



Safe Harbor Agreement Voluntary Local Program

California ranchers face risks from state and federal endangered species acts that continue to impact many producers' operations and property rights. Safe harbor provides a means for landowners, over an agreed upon duration, to voluntarily mitigate these regulatory risks by program participation. A particular program may benefit a single specie or a number of species.

Federal Endangered Species Act (ESA) Protection - Safe Harbor Agreement: Landowners can voluntarily obtain U.S. Fish and Wildlife Service safe harbor protection by maintaining beneficial management practices or enhancing or restoring habitat for threatened or endangered species listed under the federal ESA. A safe harbor agreement provides landowners assurance that additional restrictions will not be imposed because of their voluntary conservation actions. *The few existing agreements in California are viewed positively by participating landowners.*

California Endangered Species Act Protection - Voluntary Local Program: The California Department of Fish and Game has the ability to authorize locally designated voluntary programs for routine and ongoing agricultural activities on farms or ranches that encourage habitat for candidate, threatened or endangered species under the California Endangered Species Act. *This program is the state of California equivalent to a federal Safe Harbor Agreement. No such programs have yet been approved.*

Program Goals:

1. To provide regulatory protection from state and federal endangered species acts to landowners whose existing management aligns with the management needs for protected species or landowners who voluntarily undertake restoration or enhancement projects. (e.g. through Natural Resources Conservation Service programs)
2. To promote ecosystem enhancement, including the conservation of federally and state-listed species and state Species of Special Concern through the voluntary restoration, enhancement and management of habitat for specific species.
3. To accomplish the foregoing without negatively affecting routine ranching activities or compromising the economics of agricultural operations.

Program Participants: Landowners can voluntarily obtain protection by applying and negotiating an agreement directly with the state or federal agency or, in an area covered by a multi-landowner, programmatic safe harbor agreement, apply to a third party - like CCA - that would hold personal and property information confidential while submitting necessary habitat information to state or federal agencies to enroll the landowner in the program. In return for maintaining or enhancing current habitat for plants and wildlife, a rancher becomes exempt from prohibitions of take (killing, harming or harassing of protected specie) for conservation projects and routine ranching activities state and federal law.

Requirement: The agencies must ensure that the safe harbor agreement results in a "net conservation benefit" for the listed species on the enrolled property. To provide a net conservation benefit, the beneficial actions and activities of a landowner must outweigh the potential impacts from exemption under the state and federal endangered species acts. To ensure this fundamental component is achieved, current habitat or existing species information is catalogued and future reporting requirements are negotiated.

Neighboring Landowners: Neighboring landowners to a property with safe harbor protection incur no additional liability or requirements.

Neighboring landowners do, however, have the ability to piggyback on an adjacent safe harbor agreement by voluntarily signing up, with minimal requirements, to become exempt from state and federal endangered species acts requirements as well. This ability to voluntarily participate should minimize any concerns that actions of program participants (adjacent landowners) will inadvertently encumber them.