

Proposal Reviews

#169: Mill and Deer Creeks Protection and Stewardship

The Nature Conservancy

Initial Selection Panel Review

Research and Restoration Technical Panel Review

Land Acquisition

Sacramento Regional Review

External Scientific Review

#1

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Prior Performance/Next Phase Funding

#1

#2

#3

Environmental Compliance

Budget

Initial Selection Panel Review:

CALFED Bay-Delta 2002 ERP PSP Initial Selection Panel Review

Proposal Number: 169

Applicant Organization: The Nature Conservancy

Proposal Title: Mill and Deer Creeks Protection and Stewardship

Please provide an overall evaluation rating.

Explanation of Recommendation Categories: Fund

- **As Is** (a proposal recommended for funding as proposed)
- **In Part** (a proposal for which partial funding is recommended for selected project phases or components)
- **With Conditions** (a proposal for which funds are recommended if the applicant contractually agrees to meet the specified conditions)

Consider as Directed Action in Annual Workplan (a proposal addressing a high priority action that requires some revision followed by additional review prior to being recommended for funding)

Not Recommended (a proposal not currently recommended for funding-after revision may be considered in the future)

Note on "Amount":

For proposals recommended as Fund As Is, Fund In Part or Fund With Conditions, the dollar amount is the amount recommended by the Selection Panel.

For proposals recommended as Consider as Directed Action in Annual Workplan, the dollar amount is the amount requested by the applicant(s).

Fund	
As Is	X
In Part	-
With Conditions	-
Consider as Directed Action	-
Not Recommended	-

Amount: **\$4,700,000.**

Conditions, if any, of approval (if there are no conditions, please put "None"):

None.

Provide a brief explanation of your rating:

Mill and Deer Creeks are critical watersheds in the Sacramento Valley Ecological Zone. This proposal continues TNC's previous successful efforts and CALFED's and CVPIA's previous investments. This proposal will add valuable watershed baseline data. The Selection Panel recommends funding this proposal because the landowners are willing sellers; the Mill Creek Conservancy and the Deer Creek Watershed Conservancy have expressed their support for the proposal; the properties are not prime and unique agricultural lands; and the applicant is acquiring easements, not fee title.

Research and Restoration Technical Panel Review:

CALFED Bay-Delta 2002 ERP PSP Research and Restoration Technical Panel Review Form

Proposal Number: 169

Applicant Organization: The Nature Conservancy

Proposal Title: Mill and Deer Creeks Protection and Stewardship

Review:

Please provide an overall evaluation summary rating:

Superior: outstanding in all respects;

Above Average: Quality proposal, medium or high regional value, and no significant administrative concerns;

Adequate: No serious deficiencies, no significant regional impediments, and no significant administrative concerns;

Not Recommended: Serious deficiencies, significant regional impediments or significant administrative concerns.

Overall Evaluation Summary Rating	Provide a brief explanation of your summary rating
-Superior	This proposal is supported for funding by the panel. The proposal was criticized for not having a strong research component; however, the panel agreed that it is not a research project and the main strong point is it would protect very important creeks. The monitoring and stewardship plans need to be well developed before funding.
XAbove average	
-Adequate	
-Not recommended	

1. **Goals and Justification.** Does the proposal present a clear statement of goals, objectives and hypotheses? Does the proposal present a clear justification and conceptual model for the project?

A. Goals and objectives are clearly stated, but there is no testable hypothesis, "Quantification is weak, as is monitoring methodology" B. The panel agreed this is not a research proposal.

2. **Likelihood of Success (Approach, Feasibility, Capabilities and Performance Measures).** Is the project likely to succeed based on the approach, feasibility and project team capabilities? Are the proposed performance measures adequate for measuring the project's success?

A. Good likelihood of success. B. Yes and no, "no designs for monitoring, evaluation nor reporting are included"

3. **Outcomes and Products.** Will the project advance the state of scientific knowledge in general and/or make an important contribution to the state of knowledge of the Bay-Delta Watershed? For restoration proposals, is the project likely to contribute to ecosystem restoration or species recoveries in a significant way? Will the project produce products useful to decision-makers and scientists?

A. No B. Not enough information in the proposal on this. C. The main product form this proposal will be perpetual conservation easements.

4. **Cost/Benefit Comments.** Is the budget reasonable and adequate for the work proposed?

The cost per acre is reasonable; however, the same amount of tax money could also buy a lot of natural resources improvements throughout this watershed.

5. **Regional Review.** How did the regional panel(s) rank the proposal (High, Medium, Low)? Did the regional panel(s) identify significant benefits (regional priorities, linkages with other activities, local involvement) or impediments (local constraints, conflicts with other activities, lack of local involvement) to this proposal? What were they?

Sacramento - Medium - "project should be coordinated with the Deer creek flood study", Negatives were the unclear nature of threats of mining, logging and development; fencing and restoration is uncertain; no post burn planting; no monitoring that will prove success.

6. **Administrative Review.** Were there significant concerns about the proposal with regard to the prior performance, environmental compliance and budget administrative reviews? What were they?

Good except for prior performance, "unanticipated negotiations over terms not raised during the PSP process which diverted considerable time as well as state resources" and environmental compliance, "should consult with the reclamation board to determine if an encroachment permit for fencing is required", mixed statements related to EIR, CEQA, NEPA.

Miscellaneous comments:

None

Land Acquisition:

Proposal Number: 169

Applicant Organization: The Nature Conservancy

Proposal Title: Mill and Deer Creeks Protection and Stewardship

1. Is the site's ecological importance documented in the proposal?

Yes -No

If yes, please import relevant text and citations here:

The targeted properties are in critical watersheds within an ecoregion of extraordinary biological richness. By means of a science-based scoping process, The Nature Conservancy determined that the Lassen Foothills area in general, and the Mill and Deer Creeks in particular, contain biological resources of statewide, and national, significance.... The properties described in this proposal are located in the watersheds of Mill Creek and Deer Creek in eastern Tehama County in the Northern Sacramento Valley Ecological Management Zone. These parcels are all identified as high priority for protection because of their strategic location in the Mill Creek and Deer Creek watersheds, which support various life cycles of at-risk native species, including a genetically distinct strain of Spring-run Chinook salmon, Fall and Late Fall-run Chinook salmon and Steelhead trout, and because they include properties at risk of incompatible development and habitat degradation.

Mill Creek and Deer Creek are unique among Sacramento River tributaries because they each support a genetically distinct strain of Spring-run Chinook salmon. Mill Creek is noteworthy because it supports the highest elevation spawning grounds for salmon in North America at over 5,000 feet above sea level. Mill Creek supports Spring- and Fall-run Chinook salmon, Steelhead trout and resident native fish. In the lower watershed, Mill Creek has experienced significant residential encroachment in the riparian area. With assistance from CALFED, The Nature Conservancy has already acquired tracts with creek frontage along Mill Creek to preserve and restore riparian habitat.

The Deer Creek watershed was the home of Ishi, the well-known member of the Yahi tribe. Deer Creek supports Spring-, Fall- and Late Fall-run Chinook salmon, Steelhead trout and resident native fish. The creek contains 25+ miles of critical spawning and holding habitat for all of these species. With assistance from CALFED, The Nature Conservancy (TNC) has already acquired conservation easements on properties with frontage on Deer Creek to protect riparian habitat.

Mill Creek --

Pfendler Ranch (approx. 26,000 acres) has approximately 12 miles of frontage on Mill Creek. To the north of this ranch, most of the land is in the Gray Davis Dye Creek Preserve, an approximately 37,000 acre preserve owned by the State and managed by The Nature Conservancy. The Pfendler Ranch is also contiguous to the 1,629-acre Latimer property which was protected by an easement held by TNC. The riparian habitat along Mill Creek is relatively undisturbed. The ranch has blue oak woodlands, vernal pools, swales, and other wetlands, other natural stream courses and waterways, unfragmented open space, corridors

for unimpaired passage of wildlife, and natural communities that provide critical habitat for native wildlife species including migratory waterfowl, yellow-legged frog and fairy shrimp. The ranch also provides habitat for the largest migratory deer herd in California. Protection of this property is considered a high priority by The Nature Conservancy. This conservation easement acquisition represents a rare opportunity to protect a major portion of an important watershed.

Droz Ranch (approx. 470 acres) has approximately 0.6 mile frontage on Mill Creek. The property is strategically situated between the Pfendler Ranch and the Gray Davis Dye Creek Preserve. The ranch has blue oak woodlands, grasslands and riparian habitat along the creek. Most of the riparian vegetation along the creek is in good condition, however there is one area (approx. 5 acres) that had been cleared to the edge of the creek by a previous owner. The current owner is interested in the possibility of fencing and restoring this portion of the riparian corridor. This property features a substantial riparian water right on Mill Creek. The water is used to irrigate pastures. The owner is willing to consider having the conservation easement restrict the use of water to either the current use or for in-stream dedication for fish habitat.

Schnapp Property (approx. 19 acres) is located at the confluence of Mill Creek and the Sacramento River. This property features a mature riparian forest with approximately 1,200 feet of frontage on Mill Creek and approximately 1,400 feet of frontage on the Sacramento River. Being at the confluence, Spring-run and Fall-run salmon must migrate along this property to enter and move up Mill Creek. Being located at a tributary confluence, the project area inherently holds increased ecological value relative to other river floodplain. TNC has determined that the flood-prone lands associated with tributary confluences of the Sacramento River are significant for their biological and ecological values (TNC, 2000). The key threats to this property include stream channelization, habitat fragmentation and loss of riparian habitat. This property is contiguous to a property owned by The Nature Conservancy on Mill Creek (Dana). This property was purchased with CVPIA funds. The Dana property is being revegetated under a CALFED grant (#113328G048). Although we have been discussing conservation easement options with the owner, it is possible that this property may be acquired in fee.

Deer Creek

Tod and Elizabeth Leininger Ranch (approx. 10,000 acres) is a key conservation easement acquisition in the Deer Creek watershed. The ranch has over 3 miles of frontage on the south and east side of Deer Creek and also includes numerous associated draws and ephemeral tributaries. Most of the ranch is made up of thousands of acres of complex topography and pristine habitat. To the east, the property is in close proximity to the Lassen National Forests Ishi Wilderness. The ranch has blue oak woodlands, chaparral, grasslands and canyon lands. A small buffer along the main stem of Deer Creek has been protected on this property with a previous TNC easement (funded by CVPIA #14481133297G030). CVPIA also provided funding for some riparian fencing on this ranch (#113320G016). Additional riparian fencing will be needed and is included in this proposal. This deal proposes to expand on the previously secured easement by purchasing an easement on the balance of the property (approximately 10,000 acres) which includes some additional riparian areas. The new easement could overlay the existing easement area resulting in more restrictive easement language that will provide better protection of riparian functions and values including the exclusion of cattle from the streamside area.

Lazy Y Ranch (approx. 370 acres) has 1.6 miles of frontage on the south bank of Deer Creek just upstream of the Highway 99 crossing. The land is generally flat and is entirely within the 100 year floodplain of the creek. The creek frontage is lined with continuous riparian vegetation that extends back more than 200 feet from the bank in several reaches. The riparian forest is composed of mature sycamore as well as Valley oak and willow species. The riparian landscape is

dissected by several cobble filled distributory channels from Deer Creek and it is evident that the creek fills these channels during high water events. A fall visit confirmed the importance of the riparian forest for migrating montane forest birds from upper Deer Creek Canyon such as black headed grosbeaks and western tanagers. The remainder of the property is in irrigated pasture which is hayed in the spring and supports cattle in the late summer and fall.

2. Is the owner's willingness to sell the site documented in the proposal?

Yes -No

If no, please explain:

3. Is evidence of local government support for the purchase included in the proposal?

Yes -No

If yes, please explain:

Peggy McNutt of The Nature Conservancy's Red Bluff office discussed this proposal with the Tehama County Supervisors on October 2, 2001. No concerns were raised, and, in the past, the Supervisors have supported land protection that helped maintain the existing land use and payment of property taxes.

4. Is the use proposed for the site after its purchase clearly consistent with the site's general plan designation and zoning?

Yes -No

If no, please explain:

5. Is the land mapped as prime farmland, farmland of statewide significance, unique farmland, or farmland of local importance?

-Yes No

If yes, please explain the classification:

Is the site under a Williamson Act contract?

Yes -No

Will use of the site change from agriculture after its purchase?

-Yes No -Not Currently in Agriculture

6. Is this a time-sensitive acquisition opportunity, according to the proposal?

Yes -No

If yes, please import relevant text here:

According to the applicant, these acquisitions are time-sensitive opportunities. TNC says that although the owners of the targeted properties are currently willing sellers, they are considering other options including subdivision and/or development. The main threats to the integrity of the creeks fisheries and water quality are conversion of existing land uses to intensive agriculture and residential development. Intensive agricultural development, particularly orchards and vineyards that divert creek water for irrigation, threatens the future of the once abundant salmon runs in the watersheds. Much of the land along Mill and Deer Creeks remains relatively undeveloped, however development trends in the area point to increased loss of agricultural lands, as residential demands from Chico, Red Bluff and Los Molinos grow. Already there have been purchases of land along the creeks for speculative purposes, and subdivisions have occurred. Groundwater extraction, well development, and septic tank use are increasing in this region and could eventually have devastating effects on in-stream flows and water quality.

Other Comments:

Sacramento Regional Review:

Proposal Number: 169

Applicant Organization: The Nature Conservancy

Proposal Title: Mill and Deer Creeks Protection and Stewardship

Overall Ranking: -Low Medium -High

Provide a brief summary explanation of the committee's ranking:

This area is important for the fall, spring(the "a genetically distinct" Chinook strain), late fall salmon and steelhead runs, however, this project should be coordinated with the Deer Creek Flood study before acquisitions are made. Proposal is very similar to the one for acquisition on Battle Creek, but here restoration is an important factor.

1. Is the project feasible based on local constraints?

Yes -No

How?

Expands current efforts of TNC, Mill Creek Conservancy, Deer Creek Watershed Conservancy, CALFED, CVPIA, others. Willing sellers.

2. Does the project pursue the restoration priorities applicable to the region as outlined in the PSP?

Yes -No

How?

Goals 1 & 4 of the ERP; Habitat protection for anadromous fish - CVPIA & B-1"Other." Would preserve existing habitat (some pristine) of the only creek that supports all four salmon runs. Also, a stream & tribs that support steelhead. Additional watershed baseline data will be acquired.

3. Is the project adequately linked with other restoration activities in the region, such as ongoing implementation projects and regional planning efforts?

Yes -No

How?

Funding for other easements in the area has already occurred (within 5 other CALFED & CVPIA grants). Would be part of TNC's Lassen Foothills Project.

4. Does the project adequately involve local people and institutions?

XYes -No

How?

Board of Supervisors is on line, as are the Mill & Deer Creek Conservancys. TNC has a history of public outreach. No specific plan was identified or groups targeted, however.

Other Comments:

Positives: Very strong proposal in terms of parcels to be acquired on stream and tribs, which are critical for salmon runs and to steelhead. Project builds on others and has local support. Big picture activities are coming together successfully here. Negatives: Primarily in the unclear nature of the following: a) Actual threats to these properties from mining, logging & development. How imminent? b) By the budget & lack of description, it would appear fencing & restoration of native habitat is uncertain. There's no mention of what will happen to grazing land, post-burn. Planting?

External Scientific: #1

Research and Restoration External Scientific Review Form

Proposal Number: **169**

Applicant Organization: **The Nature Conservancy**

Proposal Title: **Mill and Deer Creeks Protection and Stewardship**

Conflict of Interest Statements:

I have no financial interest in this proposal.

Correct

Incorrect

In the blank below please explain any connection to proposal, to applicant, co-applicant or subcontractor or to submitting institution (write "none" if no connection):

None.

Review:

Please provide an overall evaluation summary rating:

Excellent: outstanding in all respects;

Good: quality but some deficiencies;

Poor: serious deficiencies.

Overall Evaluation Summary Rating	Provide a brief explanation of your summary rating
-Excellent	Monitoring methods are lacking. Otherwise, the proposal looks good.
<input checked="" type="checkbox"/> Good	
-Poor	

1. **Goals.** Are the goals, objectives and hypotheses clearly stated and internally consistent? Is the concept timely and important?

Yes. Yes.

2. **Justification.** Is the study justified relative to existing knowledge? Is a conceptual model clearly stated in the proposal and does it explain the underlying basis for the proposed work? Is the selection of research, pilot or demonstration project, or a full-scale implementation project justified?

Yes. Implementation: yes.

3. **Approach.** Is the approach well designed and appropriate for meeting the objectives of the project? Are results likely to add to the base of knowledge? Is the project likely to generate novel information, methodology or approaches? Will the information ultimately be useful to decision-makers?

Yes. Yes. Probably not novel information. Not clear if new information will aid decision-makers.

4. **Feasibility.** Is the approach fully documented and technically feasible? What is the likelihood of success? Is the scale of the project consistent with the objectives?

Yes. P= about 90%. Yes.

5. **Project-Specific Performance Measures.** Does the project include appropriate performance measures to measure success relative to the project's goals and objectives? Is there enough detail as to how the performance measures will be quantified? For restoration projects, are monitoring plans explicit and detailed enough to determine if performance measures will be adequately assessed?

Yes. Quantification is weak, as is monitoring methodology.

6. **Products.** Are products of value likely from the project? Specifically for restoration projects, are products of value also likely from the monitoring component? Are interpretative outcomes likely from the project?

Monitoring is not well spelled out. Unclear whether interpretive outcomes are likely.

7. **Capabilities.** What is the track record of applicants in terms of past projects? Is the project team qualified to efficiently and effectively implement the proposed project? Do they have available the infrastructure and other aspects of support necessary to accomplish the project?

Good record. Team looks strong. Support looks good: TNC is almost always well connected.

8. **Cost/Benefit Comments.** Is the budget reasonable and adequate for the work proposed?

Yes.

Miscellaneous comments:

None.

External Scientific: #2

Research and Restoration External Scientific Review Form

Proposal Number: **169**

Applicant Organization: **The Nature Conservancy**

Proposal Title: **Mill and Deer Creeks Protection and Stewardship**

Conflict of Interest Statements:

I have no financial interest in this proposal.

Correct

Incorrect

In the blank below please explain any connection to proposal, to applicant, co-applicant or subcontractor or to submitting institution (write "none" if no connection):

None

Review:

Please provide an overall evaluation summary rating:

Excellent: outstanding in all respects;

Good: quality but some deficiencies;

Poor: serious deficiencies.

Overall Evaluation Summary Rating	Provide a brief explanation of your summary rating
-Excellent	The cost of this project is high; however, it does provide for long term protection of this resource. It would be best if this project could be done with the same amount tax money being spent in the whole watershed for BMP installation.
XGood	
-Poor	

1. **Goals.** Are the goals, objectives and hypotheses clearly stated and internally consistent? Is the concept timely and important?

Very good yes, yes.

2. **Justification.** Is the study justified relative to existing knowledge? Is a conceptual model clearly stated in the proposal and does it explain the underlying basis for the proposed work? Is the selection of research, pilot or demonstration project, or a full-scale implementation project justified?

Good yes, yes, yes.

It takes a lot of money to buy easements. An alternative is to spend the same amount on the whole watershed by costsharing for fencing, buffers and other BMPs.

3. **Approach.** Is the approach well designed and appropriate for meeting the objectives of the project? Are results likely to add to the base of knowledge? Is the project likely to generate novel information, methodology or approaches? Will the information ultimately be useful to decision-makers?

Very good yes, yes, yes, yes.

4. **Feasibility.** Is the approach fully documented and technically feasible? What is the likelihood of success? Is the scale of the project consistent with the objectives?

Excellent yes, good, yes.

The NC has a good record for obtaining easements and managing those easement elements.

5. **Project-Specific Performance Measures.** Does the project include appropriate performance measures to measure success relative to the project's goals and objectives? Is there enough detail as to how the performance measures will be quantified? For restoration projects, are monitoring plans explicit and detailed enough to determine if performance measures will be adequately assessed?

Excellent yes, yes.

6. **Products.** Are products of value likely from the project? Specifically for restoration projects, are products of value also likely from the monitoring component? Are interpretative outcomes likely from the project?

Very good yes, yes, yes.

7. **Capabilities.** What is the track record of applicants in terms of past projects? Is the project team qualified to efficiently and effectively implement the proposed project? Do they have available the infrastructure and other aspects of support necessary to accomplish the project?

Excellent Excellent, yes, yes.

The NC is one of the best groups to do this type of project.

8. **Cost/Benefit Comments.** Is the budget reasonable and adequate for the work proposed?

Good yes.

The same amount of tax money could buy a lot of natural resource improvements in this watershed.

Miscellaneous comments:

External Scientific: #3

Research and Restoration External Scientific Review Form

Proposal Number: **169**

Applicant Organization: **The Nature Conservancy**

Proposal Title: **Mill and Deer Creeks Protection and Stewardship**

Conflict of Interest Statements:

I have no financial interest in this proposal.

Correct

Incorrect

In the blank below please explain any connection to proposal, to applicant, co-applicant or subcontractor or to submitting institution (write "none" if no connection):

none

Review:

Please provide an overall evaluation summary rating:

Excellent: outstanding in all respects;

Good: quality but some deficiencies;

Poor: serious deficiencies.

Overall Evaluation Summary Rating	Provide a brief explanation of your summary rating
-Excellent	Does not meet the criteria for a scientific project.
-Good	
<input checked="" type="checkbox"/> Poor	

1. **Goals.** Are the goals, objectives and hypotheses clearly stated and internally consistent? Is the concept timely and important?

The goals and objectives are clearly stated. However, there is no testable hypothesis. This is a proposal to acquire conservation easements on several parcels of land along segments of a stream system in the upper reaches of the Sacramento R. Conservation easement acquisition is strongly requested due to encroachment of suburban development proposals. The acquisition concept is well proven and the hallmark of The Nature Conservancy. The proposal argues that the acquisition is important. However, it is questionable whether a program for scientific studies is the appropriate venue for the stated goals and objectives. It is noted that the proposal cites the specific stream systems as the highest elevation spawning grounds for anadromous salmon in North America. That statement is incorrect since the headwaters of the Middle Fork of the Salmon River at about 7,000 feet also provide spawning ground for chinook salmon, albeit the spawning is declining.

2. **Justification.** Is the study justified relative to existing knowledge? Is a conceptual model clearly stated in the proposal and does it explain the underlying basis for the proposed work? Is the selection of research, pilot or demonstration project, or a full-scale implementation project justified?

This is not a scientific study or research proposal. the literature review is plausible, however, many of the citations are not appropriate to the northern California Mediterranean ecosystems. The conceptual model, conservations easements, is an acquisition program, and cannot evaluate the needs of the stream systems of the upper Sacramento. There is no design to measure the effects of the land segments (what % total stream system is affected by the 44.5 million in conservation easements), since there is no scientific study proposed. The proposers argue that this is a full scale implementation project, however it is only conservation easement acquisition and not research.

3. **Approach.** Is the approach well designed and appropriate for meeting the objectives of the project? Are results likely to add to the base of knowledge? Is the project likely to generate novel information, methodology or approaches? Will the information ultimately be useful to decision-makers?

The approach for conservation easement acquisition is The Nature Conservancy's tested and proven approach. There is no design, it is simply finding willing sellers and hoping over time to connect the land parcels into a somewhat contiguous system that, hopefully, will lead to adequate habitat to meet the goals of this proposal, i.e. to maintain existing fisheries habitat. This proposal will not generate any new information, has no consideration of methodology or approaches that are new. The information to decision makers is readily available in scientific literature. Conservation easements, unfortunately, do not fit into the scheme of scientific studies, research or even land management or natural resource decision making. This proposal has no quantification of the percentage of the stream systems that will be enhanced by the additional acquisition of habitat. The proposal request the funding agencies to "trust them" to do good.

4. **Feasibility.** Is the approach fully documented and technically feasible? What is the likelihood of success? Is the scale of the project consistent with the objectives?

The use of conservation easements by The Nature Conservancy is well documented and quite successful. It is an approach of getting funding, negotiate easements and over time purchase the title to those easements, thus severing one of the bundle of property rights from the land. Technically, this approach is feasible and has been used to acquire easements on other properties in the area. Based on statements in the proposal, the likelihood of success appears to be relative high. the scale of the project relative to the cost appears to be small. There is no indication as to the percentage of total aquatic habitat involved in this easement, nor is there any indication of the percentage of aquatic habitat in all easements, to date, that are in the total stream system. Therefore, it is difficult to evaluate feasibility. This is not a research project, to state the obvious and there is no scientific design for the project. None is needed to met the stated goals.

5. **Project-Specific Performance Measures.** Does the project include appropriate performance measures to measure success relative to the project's goals and objectives? Is there enough detail as to how the performance measures will be quantified? For restoration projects, are monitoring plans explicit and detailed enough to determine if performance measures will be adequately assessed?

The measures section of this proposal is non-existent. No sections for monitoring design, evaluation and analysis or reporting are included. No detail is included about how the habitat management or reclamation measures will be quantified other than a statement that transects will be established and surveys conducted and reported. There is no statistical design. The

restoration measures are only mentioned. There is no broad assessment of the design criteria based on soil series, habitat types, successional stages, levels of existing natural resource management or even land use, except in very broad terms.

6. **Products.** Are products of value likely from the project? Specifically for restoration projects, are products of value also likely from the monitoring component? Are interpretative outcomes likely from the project?

The only product from this proposal will be perpetual conservation easements, separating some rights of land use from the existing titles to the properties. The restoration projects are weakly defined, with controlled burns as one of the primary tools for restoration and no costs for controlled burn management and suppression. It is assumed that existing livestock, at adjusted stocking rates will be used to manage areas affected by invasive plants. There is no definition of wildlife friendly grazing, which appears to be a social term rather than a scientifically designed management system to meet objectives. It is also assumed that fencing the riparian zone segments will solve the stream system channel needs, without any survey, assessment or analysis of channel cross sections to base these assumptions upon.

7. **Capabilities.** What is the track record of applicants in terms of past projects? Is the project team qualified to efficiently and effectively implement the proposed project? Do they have available the infrastructure and other aspects of support necessary to accomplish the project?

The Nature Conservancy, as a multi-national non-governmental organization has an excellent track record. The team proposing to implement this project has no publication history in scientific journals, has no known academic background, indicating competency in conducting scientific studies. It is only conservation easement acquisition with a broad brush monitoring program. It is assumed that the team has access to the TNC infrastructure and significant local support, based on previous acquisitions and ongoing negotiations, to meet their long term objectives. They appear to be very good to excellent fund raisers.

8. **Cost/Benefit Comments.** Is the budget reasonable and adequate for the work proposed?

This proposal is to acquire 36,859 acres of range, forest and crop land containing part or all of 17.6 miles of stream and riparian frontage. The proposed project is to acquire \$4,489,057 to buy the conservation easements at a cost of \$255,060 per mile of stream for the perpetual easements on the adjoining land. A per acre cost of \$122 appears appropriate. However this is not a scientific study or a research project and therefore, does not appear to fit the solicitation and clearly will not produce publishable data and information.

Miscellaneous comments:

The reviewer cannot rate this as a research project, scientific study or even an evaluation of existing habitat. It is an acquisition project with no testable hypothesis. Acquiring and separating the rights of development from range, forest and agricultural land along a stream that contains anadromous fisheries is well published and is implemented throughout the world. Without further knowledge of the total stream system, this reviewer cannot assess the impact of the acquired habitat on the identified fish species.

Prior Performance/Next Phase Funding: #1

New Proposal Number: 169

New Proposal Title: Mill and Deer Creeks Protection and Stewardship

1. Prior CALFED project numbers, titles, and programs: *(list only projects for which you are the contract manager)*

01-N24, Battle Creek Riparian Protection, ERP.

2. Prior CVPIA project numbers, titles, and programs: *(list only projects for which you are the contract manager)*
3. Have negotiations about contracts or contract amendments with this applicant proceeded smoothly, without persistent difficulties related to standard contract terms and conditions?

-Yes XNo -N/A

If no, please explain any difficulties:

There were two related difficulties: first, after outlining six terms during the PSP process to be reconsidered, applicant raised several additional terms for renegotiation; and second, the State brought several terms back to the table as well. Both difficulties resulted in unanticipated negotiations over terms not raised during the PSP process which diverted considerable time as well as State resources. This situation was amplified due to NFWF's limited ability to negotiate contract terms.

4. Are the status, progress, and accomplishments of the applicant's current CALFED or CVPIA project(s) accurately stated?

XYes -No -N/A

If no, please explain any inaccuracies:

5. Is the applicant's progress towards these project(s)' milestones and outcomes to date satisfactory?

XYes -No -N/A

If no, please explain deficiencies:

6. Is the applicant's reporting, records keeping, and financial management of these projects satisfactory?

XYes -No -N/A

If no, please explain deficiencies:

7. Will the project(s) be ready for next phase funding in 2002, based on its current progress and expenditure rates?

Yes -No -N/A

If no, please explain:

Other Comments:

Prior Performance/Next Phase Funding: #2

New Proposal Number: 169

New Proposal Title: Mill and Deer Creeks Protection and Stewardship

1. Prior CALFED project numbers, titles, and programs: *(list only projects for which you are the contract manager)*

98-F20, Deer and Mill Creeks Acquisition and Enhancement, CALFED ERP

2. Prior CVPIA project numbers, titles, and programs: *(list only projects for which you are the contract manager)*
3. Have negotiations about contracts or contract amendments with this applicant proceeded smoothly, without persistent difficulties related to standard contract terms and conditions?

Yes -No -N/A

If no, please explain any difficulties:

4. Are the status, progress, and accomplishments of the applicant's current CALFED or CVPIA project(s) accurately stated?

Yes -No -N/A

If no, please explain any inaccuracies:

5. Is the applicant's progress towards these project(s)' milestones and outcomes to date satisfactory?

Yes -No -N/A

If no, please explain deficiencies:

6. Is the applicant's reporting, records keeping, and financial management of these projects satisfactory?

Yes -No -N/A

If no, please explain deficiencies:

7. Will the project(s) be ready for next phase funding in 2002, based on its current progress and expenditure rates?

Yes -No N/A

If no, please explain:

Other Comments:

Applicant submitted accurate and timely reports and was very responsive to inquiries.

Prior Performance/Next Phase Funding: #3

New Proposal Number: 169

New Proposal Title: Mill and Deer Creeks Protection and Stewardship

1. Prior CALFED project numbers, titles, and programs: *(list only projects for which you are the contract manager)*
2. Prior CVPIA project numbers, titles, and programs: *(list only projects for which you are the contract manager)*

Acquisition of Southam Orchard Properties for Preservation of Riparian Habitat, CVPIA grant Hartley Island Acquisition, CVPIA 11332-7-G017 Singh Walnut Orchard, 11223-0-G014 L&L/Hamilton, 11332-7-G030 Birkes, 11332-8-G124 Dana, 11332-8-G048 Latimer, 11332-8-G123 Deer Creek Fencing, 11332-0-G016 Eagle Canyon (Pelton) Ranch, 11332-0-G104 Leininger easement, 11332-7-G030

3. Have negotiations about contracts or contract amendments with this applicant proceeded smoothly, without persistent difficulties related to standard contract terms and conditions?

XYes -No -N/A

If no, please explain any difficulties:

4. Are the status, progress, and accomplishments of the applicant's current CALFED or CVPIA project(s) accurately stated?

XYes -No -N/A

If no, please explain any inaccuracies:

5. Is the applicant's progress towards these project(s)' milestones and outcomes to date satisfactory?

XYes -No -N/A

If no, please explain deficiencies:

6. Is the applicant's reporting, records keeping, and financial management of these projects satisfactory?

XYes -No -N/A

If no, please explain deficiencies:

7. Will the project(s) be ready for next phase funding in 2002, based on its current progress and expenditure rates?

XYes -No -N/A

If no, please explain:

Other Comments:

I have listed all the projects funded by the AFRP through The Nature Conservancy. Excellent contractor to work with. Because of the uncertainties associated with acquiring small, locally-owned parcels of riparian lands, originally targeted properties sometimes had to be bypassed and replaced with similar properties. This can be a difficult process and requires patience and cooperation by the funder, but the dividends are huge.

Environmental Compliance:

Proposal Number: 169

Applicant Organization: The Nature Conservancy

Proposal Title: Mill and Deer Creeks Protection and Stewardship

1. Are the legal or regulatory issues that affect the proposal identified adequately in the proposal?

-Yes No

If no, please explain:

The applicant should consult with the Reclamation Board to determine if an Encroachment Permit for fencing is required.

2. Does the project's timeline and budget reflect adequate planning to address legal and regulatory issues that affect the proposal?

-Yes No

If no, please explain:

It was unclear to me. They state that the proposal includes budgeted items necessary to complete an EIR under CEQA and an EA under NEPA, as well as obtaining required permits. But, then they state if CEQA/NEPA documentation is needed, additional funding is necessary.

3. Do the legal and regulatory issues that affect the proposal significantly impair the project's feasibility?

-Yes No

If yes, please explain:

Other Comments:

Budget:

Proposal Number: 169

Applicant Organization: The Nature Conservancy

Proposal Title: Mill and Deer Creeks Protection and Stewardship

1. Does the proposal include a detailed budget for each year of requested support?

Yes -No

If no, please explain:

2. Does the proposal include a detailed budget for each task identified?

Yes -No

If no, please explain:

3. Does the proposal clearly state the type of expenses encompassed in indirect rates or overhead costs?

Yes -No

If no, please explain:

4. Are appropriate project management costs clearly identified?

Yes -No

If no, please explain:

5. Do the total funds requested (Form I, Question 17A) equal the combined total annual costs in the budget summary?

Yes -No

If no, please explain (for example, are costs to be reimbursed by cost share funds included in the budget summary).

6. Does the budget justification adequately explain major expenses?

Yes -No

If no, please explain:

7. Are there other budget issues that warrant consideration?

-Yes No

If yes, please explain:

Other Comments: