be timed annually within 30 days of that date for consistence. Monitoring inspections will be conducted with the owner or his property manager present whenever possible. A DU Regional Biologist, will conduct all inspections. Completed and signed copies of the inspection report will be distributed to the DU Regional Office, the landowner, and Legal and Conservation Programs at National Headquarters. Signatures will include the biologist and the landowner or his representative.

### **6. Data Handling and Storage:**

All biological and fiscal records and data of the project will be stored electronically on a secure network and compiled on CD ROM at the Ducks Unlimited, Inc. Western Regional Office upon request. All pertinent information gathered, evaluated and applied to the project will be kept in a permanent file at the Western Regional Office of Ducks Unlimited, Inc. and made available to CALFED upon request.

### **7. Expected Products/Outcomes:**

- Farmland/wildlife habitat modeling for Delta and San Joaquin Regions (Completed for Sacramento Region)
- Report of new easement and funding opportunities
- Baseline Monitoring Report – Comprehensive evaluation of existing habitat and property conditions of the proposed pilot project lands.
- Recorded Conservation Easement purchasing developments rights and securing conservation values.
- Monitoring Reports/Updates
- Quarterly and Final Project Reports

- Presentation to CALFED Science Panel and Ecosystem Roundtable including site visit.

## 8. Work Schedule:

Listed below are the tasks, task description, deliverables and start/finish date for the Wildlife Friendly Agricultural Program:

**Task 1 –Project Management:** Inspection of work in progress; validation of costs; Preparation of periodic reports; Supervision of project staff, and; Preparation of financial reports; Contract compliance and invoicing

**Deliverables:** Project Administration and Implementation.

**Timeframe:** January 1, 2003 to December 31, 2005

**Task 2.0: -Multi-regional Project Development:** Farmland/wildlife habitat GIS modeling for Delta and San Joaquin; Solicitation and review of new easement properties; Development of additional funding programs.

**Deliverables:** Maps showing agricultural land use and prioritized wildlife areas; Report of new easement and funding opportunities.

**Timeframe:** January 1, 2003 to December 31, 2005

PERFORMANCE MEASURE: #1, #2, #3

**Task 3.0 -Easement Purchase:** Negotiate and sign option agreement; Request preliminary title report, open escrow; Complete appraisal, Baseline Documentation Report and Hazardous Materials Phase I Report; Negotiate final easement language; Close and record easement, and; Establish monitoring plan.

**Subtask 3.1:** Purchase of Agricultural Easement on Amaral Ranch Property (Attachment

**Deliverable:** Agricultural easement and Monitoring Plan on 705 acres of Sutter Basin Farm Land.

**Timeframe:** January 1, 2003 to December 31, 2003

PERFORMANCE MEASURE: #4

**Subtask 3.2:** Purchase of Agricultural Easement on Akin Ranch Property

**Deliverable:** Agricultural easement and Monitoring Plan on 548 acres of Sutter Basin Farm Land.

**Timeframe:** January 1, 2004 to December 31, 2004

PERFORMANCE MEASURE: #4

**Subtask 3.3:** Purchase of Agricultural Easement on C&P Duck Club Property

**Deliverable:** Agricultural easement and Monitoring Plan on 705 acres of Sutter Basin Farm Land.

**Timeframe:** January 1, 2004 to December 31, 2004

PERFORMANCE MEASURE: #4

**Subtask 3.4:** Purchase of Agricultural Easement on Shannon Ranch Property

**Deliverable:** Agricultural easement and Monitoring Plan on 705 acres of Sutter Basin Farm Land.

**Timeframe:** January 1, 2003 to December 31, 2003

PERFORMANCE MEASURE: #4

**Task 4.0 –Monitoring:** Monitor agricultural conservation easements on an annual basis for wildlife use and wildlife friendly cropping patterns.

**Deliverables:** A technical report with annual monitoring plans for each of the agricultural easements and recommendations for criteria for additional agricultural conservation easements.

**Timeframe:** January 1, 2004 to December 31, 2005

PERFORMANCE MEASURE: #5

**NOTE:** Task 1 and 2 are stand-alone actions and can be completed without completing the balance of the project. Task 3, purchase of the pilot easement properties, can be separated and funded as individual projects in each of the three years. Task 3.1 and 3.4 (Amaral Ranch and Shannon Farms) are the highest priority and should be purchased before Task 3.2 and 3.3 (Akin and C&P Duck Club).

## **B. Applicability to CALFED ERP and Science Program Goals and Implementation Plan and CVPIA Priorities**

### **1. ERP, Science Program and CVPIA Priorities**

#### **CALFED ERP Goals:**

**GOAL 1: At-Risk Species** – It is anticipated that this project will promote recovery of at-risk species, in particular **Swainson’s hawk, greater sandhill crane and giant garter snake**. At-risk species success should be enhanced by working with agricultural producers to improve existing practices and implement new practices through existing and new incentive-based wildlife friendly agricultural programs.

**GOAL 2: Ecosystem Processes and Biotic Communities** – This project is expected to rehabilitate natural ecological processes that support natural aquatic and terrestrial biotic communities and life-cycle requirements by supporting important ecological processes such as riparian corridors, nutrient and organic transport and sediment transport and decomposition that replenish riverine aquatic habitats.

**GOAL 4: Habitats** – The pilot projects will focus on a better understanding of how agricultural practices can be enhanced or modified to improve ecological conditions and species’ health. This project also supports the implementation of upland and wildlife-friendly agriculture by preventing urban development of agricultural lands and other open spaces that adjoin habitat areas or that have potential for future ecosystem restoration. This project will identify and purchase conservation easements on agricultural lands that affect nearby wetlands, riparian areas, or aquatic habitats or those that are important habitats for special-status wildlife, waterfowl, or other birds.

**ERP Multi-Species Conservation Strategy:** This project addresses actions in the MSCS in the following regions:

#### **Sacramento River Region**

**E081502**      **Target:** Develop and implement a cooperative program to enhance 3,090 acres of existing public and private seasonal wetland habitat consistent with the goals of the Central Valley Habitat Joint Venture and the North American Waterfowl Management Plan.  
**Programmatic Action:** Restore and manage seasonal wetland habitat throughout the Sutter Bypass Ecological Management Unit.

#### **San Joaquin River Region – San Joaquin River**

**121901**      **Target:** Cooperatively enhance 15,290 acres of private agricultural land to support nesting and wintering waterfowl consistent with the objectives of the Central valley Habitat Joint venture and the North American Waterfowl Management Plan.  
**Programmatic Action:** Increase the area of rice fields and other crop lands flooded in winter and spring to provide high-quality foraging habitat for wintering and migrating water fowl and shorebirds and associated wildlife.

#### **Delta Region – Sacramento – San Joaquin Delta**



**E011907**      **Target:** Cooperatively management 40,000 to 75,000 acres of agricultural lands.  
**Programmatic Action:** Develop a cooperative program to improve management on 8,000 acres of corn and wheat fields in the Delta and to reimburse farmers for leaving a portion of the crop in each field unharvested to provide forage for waterfowl, sandhill cranes, and other wildlife.

### **Ecosystem Restoration Program – Draft 1 Implementation Priorities:**

This project specifically addresses Priority Number 2 of the Multi-Regional Bay-Delta Areas: Develop programs for Wildlife-Friendly Agriculture and will conduct studies to better understand relationships between farming and wildlife habitat – *Wildlife-friendly agriculture incentive program*

### **Science Program Priorities**

- *Developing performance measures* that will track the success Wildlife Friendly Agricultural Program to enhance wildlife values within the Central Valley.
- Apply an *Adaptive Management* approach by annual monitoring requirements on purchased agricultural conservation easements in order to modify or change management practices to manage for wildlife values.
- *Coordinate and extend existing monitoring* by monitoring wildlife friendly agricultural practices incorporated in the agricultural easement property operations.

**Central Valley Project Improvement Act Goals:** This project addresses the following Sections in TITLE 34, PUBLIC LAW 102-575: Section 3402(a): To protect, restore, and enhance fish, wildlife, and associated habits in the Central Valley... of California; Section 3406(b)(1) – protect and restore natural channel and riparian habitat values; and, Section 3406(b)(1)(a): First priority given to measures, which protect and restore natural channel and riparian habitat values. This project will prioritize farmlands situated along riparian corridors and key habitat areas critical to increasing the salmonid populations native to the Bay-Delta and Central Valley regions; Section 3406(b)(1)(22) – develop a program to encourage farmers to keep fields flooded for waterfowl habitat creation and CVP yield enhancement.

### **San Joaquin River Riparian Habitat Restoration Program - Section 3406(b)(1)**

This project supports the goals of this program by having potential to protect farmlands with Agricultural Friendly practices along the main stem of the San Joaquin River.

## **2. Relationship to Other Ecosystem Restoration Projects**

This project will have both a direct and indirect relationship to other Ecosystem Restoration Projects. By working with agriculture, projects such riparian restoration, projects can expand their reach. The Project will have a direct relationship with the CVPIA 3406 (b) 22 program by expanding this program to include the winter flooding opportunities in the Delta and San Joaquin regions. Two of the pilot projects are currently enrolled in the 3406(b)(1)(22) program. In certain instances, agricultural lands in the San Joaquin floodplain can be altered to return to their natural inundated state during the winter flooding season. The Stanislaus County NRCS currently has 11 floodplain easements along the San Joaquin River. These easements could greatly benefit from wildlife friendly agricultural easements on adjoining properties. The proposed Sutter County pilot easements will benefit waterfowl programs and anadromous fish programs by buffering important streams, waterfowl refuges and water conveyance facilities from urban encroachment.

The Amaral Ranch Pilot Project is closely related to the AFRP planning for the Sutter Bypass. The Giusti Weir is identified in the AFRP fisheries plan for upgrade and the associated water right is being proposed as a possible candidate for water sale to the CALFED Water Program and for other water purchase programs.

## 1. Requests for Next-phase Funding

(Not Applicable)

## 2. Previous Recipients of CALFED Program or CVPIA Funding

**Table 2: Report on Previous Recipients of CALFED Program or CVPIA Funding**

<b>Project Name:</b>	<b>CALFED Number:</b>	<b>Financial Status</b>	<b>Current Status</b>
Lower Butte Creek Project: Phase II Preliminary Engineering and Environmental Analysis for Butte Sink Structural Modifcat. and Flow-through System	99-B02	Expenditure: \$520,574.60 Income: \$531,850.58 Ducks Unlimited Inc: \$ 11,275.98	Ongoing Final design and Draft NEPA/CEQA complete
Gorrill Dam Fish Screen	96-M22	Expenditure: \$1,548,907.86 Income: \$1,523,047.43 Ducks Unlimited : \$ 25,860.43	Complete
M & T/Parrott, Pumping Station and Fish Screen	95-M05	Expenditure: \$4,749,845.92 Income: \$4,530,556.71 Ducks Unlimited.: \$ 219,289.21	Complete
Rancho Esquon/Adams Dam Fish Screen	96-M21	Expenditure: \$1,151,326.33 Income: \$1,034,780.62 Ducks Unlimited: \$ 116,545.71	Construction complete Monitoring fish passage

<b>Project Name:</b>	<b>CVPIA Number:</b>	<b>Financial Status</b>	<b>Current Status</b>
Lower Butte Creek Project, Phase III – Butte Creek, Drumheller Exclusion Barrier Final Engineering, Permitting and Construction	1448-11332-9J006	Expenditure: \$ 228,951.73 Income: \$ 227,856.74 Ducks Unlimited: \$ 1,094.99	Construction complete Five Points design in progress
Lower Butte Creek Project, Phase II – Butte Creek, Butte Sink/Sutter Bypass Stakeholder Coordination/Facilitation	113329-9-J135	Expenditure: \$ 67,151.50 Income: \$ 62,263.44 Ducks Unlimited: \$ 4,888.06	Ongoing
Lower Butte Creek Project, Phase II – Butte Creek, Sutter Bypass East-West Diversion Dam Preliminary Engineering and Environmental Review	113329-9-J122	Expenditure: \$ 298,286.93 Income: \$ 250,000.00 Ducks Unlimited: \$ 48,286.93	Ongoing Final design and Draft NEPA/CEQA complete
Lower Butte Creek Project, Phase II – Butte Creek, Sutter Bypass Weir #5 Preliminary Engineering and Environmental Review	11332-9-J122	Expenditure: \$ 298,286.93 Income: \$ 250,000.00 Ducks Unlimited Inc: \$ 48,286.93	Ongoing Final design and Draft NEPA/CEQA complete
Lower Butte Creek Project, Phase II – Butte Creek, Sutter Bypass Weir #3 Preliminary Engineering and Environmental Review	113329-9-J136	Expenditure: \$ 298,286.93 Income: \$ 250,000.00 Ducks Unlimited: \$ 48,286.93	Ongoing Final design and Draft NEPA/CEQA complete
Sutter Bypass, East Side	11332-0-J004	Expenditure: \$ 56,633.43 Income: \$ 55,370.43 Ducks Unlimited: \$ 1,263.00	Ongoing, Survey work complete Outreach initiated
Lower Butte Creek, Butte Slough Phase II – Preliminary File	11332-0-J003	Expenditure: \$ 1,618.50 Income: \$ 0.00 Ducks Unlimited: \$ 1618.50	Ongoing Water rights analysis complete

(B)(22) Administration	1448-11300-97-J172	Expenditure: \$1,330,118.00 Income: \$1,330,118.00 Ducks Unlimited: \$ 0	Ongoing Signup for 2002 initiated
(B)(22) Administration	113007J043	Expenditure: \$ 51,476.20 Income: \$ 51,476.20 Ducks Unlimited: \$ 0	Ongoing Signup for 2002 initiated

### 3. System-Wide Ecosystem Benefits

This project will have extensive system-wide ecosystem benefits by protecting wildlife friendly agricultural lands through perpetual easements and by introducing many new agricultural operations to wildlife friendly agricultural practices. Many agriculturists are looking for other sources of income and creative ways to use environmental causes as part of their marketing efforts. Agriculture is largest land use in the CALFED Bay/Delta region. Given this large presence, incremental changes to agricultural operations will yield huge benefits

### 4. Additional Information for Proposals Containing Land Acquisition

This proposal proposes to purchase four agricultural conservation easements as pilot projects. All of the easement properties are located in Sutter County between the city of Yuba City and the Sutter Bypass. The landowners are willing sellers and DU has received a resolution from the Sutter County Board of Supervisors supporting the easement purchases. As other areas are identified, Ducks Unlimited will work with the area's government infrastructure. The pilot projects are all located within an area classified as Prime Farmland, Farmland of Statewide Importance or Unique Farmland. The proposed pilot projects present a unique opportunity to protect these important farms and habitat that meet CALFED and CVPIA goals. They possess a biological richness due to the current use for rice production. California Rice Industry Association identifies 116 species of birds, 28 species of mammals, and 27 species of amphibians and reptiles that are known to use rice fields. These acquisitions present a time sensitive opportunity in that they are close to a developing community and have potential to develop as rural subdivisions.

### C. Qualifications

**Olen C. Zirkle, Jr.** Ducks Unlimited Inc, Agricultural Programs Coordinator. Mr. Zirkle brings a diverse background to Ducks Unlimited. Educated at U.C. Davis, earning a Bachelor of Science degree in Ag-Production/Agronomy, he has spent a lengthy career working with agriculture on operational and management issues. Mr. Zirkle is currently employed by Ducks Unlimited as an Agricultural Programs Coordinator where he manages the Lower Butte Creek Project, the Sutter Basin Agricultural Easement Project and the Agricultural Water Quality Outreach Program. Mr. Zirkle may be reached at the Western Regional Office at 3074 Gold Canal Drive, Rancho Cordova CA 95670-6116; Phone: (916) 852-2000; Fax: (916) 852-2200; e-mail: [ozirkle@ducks.org](mailto:ozirkle@ducks.org).

#### Relevant Experience

Mr. Zirkle has spent his entire career working in agriculture in managerial and technical positions. Educated as an agronomist, he worked for 16 years with Spreckels Sugar Company as a field superintendent and agricultural property manager. Subsequently, he managed grain marketing and storage cooperative comprised of 800 farmer members in Southeastern Arizona. In one of his most recent activities, he managed and marketed the foreclosed properties for the western office of the Federal Land Bank. Mr. Zirkle is a licensed real estate broker, and has extensive training and expertise in agricultural property appraisal. Since 1995, Mr. Zirkle has worked extensively on wildlife friendly agricultural issues. He has headed easement acquisition programs for both The Nature Conservancy and Ducks Unlimited.

### Project Responsibility

Mr. Zirkle's title is Agricultural Programs Coordinator. His role in this project is to manage the overall project process. Mr. Zirkle will supervise the acquisition of easements including negotiations, the due diligence process and closing. Mr. Zirkle will work in other areas in the Central Valley to identify new agriculture easement opportunities.

**Brendan J O'Hara** Ducks Unlimited Inc, GIS/Remote Sensing Analyst. Mr. O'Hara possesses a diverse set of skills in GIS and Remote Sensing technology. Educated at California State University, Sacramento, earning a Bachelor of Arts Degree in Geography, Mr. O'Hara is currently employed by Ducks Unlimited as a GIS and Remote Sensing Analyst where he has managed many projects encompassing many disciplines of landcover and spatial analysis. Mr. O'Hara may be reached at the Western Regional Office at 3074 Gold Canal Drive, Rancho Cordova CA 95670-6116; Phone: (916) 852-2050; email [bohara@ducks.org](mailto:bohara@ducks.org)

### Relevant Experience

Mr. O'Hara has 5 years experience in GIS and Remote Sensing, and their application as a tool to assist in land use management. Mr. O'Hara is a member of a team of GIS and Remote Sensing Analysts who have been mapping and analyzing wetland and upland complexes for a variety of State and Federal agencies. His experience with the Central Valley and the tools available to him from within Ducks Unlimited and it's GIS department have allowed him to successfully assist in the management of our natural resources.

### Project Responsibility

Mr. O'Hara is responsible for the integration of technology, specifically GIS, to allow for the display and deciphering of spatial data.

## **D. Costs**

### **1. Budget**

Total Budget: \$4,001,400 (See Web Page Forms for details)

### **2. Cost-Sharing**

There is currently no cost-sharing available for the proposed project. Funding for agricultural easements is available from the Department of Conservation, California Farmland Conservancy Program, however, this program has limited wildlife benefits. Department of Water Resources through its Division of Flood Plain Management will have funding available later this year for agricultural easements which can benefit floodplain actions. This easement program will be especially useful for properties along the upper San Joaquin River and the Sutter Bypass. Private funding sources are available as match once properties are identified and public funding is pledged.

## **E. Local Involvement**

The Project will be delivered throughout the Central Valley where applicable and will focus initially in Sutter County with the proposed pilot projects. Ducks Unlimited has an MOU with Sutter County covering their support of the pilot easement projects. Ducks Unlimited has received multiple requests for agricultural interests from agricultural landowners that border the San Joaquin River north of the Grasslands. It is the intent of this proposed project to begin a program to outreach local interested and affected entities in this region. Presentations will be made to County Supervisors, Planning Departments, Regional groups and agricultural groups.

## **F. Compliance with Standard Terms and Conditions**

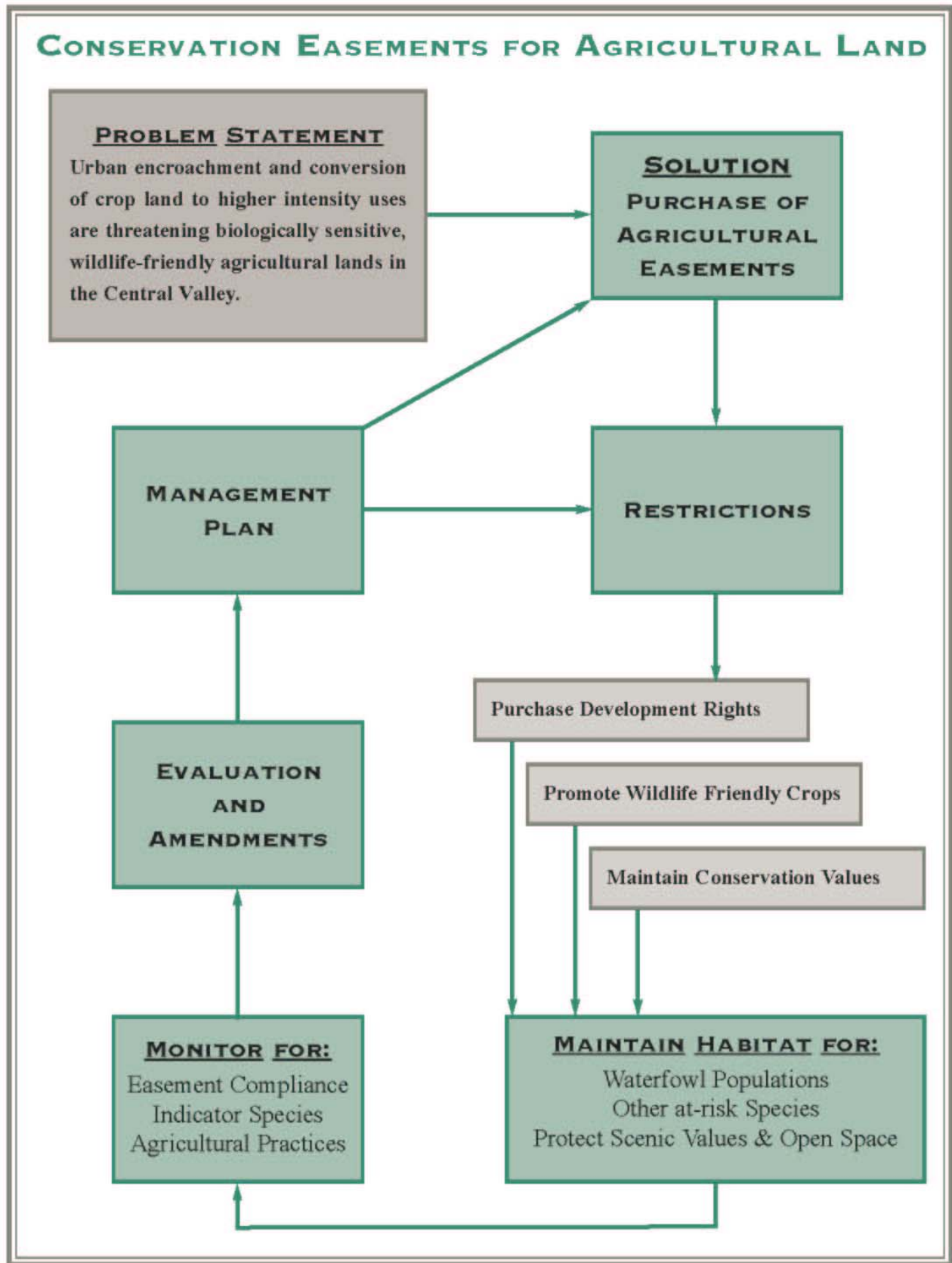
The Applicant has reviewed and understands the standard terms contained in Attachments D (State) and E (Federal) that were included in the ERP 2002 Proposal Solicitation Package, and agrees to comply with these state and federal standard terms.

## **G. Literature Cited**

- Albert B. Medvits, Alvin Sokolow and Cathy Lemp (1999) Agricultural Issues Center – Division of Agriculture and natural Resources, University of California, California Farmland and Urban Pressures, Statewide and Regional Perspectives 1999. Chapter One, Population Growth And Its Impacts On Agricultural Lands In California: 1850 to 1998
- CALFED Ecosystem Restoration Program, Draft Stage 1 Implementation Plan. August 2001. Pages 9-16. Restoration Program Strategic Goals.
- CALFED Ecosystem Restoration Program, Draft Stage 1 Implementation Plan. August 2001. Pages 41-47. Restoration Priorities for Multi-Regional Bay-Delta Areas.
- Central Valley Habitat Joint Venture: Central Valley Habitat Joint Venture Implementation Plan February 1990 pg. 5
- California Rice Industry Association. 1994. Special Status Wildlife Species Use of Rice Cultivation Lands in the California' Central Valley, November 2, 1994
- Central Valley Habitat Joint Venture, May 1999. Rice Easement Subcommittee. Mission Statement and Purpose. Ag Easement and Buffer Zone Criteria
- Ducks Unlimited Continental Conservation Plan June 1994. An Analysis of North American Waterfowl Populations and a Plan to Guide the Conservation Programs of Ducks Unlimited Through the Year 2000 (Parts I-III),
- Janet Diehl and Thomas S. Barret (1988). The Conservation Easement Handbook: Managing Land Conservation and Historic Preservation Easement Program.
- Jones & Stokes Associates, June 1998. Lower Butte Creek Project, Final Project Report.
- Soil and Water Conservation Society. 2001. Seeking Common Ground for Conservation: An Agricultural Conservation Policy Project, 2001
- Thomas S. Barret (1996). Land Trust Alliance - Model Conservation Easement and Historic Preservation Easement.
- USDA, Natural Resources Conservation Service, Wildlife Habitat Management Institute. 2000. A comprehensive Review of Farm Bill Contributions to Wildlife Conservation 1985-2000, December 2000

## **APPENDIX**

## Attachment A: Conceptual Model



**Attachment B: Draft Preliminary Property Inspection, Baseline Documentation Report, and monitoring report**

- **Draft Preliminary Property Inspection Report:**

**Date of Inspection:** \_\_\_\_\_

**DU Region** \_\_\_\_\_  
**State** \_\_\_\_\_

**Conservation Easement For Agricultural Lands  
Preliminary Property Inspection Form (PPI)**

**I. Project History**

**Grantor's Name** \_\_\_\_\_

**Address** \_\_\_\_\_

**Telephone** \_\_\_\_\_

**Property Name & Location (map attached)** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Parcel Numbers:** \_\_\_\_\_

**DU Focus Area:** \_\_\_\_\_

**DU Project Name** \_\_\_\_\_

**Latitude and Longitude Coordinates of the approximate center of the site:**

\_\_\_\_\_

**Crop Types**

**Total Acres** \_\_\_\_\_ **Cropland Acres** \_\_\_\_\_ **Rice Acres** \_\_\_\_\_

**Permanent Crops** \_\_\_\_\_ **Water Rights** \_\_\_\_\_ **Wetlands** \_\_\_\_\_

**Buildings and Grounds** \_\_\_\_\_



## **II. Condition of Land**

### **A. Description**

Give a general description of the property, especially describing the condition and management of the farm including crop rotation and water source and delivery system. Also note any erosion, gravel pits, or pollution, such as chemical spills, fuel storage tanks or air strips.

### **B. Habitat Potential**

Describe the potential of the farm for increased habitat, including land and water available for winter flooding, water delivery systems, waste water areas and other areas including natural wetland habitat

### **C. Buildings and Structures**

Describe size, type and condition of structures including houses, sheds, silos, barns, utilities, powerlines, etc.

### **D. Biological Opinion**

1. Describe the biological significance of the property and explain how a conservation easement will enhance the focus area and contribute to the DU mission.

2. Explain the use and potential for protection, if any, conservation or otherwise, of the neighboring properties contiguous to this subject property.

### **E. Financial Analysis**

1. Enumerate the costs associated with this transaction. What funds will be utilized to finance this transaction?

**F. Recommendation**

**G. Post Purchase Intent**

**III. Check List:**

Yes	No	
1. _____	_____	Title search has been done.
2. _____	_____	Grantor owns clear title to land.
3. _____	_____	Owner wishes to sell easement in current tax year.

**PLEASE INCLUDE THE ITEMS LISTED BELOW:**

It is very important that the location of the property is accurately described. More detailed information greatly enhances the committee's ability to make an approval decision.

- 1) **Large scale aerial photography (true color or color infrared).** For instance, a 9" x 9" contact print that covers all of the property. Large scale means the property should encompass as much as the 9" x 9" area as possible. A transparent overlay with the property boundary delineated is also needed. The overlay should include tic marks (small crosses) over easily recognizable features (such as photo corners). These tic marks will help with registration should the aerial photograph and overlay get separated. Do not draw directly on the original photo since it may be scanned for presentation purposes. *Please see telephone numbers and web locations listed in #3 for information regarding the National Aerial Photography Program.*
- 2) **35mm slides, prints, and/or digital camera ground photography.** Several slides of the property from different locations are required. Individual slides and photographs should be labeled with the name of the property, date, and a caption describing the images. Note that most of the DU field offices now have digital cameras. A separate description of each photo is required, even if providing digital images. GPS points or a plot of photo point location on the aerial photograph overlay is also necessary.
- 3) **1:24,000 scale USGS topographic map with delineation of property.** *For more information about ordering, call 1-800-Help-Map. If you know what USGS quadrangles you would like to order, call 1-800-USA-Maps or search the web address below:*

<http://mapping.usgs.gov/esic/usimage/dealers.html>

<http://edcwww.cr.usgs/srord-link.html>

- 4) **County Assessor Parcel map or Platt book map (or a copy).** Parcel name and number should be indicated on Page 1 of this form and not on the map in case the parcel map needs to be scanned.
- 5) **Copy of AAA road map or similar map indicating the general location of the property relative to the nearest town.**
- 6) **Latitude and Longitude coordinates of the approximate center of the site should be inserted on Page 1 of this form.** These should be collected using a GPS unit if possible. A digital property area boundary file collected using GPS is also acceptable. Arcinfo or Arcview compatible format is preferred.

Inspected by:

\_\_\_\_\_  
**Name**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Conservation Lands Coordinator**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Director of Operations**

\_\_\_\_\_  
**Date**

- **Baseline Documentation Report:**

## **Conservation Easement for Agricultural Lands Baseline Study Outline**

The following matters should be considered in writing every baseline study:

- A. Background information
  - 1. Method of study
  - 2. History of property use; include current use (historic and current crops)
  - 3. Conservation values to be included in the easement including a list of the easement restrictions and reserved rights
- B. Legal information
  - 1. legal description
  - 2. Acreage (Must agree with all other documentation)
  - 3. Latitude and Longitude
  - 4. GPS location of major structures and property control points
- C. Property description
  - 1. Geology
  - 2. Soil types
  - 3. Hydrology: ponds, streams, lakes, wetlands, etc.
  - 5. Ecological Description (can include reference to retained rights and list of restrictions)
    - a. Vegetation - description of each type (On-site)
      - i. Element occurrences
      - ii. Plant communities
      - iii. Noxious weeds
      - iv. Plant species list sorted by plant community including annual grasses, perennial grasses and woody species (Table format if possible)
    - b. Wildlife - description
      - i. Habitat use
      - ii. Migratory species
      - iii. Species of special concern
  - 6. Man-made Features - narrative description of improvements, structures, trails, roads, fences, wells, power lines, pipelines; include historic use, etc.
  - 7. Land use (Include current crop rotation plan)
  - 8. Aesthetics
  - 9. Date of report
- D. Summary and Conclusions
- E. Literature Cited
- F. Appendix

1. Maps
  - a. Aerial photographs
  - b. General map showing property location
  - c. Local road map showing property location
  - d. Topographic (7.5 min.) showing property boundaries
  - e. Plat map of property
  - f. Ecological map showing location of plant communities and element occurrences (Use GPS location)
  - g. Man-made features showing locations of buildings, fences, power lines, wells, roads, trails, flood control structures, irrigation structures, etc. (Use GPS location)
  - h. Crop rotation maps
2. Photographs (Include accompanying map describing photographs and showing location of each picture, GPS location where appropriate)
  - a. Man-made structures including roads, ditches, flood control structures, power lines fences, irrigation structures, etc.
  - b. Vegetation including representative photographs of riparian forests, creek channels, grasses, woody shrubs, etc.

- **Monitoring Report**

Date of Inspection: \_\_\_\_\_

DU Region \_\_\_\_\_

State \_\_\_\_\_

**DU Conservation Lands Program  
Conservation Easement Donations/Acquisitions  
Monitoring Inspection Form**

**1. Introduction**

**The conservation easement will be monitored annually. An upgraded report on the condition of the property will be prepared and submitted to the grantor of the easement.**

**PRIOR to embarking upon the site visit to monitor the property protected by the conservation easement, the following five preliminary steps MUST be completed.**

- 1. Review Conservation Easement document.**
- 2. Review amendments, if any.**
- 3. Review BDR.**
- 4. Review survey map/aerial photo.**
- 5. Send notice to landowner. (NB: This method must conform to the provisions within the Easement regarding notice.)**

**II. Preliminary Information**

- 1. Property:** \_\_\_\_\_
- 2. Location:** \_\_\_\_\_
- 3. Acres:** \_\_\_\_\_
- 4. Conservation Easement Date:** \_\_\_\_\_  
**Amendment Date:** \_\_\_\_\_
- 5. Name of Landowner:** \_\_\_\_\_
- 6. Address:** \_\_\_\_\_  
\_\_\_\_\_
- 7. Telephone Nos.:**  

<b>Home</b>	_____
<b>Office</b>	_____
<b>Mobile</b>	_____
<b>Fax</b>	_____
- 8. Original grantor of Conservation Easement? Yes \_\_\_\_\_ No \_\_\_\_\_**

9. If not, year of sale \_\_\_\_\_ (a copy of the Deed is attached)
10. Property Manager: \_\_\_\_\_
11. Address: \_\_\_\_\_  
\_\_\_\_\_
12. Telephone Nos.:     **Home**    \_\_\_\_\_
- Office**    \_\_\_\_\_
- Mobile**    \_\_\_\_\_
- Fax**        \_\_\_\_\_

### III. Site Visit

1. Grantee Representative (name and title) conducting site visit \_\_\_\_\_  
\_\_\_\_\_
2. Grantor Representative (name and title) present \_\_\_\_\_  
\_\_\_\_\_
3. Mark an "X" next to the current use/uses of the property.
 

Agricultural	_____
Ecosystem/species preservation	_____
Scientific/educational purposes	_____
Wildlife/habitat management	_____
Recreational	_____
Forestry	_____
Commercial	_____
4. Current land use of adjacent properties. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Baseline photo sites located and physical state at present compared to those photos. (New baseline photos should be taken at the same points every 5 years.)  
\_\_\_\_\_  
\_\_\_\_\_
6. If property has been altered by natural causes, describe location, changes, etc.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. If property has been altered due to man-made changes, describe location, etc.

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8. Are these changes consistent with the terms of the Conservation Easement?

Yes \_\_\_\_\_ No \_\_\_\_\_

9. Is there a need for cleanup, maintenance or restoration?

Yes \_\_\_\_\_ No \_\_\_\_\_

10. If yes, how does landowner plan to return property to its original condition?

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11. Is construction, restoration, major maintenance or changes in use or ownership contemplated within the next 12 months? Yes \_\_\_\_\_ No \_\_\_\_\_

12. If so, describe and state whether or not these changes are in compliance with the terms and conditions of the Conservation Easement.

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13. Evaluation as to property's condition. \_\_\_\_\_

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14. Potential threats or problems to property's condition. \_\_\_\_\_

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15. Is there signage on the property? \_\_\_\_\_

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16. If so, does it conform with the terms of the Conservation Easement?

Yes \_\_\_\_\_ No \_\_\_\_\_

#### IV. General

1. Overall, are the terms and conditions of the Conservation Easement being adhered to? Yes \_\_\_\_\_ No \_\_\_\_\_

2. List and describe any violations or potential violations of the Easement. \_\_\_\_\_



\_\_\_\_\_  
\_\_\_\_\_  
3. Landowner's comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Grantee's comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, \_\_\_\_\_, owner or representative of the property known as \_\_\_\_\_, agree that the description and account of the current state of the property, as recorded herein, is an accurate description of the property as of today.

\_\_\_\_\_  
**Landowner/Representative**

**Name: (Print)** \_\_\_\_\_

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Inspector**

**Name: (Print)** \_\_\_\_\_

**Date:** \_\_\_\_\_

**C. List any attachments**

\_\_\_\_\_ **none**

\_\_\_\_\_ **photos**

\_\_\_\_\_ **map(s)**

\_\_\_\_\_ **survey(s)**

\_\_\_\_\_ **deed**

\_\_\_\_\_ **other**

**Attachment C: Property Inspection Forms for Pilot Projects:**

**Date of Inspection:** June 25, 1999

**DU Region** WRO  
**State** CA

**Conservation Easement For Agricultural Lands  
Preliminary Property Inspection Form (PPI)**

**I. Project History**

**Grantor's Name:** Jim Akin, et al

**Address:** P. O. Box 302, Robbins, CA 95676

**Telephone:** (530) 738-4250

**Property Name**

**& Location:** The Akin Gilsizer Ranch is located approximately 30 miles northwest of Sacramento, 1 ½ miles west of State Highway 113 on Thompson Road.

**Parcel Numbers:** State of California, Sutter County, APN#: 24-070-04 & 07; 24-120-06

**DU Focus Area:** Valley/Bay CARE – Sutter Basin

**DU Project Name:** Conservation Easements for Agricultural Lands (CEAL)

**Latitude and Longitude Coordinates**

**of the approximate center of the site:** 38° 59' 41" N; 121° 42' 55" W

**Crop Types**

**Total Acres** 548

**Cropland Acres** 462.2

**Rice Acres** 462.2

**Permanent Crops** None

**Water Rights** Sutter Bypass = 466 ac.ft.  
Gilsizer Riparian = Bal.

**Wetlands** All

**Buildings and Grounds** None

**II. Condition of Land**

## **A. Description**

The Akin Gilsizer Ranch is located adjacent to the east levee of the Sutter Bypass and is intersected by Gilsizer Slough. The ranch is interspersed with wetlands and open upland areas with more than 70 acres of permanent marsh. The balance of the property is planted predominantly to rice. The land is periodically rotated with other crops such as safflower, cereal grains and tomatoes. The farming practices are above average for the area. The management practices include leaving natural vegetation along ditch banks, roads and open areas. Irrigation water comes from two sources, Sutter Bypass and Gilsizer Slough. The property has adequate water for the crop rotation. There was no observed gravel pits, chemical spills or other forms of pollution.

## **B. Habitat Potential**

The agricultural portion of this property is farmed entirely in rice. Bisecting the property at the north end is Gilsizer Slough, a natural area with very high wetland habitat values. This property is adjacent to the Sutter Bypass and is in close proximity to the Sutter National Wildlife Refuge. This area is flooded in winter to enhance habitat values. Water delivery ditches provide additional habitat values for nesting and brooding waterfowl.

## **C. Buildings and Structures**

The property has three sets of powerlines crossing the southerly boundary of the property adjacent to the Sutter Bypass. There is a small equipment storage area with no buildings or other structures.

## **D. Biological Opinion**

1. This area provides critical foraging and roosting habitat for a variety of waterfowl, shorebirds, wading birds, and raptors. Gilsizer Slough provides greater diversity with components of tall emergent vegetation, open water and a riparian corridor along the margins. Federally threatened giant garter snakes use this habitat and will benefit from the protection of an easement. Mallards, gadwalls, and cinnamon teal commonly nest here and will use the slough and rice fields for brood rearing. Waterfowl from the nearby refuge often feed into the rice fields in great numbers. This project will help to meet the goals of DU and the Central Valley Habitat Joint Venture.
2. The area to the north, east, and south are also in rice production. Owners of these lands will be contacted to join the Sutter Basin easement program. It is envisioned that up to 5000 acres in this area can be protected against urban encroachment and conversion to other incompatible uses.

## **E. Financial Analysis**

The purchase price of the easement is estimated at \$1200/acre for a total of \$657,600. The cost of the appraisal, title insurance, baseline documentation report and hazardous materials Phase I report is estimated at \$15,000. Long term monitoring of the easement will cost approximately \$1,000/year and require an endowment of 1.5% of the value of the easement for funding. Grants have been written to California Department of Conservation, CALFED and EPA for funding for the purchase. The WRO Director of Development is working on private funds to add to the public funding. The landowner will sign an option agreement allowing Ducks Unlimited sufficient time to raise funds for the project.

## **F. Recommendation**

Western Regional Office recommends that the conservation easement for agricultural lands for the Akin Gilsizer Ranch be accepted. The property is located immediately southeast of the Sutter National Wildlife Refuge and its protection will insure the long-term availability of a food source for the large waterfowl populations that visit the refuge each winter. The property represents a key acquisition for the Sutter Basin Agricultural Easement program and is an integral part of the Valley/Bay CARE Program for the Central Valley of California.

### G. Post Purchase Intent

It is the intent of the Western Regional Office to work with the Akin Gilsizer Ranch on an annual basis to improve the habitat potential of the property while maintaining its agricultural productivity. Projects such as winter flooding of rice and wildlife friendly crop rotations will be encouraged. Funding from wildlife enhancement programs will be provided whenever possible.

### III. Check List:

- |    | Yes           | No            |  |
|----|---------------|---------------|--|
| 1. | <u>      </u> | <u>  X  </u>  | Title search has been done.                        |
| 2. | <u>  X  </u>  | <u>      </u> | Grantor owns clear title to land.                  |
| 3. | <u>  X  </u>  | <u>      </u> | Owner wishes to sell easement in current tax year. |

Date of Inspection: June 25, 1999

DU Region WRO  
State CA

### Conservation Easement For Agricultural Lands Preliminary Property Inspection Form (PPI)

#### I. Project History

Grantor's Name: Greg Amaral – Amaral Ranch

Address: 1606 Amaral Court, Suisun CA 94585-1500

Telephone: (707) 864-8000

Property Name & Location: Amaral Ranch is located approximately 34 miles northwest of Sacramento immediately northwest of the confluence of the Tisdale and Sutter Bypasses. It can be accessed using Highway 113 north of Woodland, CA, via Reclamation Road, Progress Road and Oswald Road.

Parcel Numbers: State of California, Sutter County, APN #: 21-130-05; 21-160-11, 14, 16, 18, 20, 022 & 23; 21-170-01, 03, 04; 21-190-07, 08, 09 & 10

DU Focus Area: Valley/Bay CARE – Sutter Basin

**DU Project Name:** Conservation Easements for Agricultural Lands – Amaral Ranch

**center of the site:** Latitude and Longitude Coordinates of the approximate  
39° 03' 32" N; 121° 45' 16" W

**Crop Types**

**Total Acres** 705      **Cropland Acres** 646.7      **Rice Acres** 646.7

**Permanent Crops** None      **Water Rights** 21.05 cfs      **Wetlands** All

**Buildings and Grounds** None

**II. Condition of Land**

**A. Description**

The property is comprised of 705 acres of land of which 647 acres are farmable. The property has been farmed to a rotation comprised of rice, safflower, wheat, beans, and tomatoes. The property is currently planted to rice. Water is supplied from the Sutter Bypass with a diversion license for 21.05 cfs for the period April 1 to November 1 of each season. The farming practices are excellent with this year's rice crop showing above average progress. The tenant uses good habitat management practices by leaving irrigation and drainage ditches, roadsides and open area in a vegetated state. There are no apparent chemical spills, oil stains, gravel excavation pits or other impairments to the property.

**B. Habitat Potential**

The property is located adjacent to the Sutter Bypass and the Sutter National Wildlife Refuge. It is composed entirely of rice and will provide benefits to local nesting waterfowl and migrating and wintering waterfowl. The area is flooded in winter to provide additional foraging and roosting habitat. Numerous water delivery ditches provide escape cover for waterfowl broods and limited nesting habitat for waterfowl and resident land birds.

**C. Buildings and Structures**

There are no buildings or structures located on the property.

**D. Biological Opinion**

1. This property is heavily used by many species of ducks, geese, resident and migratory land birds, wading birds, and raptors. The property will provide a welcome addition of protected habitat for the adjacent Sutter National Wildlife Refuge and increase the "core" area provided therein. The

property will help meet the goals of the Central Valley Habitat Joint Venture and the enhancement goals of DU in California's Central Valley.

2. The area to the north, west, and south are also in rice production. Owners of these lands will be contacted to join the Sutter Basin easement program. It is envisioned that up to 5000 acres in this area can be protected against urban encroachment and conversion to other incompatible uses.

#### **F. Financial Analysis**

The purchase price of the easement is estimated at \$1200/acre for a total of \$846,000. The cost of the appraisal, title insurance, baseline documentation report and hazardous materials Phase I report is estimated at \$15,000. Long term monitoring of the easement will cost approximately \$1,000/year and require an endowment of 1.5% of the value of the easement for funding. Grants have been written to California Department of Conservation, CALFED and EPA for funding for the purchase. The WRO Director of Development is working on private funds to add to the public funding. The landowner will sign an option agreement allowing Ducks Unlimited sufficient time to raise funds for the project.

#### **F. Recommendation**

Western Regional Office recommends that the conservation easement for agricultural lands for the Amaral Ranch be accepted. The property is located immediately west of the Sutter National Wildlife Refuge and its protection will insure the long-term availability of a food source for the large waterfowl populations that visit the refuge each winter. The property represents a key acquisition for the Sutter Basin Agricultural Easement program and is an integral part of the Valley/Bay CARE Program for the Central Valley of California.

#### **G. Post Purchase Intent**

It is the intent of the Western Regional Office to work with the Amaral Ranch on an annual basis to improve the habitat potential of the property while maintaining its agricultural productivity. Projects such as winter flooding of rice and wildlife friendly crop rotations will be encouraged. Funding from wildlife enhancement programs will be provided whenever possible.

### **III. Check List:**

	Yes	No	
1.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Title search has been done.
2.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Grantor owns clear title to land.
3.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Owner wishes to sell easement in current tax year.

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**Date of Inspection: 07/06/00**

**DU Region    WRO**  
**State CA**

**Conservation Easement For Agricultural Lands  
Preliminary Property Inspection Form (PPI)**

**I. Project History**

**Grantor's Name:** Mike Cole and Mike Passaglia, et al

**Address:** 7611 S. Township Road, Yuba City, CA 95993

**Telephone:** 530-674-9465

**Property Name & Location (map attached):** C & P Duck Company, Located in Sutter  
County, CA ½ mile north of O'Bannion Road on west side of Boulton Road

**Parcel Numbers:** 21-230-22; 21-240-06

**DU Focus Area:** Valley Bay CARE – Sutter Basin

**DU Project Name:** Conservation Easement for Agricultural Lands - C & P Duck  
Company.

**Latitude and Longitude Coordinates of the approximate center of the site:**

Lat: 39° 02' 30" Long: 121° 43' 10"

**Crop Types**

**Total Acres:** 313 **Cropland Acres:** 295 **Rice Acres:** 295

**Permanent Crops:** 0 **Water Rights:** Sutter Extension W.D. 3.5 acft/ac Pre 1914

**Wetlands:** 295

**Buildings and Grounds** 0

**II. Condition of Land**

**A. Description**

The property is comprised of 313 acres of land of which 295 acres are farmable. The property has been farmed to continuous rice since the property was acquired in 1993. Past owners have rotated with safflower and wheat. Water is supplied from the Sutter Extension Water District that delivers an annual allotment of 3.5 acre-feet per acre for the period April 1 to November 1 of each season. Additional water is delivered from November 1 to January 15 each year for winter flooding. The farming practices are excellent with this year's rice crop showing above average progress. The landowner uses good habitat management practices by leaving

irrigation and drainage ditches, roadsides and open area in a vegetated state. The property is flooded during the winter for rice straw decomposition and waterfowl hunting. There are no apparent chemical spills, oil stains, gravel excavation pits or other impairments to the property.

## **B. Habitat Potential**

The property is located adjacent to the Sutter Bypass and the Sutter National Wildlife Refuge. It is composed entirely of rice and will provide benefits to local nesting waterfowl and migrating and wintering waterfowl. The area is flooded in winter to provide additional foraging and roosting habitat. Numerous water delivery ditches provide escape cover for waterfowl broods and limited nesting habitat for waterfowl and resident land birds.

## **C. Buildings and Structures**

There are no buildings or structures located on the property.

## **D. Biological Opinion**

1. This area provides critical foraging and roosting habitat for a variety of waterfowl, shorebirds, wading birds, and raptors. This property is near the Sutter Bypass and is in close proximity to the Sutter National Wildlife Refuge. The Sutter National Wildlife Refuge provides greater diversity with components of tall emergent vegetation, open water, and a riparian corridor. Federally threatened giant garter snakes may use the rice fields and associated irrigation ditches on a seasonal basis and will benefit from the protection of an easement. White-faced ibis use this area year-round and will benefit from this agricultural land protection. Mallards, gadwalls, and cinnamon teal commonly nest in this area and will use the ditches and rice fields for brood rearing. Waterfowl from the nearby refuge including white-fronted geese often feed in the post-harvested rice fields in great numbers. This project will describe the biological significance of the property and explain how a conservation easement will enhance the focus area and contribute to the DU mission.
2. The area to the north, east, and south are also in rice production. Owners of these lands will be contacted to join the Sutter Basin easement program. It is envisioned that up to 5000 acres in this area can be protected against urban encroachment and conversion to other incompatible uses.

## **G. Financial Analysis**

The purchase price of the easement is estimated at \$1200/acre for a total of \$375,600. The cost of the appraisal, title insurance, baseline documentation report and hazardous materials Phase I report is estimated at \$15,000. Long term monitoring of the easement will cost approximately \$1,000/year and require an endowment of approximately 1.5% of the easement purchase price. Grants have been written to California Department of Conservation and CALFED for funding for the purchase. The WRO Director of Development is working on private funds to add to the public funding. The landowner will sign an option agreement allowing Ducks Unlimited sufficient time to raise funds for the project.

## **F. Recommendation**



Western Regional Office recommends that the conservation easement for agricultural lands for the C&P Duck Company be accepted. The property is located immediately east of the Sutter National Wildlife Refuge and its protection will insure the long-term availability of a food source for the large waterfowl populations that visit the refuge each winter. The property represents a key acquisition for the Sutter Basin Agricultural Easement program and is an integral part of the Valley/Bay CARE Program for the Central Valley of California.

**G. Post Purchase Intent**

It is the intent of the Western Regional Office to work with the C&P Duck Company on an annual basis to improve the habitat potential of the property while maintaining its agricultural productivity. Projects such as winter flooding of rice and wildlife friendly crop rotations will be encouraged. Funding from wildlife enhancement programs will be provided whenever possible.

**III. Check List:**

- |    | <b>Yes</b>    | <b>No</b>    |  |
|----|---------------|--------------|--|
| 1. | <u>      </u> | <u>  X  </u> | Title search has been done.                        |
| 2. | <u>      </u> | <u>  X  </u> | Grantor owns clear title to land.                  |
| 3. | <u>      </u> | <u>  X  </u> | Owner wishes to sell easement in current tax year. |

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**Date of Inspection:** 07/06/00

**DU Region** WRO  
**State** CA

**Conservation Easement for Agricultural Lands  
Preliminary Property Inspection Form (PPI)**

**I. Project History**

**Grantor's Name:** Mike Shannon

**Address:** 4999 Pierce Road, Yuba City, CA 95993

**Telephone:** 530-674-1584

**Property Name & Location (map attached):** Shannon Farms, located in Sutter County,

CA on Oswald Road approximately 2 miles west of Township Road

**Parcel Numbers:** 21-230-01; 21-230-02; 21-230-03; 21-230-35; 21-150-18

**DU Focus Area:** Valley Bay CARE – Sutter Basin

**DU Project Name:** Conservation Easement for Agricultural Lands - Shannon Farms

**Latitude and Longitude Coordinates of the approximate center of the site:**

**Lat: 39° 03' 30"**

**Long: 121° 43' 00"**

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**Crop Types**

**Total Acres: 746      Cropland Acres: 730      Rice Acres: 730**

**Permanent Crops: 0 Water Rights: Sutter Extension W.D. 3.5 acft/ac Pre 1914**

**Wetlands: 730 Buildings and Grounds 4**

**II. Condition of Land**

**A. Description**

The property is comprised of 746 acres of land of which 730 acres are farmable. The property has been farmed to continuous rice for most of the past 25 years. Water is supplied from the Sutter Extension Water District that delivers an annual allotment of 3.5 acre-feet per acre for the period April 1 to November 1 of each season. Additional water is delivered from November 1 to January 15 each year for winter flooding. The farming practices are excellent with this year's rice crop showing above average progress. The landowner uses good habitat management practices by leaving irrigation and drainage ditches, roadsides and open area in a vegetated state. The property is flooded during the winter for rice straw decomposition and waterfowl hunting. The property contains a shop and storage area of approximately four acres where oil products and agricultural chemicals have been stored in the past.

**B. Habitat Potential**

The property is located adjacent to the Sutter Bypass and the Sutter National Wildlife Refuge. It is composed entirely of rice and will provide benefits to local nesting waterfowl and migrating and wintering waterfowl. The area is flooded in winter to provide additional foraging and roosting habitat. Numerous water delivery ditches provide escape cover for waterfowl broods and limited nesting habitat for waterfowl and resident land birds.

**C. Buildings and Structures**

The property contains approximately four acres of buildings and structures. Included within the building envelope is a shop area, grain storage and drying facility, storage sheds and a worker's house (see photo #2).

**D. Biological Opinion**

1. This area provides critical foraging and roosting habitat for a variety of waterfowl, shorebirds, wading birds, and raptors. The adjacent Sutter National Wildlife Refuge provides greater diversity with components of tall emergent vegetation, open water, and a riparian corridor. Federally threatened giant garter snakes may use the rice fields and associated irrigation ditches on a seasonal basis and will benefit from the protection of an easement. White-faced ibis use this area year-round and will benefit from this agricultural land protection. This area is flooded in winter to enhance habitat values. Mallards, gadwalls, and cinnamon teal commonly

nest in this area and will use the ditches and rice fields for brood rearing. Waterfowl from the nearby refuge including white-fronted geese often feed in the post harvested rice fields in great numbers. This project will help to meet the goals of DU and the Central Valley Habitat Joint Venture.

2. The area to the north, east, and south are also in rice production. Owners of these lands will be contacted to join the Sutter Basin easement program. It is envisioned that up to 5000 acres in this area can be protected against urban encroachment and conversion to other incompatible uses.

## **H. Financial Analysis**

The purchase price of the easement is estimated at \$1500/acre for a total of \$1,119,000. The cost of the appraisal, title insurance, baseline documentation report and hazardous materials Phase I report is estimated at \$15,000. Long term monitoring of the easement will cost approximately \$1,000/year and require an endowment of 1.5 % of the easement purchase price. Grants have been written to California Department of Conservation and CALFED for funding for the purchase. The WRO Director of Development is working on private funds to add to the public funding. The landowner will sign an option agreement allowing Ducks Unlimited sufficient time to raise funds for the project.

## **I. Recommendation**

Western Regional Office recommends that the conservation easement for agricultural lands for the Shannon Farm be accepted. The property is located immediately east of the Sutter National Wildlife Refuge and adjacent to the Yuba City Sphere of Influence. Its protection will insure the long-term availability of a food source for the large waterfowl populations that visit the refuge each winter. The property represents a key acquisition for the Sutter Basin Agricultural Easement program and is an integral part of the Valley/Bay CARE Program for the Central Valley of California.

## **G. Post Purchase Intent**

It is the intent of the Western Regional Office to work with the Shannon Farm on an annual basis to improve the habitat potential of the property while maintaining its agricultural productivity. Projects such as winter flooding of rice and wildlife friendly crop rotations will be encouraged. Funding from wildlife enhancement programs will be provided whenever possible.

## **III. Check List:**

Yes	No	
1. <input type="checkbox"/>	<input checked="" type="checkbox"/>	Title search has been done.
2. <input type="checkbox"/>	<input checked="" type="checkbox"/>	Grantor owns clear title to land.
3. <input type="checkbox"/>	<input checked="" type="checkbox"/>	Owner wishes to sell easement in current tax year.

