Sacramento River Conservation Area Forum
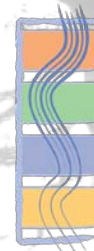## Programmatic Safe Harbor Agreement

sacramento river
conservation area
forum
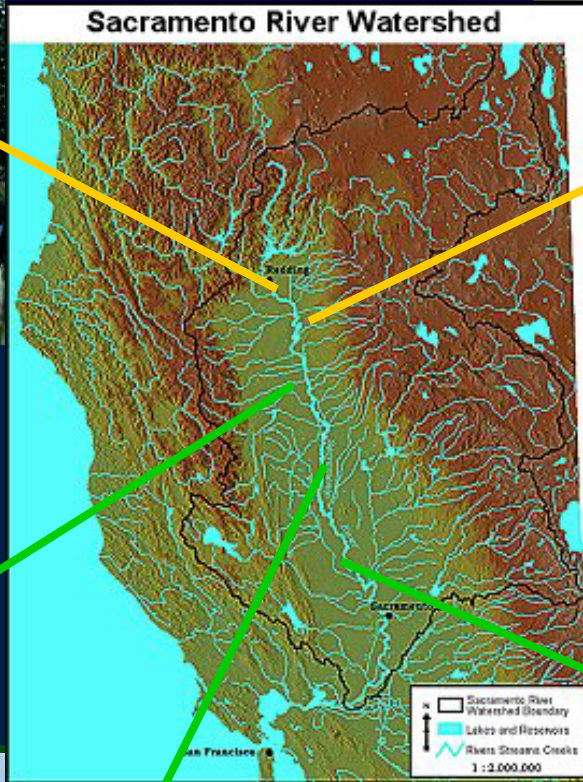*a voice for all interests*

SB1086   Program Goal

To preserve remaining riparian habitat and reestablish a continuous riparian ecosystem along the Sacramento River between Redding and Chico, and reestablish riparian vegetation along the river from Chico to Verona.

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a voice for all interests

Faces of the Sacramento River

Sacramento River Watershed

Safe Harbor Agreement = Conservation Tool

- Provides regulatory assurances for landowners

- Promotes voluntary management for listed species on non-federal lands

- Provides net conservation benefits to listed species

What is a Safe Harbor Agreement?

Voluntary agreements between USFWS/DFG and cooperating non federal landowners.

Designed to provide landowners assurances that at no future time would USFWS or DFG impose restrictions on their land as a result of conservation actions on their part or by their neighbors.

How does an SHA contribute to a species recovery?

- Many endangered / threatened species occur on private property…
  - ↘Landowner involvement in conservation and recovery is crucial
- Future property-use limitations will not occur without landowner's consent
  - ↘Encourages restoration & species recovery

How Does a Property Owner Benefit?

✓ Provide assurances against additional future regulatory restrictions

✓ Authorize incidental take for lawful ongoing activities (farming, recreational)

✓ Authorize returning to pre-Agreement conditions

✓ Provide for extending assurances to neighboring landowners

Components of a SHA

- Species to be covered
- Responsibilities of the parties
  - Monitoring plan (Compliance, Biological)
- Baseline surveys
- Management activities and/or conservation measures
- Net conservation benefits
- Agreement/permit duration

Valley elderberry longhorn beetle

Desmocerus californicus dimorphus

T.S. Talley

Habitat: elderberry shrubs (*Sambucus* spp.)

Giant Garter Snake

Thamnophis gigas

Habitat: irrigation and drainage canals/ditches, rice fields, marshes, sloughs, ponds, small lakes, slow-moving streams

Western Pond Turtle

Actinemys marmorata

Habitat: ponds, lakes, rivers, streams, marshes, and irrigation ditches with abundant vegetation

Swainson's Hawk

Buteo swainsoni

Habitat: In the Central Valley, nests in scattered trees or along riparian systems adjacent to agricultural fields or pastures.

Bank Swallow

Riparia riparia

Habitat: In California, widely distributed nesting colonies in alluvial soils along rivers, streams, lakes, and ocean coasts.

Willow Flycatcher

Empidonax traillii

Habitat: In California, breeding habitat includes moist meadows with perennial streams, lowland riparian woodlands dominated by willows.

Yellow-billed Cuckoo

Coccyzus americanus

Habitat: Riparian woodlands with developed understory canopies

Monitoring Plan

- Compliance: Cooperators will report annually to administrator.

- Biological Surveys: Surveys of enrolled properties will be conducted at least triennially to assess species/habitat.

Baseline Conditions

- Baseline conditions will be determined by a survey of the enrolled property.

- Surveys will be conducted by qualified people (not by agency staff).

Routine Management Activities

- Routine and ongoing agricultural activities

- Flood control facility maintenance

- Public infrastructure and hardpoint maintenance and protection

- Water diversion and irrigation facility maintenance and operation

- Habitat restoration activities

Beneficial Activities

- Each Cooperative Agreement shall specify a unique set of riparian restoration, enhancement, and management activities to be carried out, and a timetable for implementing those activities

Agreement / Permit Duration

- The Programmatic SHA will be in effect for 30 years.

- Cooperative agreements developed will be in effect for at least 10 years.

SRCAF's role in SHA

- SRCAF serves as Program Administrator

  - ✓ Hold the Federal and State permit for the Agreement
  - ✓ Enter into Cooperative Agreements with private landowners and issue Certificate of Inclusion
  - ✓ Compile annual reports from Cooperators
  - ✓ Ensure triennial biological surveys are conducted on enrolled properties.
  - ✓ Notify USFWS / DFG of presence of Covered Species
  - ✓ Enforce terms of the Cooperative Agreement

Current Status of SHA

- Notice in Federal Register

- Open for public review and comment through January 20th, 2010

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was not limited to the 2009 membership list.

Evidence identifies 113 historical individuals associated with the Shinnecock reservation 1792–1799, but the petitioner's members demonstrate descent from individuals appearing on or near the reservation after that time. A few pre-1800 reservation residents continued to serve as Shinnecock trustees and petition signers through the 1820s alongside individuals who most likely include those known to have married Shinnecock women before

The Shinnecock petitioner meets criterion 83.7(g), because there is no evidence that Congress has either terminated or forbidden a Federal relationship with the petitioner or its members.

Based on this preliminary factual determination, the Department proposes to extend Federal acknowledgment under 25 CFR Part 83 to the petitioner known as the Shinnecock Indian Nation.

As provided by 25 CFR 83.10(h) of the regulations, a report summarizing the

During the comment period, the Shinnecock petitioner and the interested parties may request in writing that the AS–IA hold a formal, on-the-record technical assistance meeting as provided by the acknowledgment regulations at § 83.10(j)(2). To accommodate the shortened comment period, requests for such a meeting on the Shinnecock PF must be received by the Department within 30 calendar days of the publication of this **Federal Register** notice.

The settlement agreement provides

Questions?