



# Butte, Glenn, Shasta, Tehama Programmatic Safe Harbor/Voluntary Local Program

*A pilot program has been under construction for over three years that would, for the first time, combine the benefits of the U.S. Fish and Wildlife Service safe harbor program with the California Department of Fish and Game voluntary local program. This pilot program would provide landowners the assurance that additional restrictions under the state and federal endangered species acts will not be imposed as a result of their positive management practices or voluntary conservation actions.*

**Focus Area:** This specific program would be available on non-federal property in Butte, Glenn, Shasta and Tehama counties. Ranchers in these counties expressed early support for the safe harbor concept.

**Duration:** Landowners will sign up for agreements of at least 10 years with the option to renew. With a 90 day notice, landowners may opt out of the program at any point and time.

**Species:** Landowners are eligible for assurances for the following species, based upon their particular practices or management activities.

- Giant Garter Snake
- Burrowing Owl
- Swainson's Hawk
- Red Fox
- Western Yellow-billed Cuckoo
- California Red-Legged Frog
- Valley Elderberry Longhorn Beetle
- Vernal Pool Crustaceans and Plants
- Tri-Colored Blackbird
- Indian Valley Brodiaea

**Practices:** Everyday management practices and enhancement projects ranchers may undertake have the potential to attract listed species. The pilot program will provide assurances to landowners whose practices provide a net conservation benefit to the species listed above. Covered management practices can include:

- Habitat Restoration
- Fencing Riparian Areas
- Cross Fencing
- Creating or Maintaining Stockponds
- Developing Offsite Watering Sources
- Controlling or Eradicating Invasive Species
- Practicing Managed Grazing

There is a wide array of possible restoration and/or enhancement activities available to landowners that would provide a net conservation benefit to species. Most projects undertaken with the Natural Resources Conservation Service, U.S. Fish and Wildlife Service Partners Program, Resource Conservation Districts, California Department of Fish and Game Landowner Incentive Program or conservation organizations would make landowners eligible for the program. Qualified projects may also be undertaken solely by a rancher.

**Neighboring Landowners:** Neighboring landowners to a property with safe harbor protection incur no additional liability or requirements. Neighboring landowners can, however, voluntarily sign up, with minimal requirements short of establishing their own safe harbor agreement, to become exempt from state and federal endangered species acts requirements as well.

**Administrator:** To ensure landowner confidentiality, a third party can administer a multi-landowner, programmatic agreement. Landowners can sign up and communicate with the third party, instead of the agency, to ensure program participant confidentiality. Habitat and other monitoring data submitted by landowners will be aggregated before it is submitted to the U.S. Fish and Wildlife Service and the California Department of Fish and Game. In this role, the third party would provide information to landowners about the program, serve as a liaison between program participants and the government and work with landowners to fulfill program obligations.

The California Cattlemen's Association has submitted an application to be the third party for the federal and state programs. Pending approval by local associations the agencies for the program and acceptance by CCA members in affected counties, CCA leadership could choose to allow the organization to serve as the go-between for landowners seeking protection under the agreement and the state and federal agencies. The Service has agreed to provide a \$50,000 grant annually to CCA to administer the program, if program funds are available.

**Participant Documentation:** Participating landowners must allow collection of baseline information on the property to be enrolled under the program. The baseline is to ensure the species habitat that is pre-agreement is still there at the end of the agreement (not including habitat impacted due to disasters). Landowners must work with approved individuals to develop management practices that will benefit covered species. Annually, a two page questionnaire with photo documentation must be submitted to the California Cattlemen's Association. Every three years, a landowner must have an approved individual provide documentation that practices and management activities are being fulfilled.

**Status:** The programmatic agreement is under review by both the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Once the document is approved by the agencies and CCA members, CCA will then have the option to choose to be the program administrator and begin accepting applications from willing landowners – providing a new service to members to help them mitigate endangered species regulation. It is important to note that even after the program is approved; there is the ability to modify the agreement to improve the program for landowner participation.

**History:** The creation of the agreement was initiated by local CCA members interested in seeking protection similar to that offered through the federal 4d rule that exempts routine and ongoing ranching activities from the prohibitions of take (killing, harming or harassing of protected specie) under the federal ESA. The creation of the programmatic agreement provides similar assurances to landowners for both state and federal endangered species laws. Over the past three years, the program has been developed with CCA members, CCA staff, representatives of the California Farm Bureau Federation and other partners of the California Rangeland Conservation Coalition.

Outreach was made to CCA members and other landowners at a meeting in December 2007 in Willows and at a public meeting attended by ranchers and other interested parties in Chico in March 2008. County Agricultural Commissioners, Resource Conservation District staff and University of California Cooperative Extension rangeland staff have been consulted during program development as well.

**California Rangeland Conservation Coalition Role:** The Coalition has been actively engaged in the development of the program and supportive of creating regulatory assurances for landowners and additional opportunities to receive conservation dollars for voluntary enhancement of rangelands. After the program is approved, the Coalition will serve as an outreach advocate of the program and work with willing landowners to showcase the benefits of grazing and the conservation ethic of ranchers.