

**California Bay-Delta Public Advisory Committee
Working Landscapes Subcommittee Workplan
Recommendation**

May 22, 2003

GOAL I

Goal I: Support locally based collaborative initiatives that provide opportunities for working landscapes to assist the Bay-Delta Program in meeting its program objectives.¹

Support locally based programs and projects consistent with the Bay-Delta Program and other regional planning efforts that integrate habitat restoration, water quality, flood control, agricultural land preservation and other Bay-Delta Program goals and objectives, and that address other concerns of local communities. These may include programs in the Delta, San Joaquin River, and Sacramento River watersheds such as the Sacramento River Conservation Area Forum (SRCAF) and the Delta Protection Commission. Refer to the Framework PSP for the recommended approach.

A. Support local projects that achieve Bay-Delta Program goals and objectives.

Identify local projects with ongoing or proposed collaborative initiatives that can help meet multiple Bay-Delta Program goals and objectives.

1. Define criteria for support and selection of local projects. (These are included as Appendix B of the Draft Framework for Project Development and Selection developed by the Subcommittee).
2. Encourage funding for increasing local capacity and technical assistance to support development and implementation of projects. Support efforts to provide direct technical and other assistance by appropriate Bay-Delta Program agencies, such as DOC, CDFA, NRCS, DFG, USFWS and NOAA Fisheries. Technical assistance could be provided at the field level for local planning and as needed on a project by project basis. In one case, the expertise needed may be engineering while in another it may be equipment operation, grant writing or permit assistance. In some cases, an alternative approach to increasing technical assistance by building local capacity of landowners and local organizations (RCD's, non-profits, agencies, etc.) may be preferable and should be considered.
3. Support the implementation of permit assistance programs in the Bay-Delta Program solution area.

¹ Italicized goals and action items were previously approved by the Subcommittee as priority goals and action items, and have also been approved by the CALFED Bay-Delta Public Advisory Committee at its 12/4/02 meeting.

Recommend potential strategies for providing permit assistance, including grants for training in permit streamlining and assistance to establish a local, coordinated permitting program (one-stop shopping). Staff support at the watershed level to receive training and implement permit assistance would be necessary for some projects and could be provided via item I(B)(2), above. Alternately, direct permit assistance could be provided by one or more Bay-Delta Program agencies or between collaborative partnerships of RCD's, non-profits and agencies to facilitate permit assistance to landowners. [Note – The Resource's Agency Barriers to Restoration report has identified permit assistance as an issue of concern and will be addressed in the California Strategic Plan for Watersheds. WLS should coordinate and track this effort].

4. Support Voluntary Local Programs (SB 231)

A Voluntary Local Program developed pursuant to SB 231 could provide significant benefits to wildlife and assurances under the California Endangered Species Act. Encourage that funding or other appropriate assistance be provided to locally based programs that propose to develop a Voluntary Local Program, such as designated regulatory resource agencies technical staff. This approach would require support from upper level management. Funding could also be made available for outreach to landowners and watershed groups about the provisions of SB 231 (see items III(C) and (B), below). Support could be for separate projects as those to be identified in item I(A)(2), above, or a component of one of those projects.

B. Support the development of agriculture protection and enhancement plans/plan elements and programs. To help inform locally based agriculture preservation programs and wildlife conservation programs, as well as actions by Bay-Delta Program agencies, funding or other appropriate assistance should be provided for developing agriculture protection and enhancement plans. Mapping farmlands and developing criteria for the evaluation of the status of agricultural resources in the Delta and Sacramento and San Joaquin Valleys will be critical for development of local, regional and Bay-Delta Program implementation plans. Integrate agriculture plans with conservation/wildlife management plans and look for mutual areas of interest, overlap or potential areas of conflict.

1. Support farmland mapping and assessment that is integrated with other regional planning efforts (e.g. Ecosystem Restoration Program, Conveyance, Storage, HCP/NCCP's etc).

Map and evaluate the status of agricultural resources in the Delta and Sacramento and San Joaquin Valleys. Maps would be interpretive tools based on existing information, such as the DOC Important Farmland Map series. Maps would provide specific information on agricultural land conversion status and be used to target agricultural land protection and enhancement (see item I(B)(2), below).

2. Support agriculture protection programs consistent and integrated with other local and regional planning efforts.

Support existing efforts in the Delta to develop a regional agriculture protection plan and ensure collaboration of that effort with Delta Regional Ecosystem Restoration Implementation Plan. Seek financial support for the development and implementation of the plan. Encourage development of planning efforts for agriculture protection programs in the Sacramento and San Joaquin valleys. These plans could serve as a land protection action component of the agricultural elements of Bay-Delta Program regional implementation plans and as models to catalyze other local efforts at agricultural land protection.

3. *Support development of an agricultural element in Bay-Delta Program regional implementation plan¹.*

In each of the Bay-Delta Program's regional implementation plans, include an agricultural element that sets forth objectives and actions for enhancing agriculture as a viable component of the working landscape, and describes how the CALFED ROD commitments will be implemented, including the reduction and mitigation of impacts to agricultural lands. The first agricultural element will be developed for the Delta Regional Implementation Plan. It is expected that item I(B)(2) (above) will be one component of the element.

4. Work with the Bay-Delta Program to establish a Program Agricultural Land Trust to further the enhancement and protection of agricultural land consistent with the CALFED ROD. The Land Trust could be established and supported with support from all Bay-Delta Program's agencies and programs. The purpose of the Trust would be to work with the Bay-Delta Program agencies and existing state and local agricultural land trusts to identify high priority agricultural lands within the Bay-Delta Program solution area for enhancement or protection. Examples of potential uses of the Land Trust could include:
 - a. Working within Bay-Delta Program regional implementation plans to identify agricultural lands warranting protection through the Land Trust's activities outlined in b. through e., as follows, or directly.
 - b. Where appropriate, facilitating the transfer of agricultural water in a way that protects against, or compensates for the permanent loss of Prime Farmland, Farmland of Statewide Importance or Unique Farmland.
 - c. Assisting Bay-Delta Program agencies in the acquisition and design of land buffers where they have been identified as necessary between potentially incompatible uses and agricultural lands.
 - d. Consulting with Bay-Delta Program agencies to analyze and determine the significance of program impacts on agricultural land, and to design project-specific mitigation measures as appropriate and consistent with the CALFED ROD (see Goal IIA).

- e. Where applicable, facilitate the mitigation of Bay-Delta Program project impacts on agricultural land through the use of agricultural land conservation easements.

C. Support efforts to leverage federal funds for the development of conservation incentives including Farm Bill and CVPIA funds. This goal includes actions to promote programs, policies and legislation that create incentives for wildlife conservation and water quality improvements on agricultural lands.

1. *Develop opportunities to leverage USDA Farm Bill funds to meet Bay-Delta Program objectives¹.*
 - a. Assess potential for expanding current Conservation Reserve Enhancement Program (CREP) and/or developing a new CREP within the Bay-Delta Program Solution Area.
 - b. Identify and pursue applications for other Farm Bill conservation provisions to further Bay-Delta Program working landscape objectives (e.g., Conservation Security Program (CSP), Environmental Quality (EQIP) and Wildlife Habitat Incentive Programs (WHIP)).
2. Support efforts to provide supplemental or matching funds for US FWS Ag Waterfowl Incentive Program (AWIP).
 - a. Call for Legislation to Reauthorize AWIP. Bay-Delta Authority, Resources Agency and CDFA officials will communicate to Congressional representatives and the Executive Branch their desire to renew authorization for the AWIP.
 - b. Identify or create a state funding source to supplement or match annual funding for the USFWS' Agricultural Waterfowl Incentives Program.
3. Assess and support need for new legislation. Meet with public agencies and stakeholders to assess the need for new legislation similar to AB 1398 to create incentives for conservation on agricultural land and provide state match for Farm Bill programs. Prepare recommendation to Bay-Delta Program agencies.

GOAL II

According to the California Environmental Quality Act (CEQA), to “mitigate,” means to either avoid, minimize, rectify, reduce and/or compensate for an environmental impact. The Bay-Delta Program’s CEQA Record of Decision adopted a series of 31 mitigation measures. The following goal, objectives and action items use the term mitigation consistent with CEQA as further defined by the Record of Decision.

Goal II: Minimize/Mitigate Adverse Bay-Delta Program Project Impacts on Agricultural Resources consistent with the commitments in the CALFED Record of Decision¹.

- A. Work with Bay-Delta programs to develop strategies to implement CALFED ROD commitments as they relate to working landscapes.** Develop strategies and mechanisms at the program-level that can be used to mitigate project-specific impacts to agricultural resources and to advance agricultural preservation generally.
1. Work with Bay-Delta Program agencies to assess past Bay-Delta Program project impacts on agricultural resources. Review documentation of Bay-Delta Program project descriptions, environmental analyses and project outcomes to assess (1) the nature and extent of project impacts on agricultural resources, and (2) nature and effectiveness of mitigation measures employed to address project impacts on these resources.
 2. Work with the Bay-Delta Program to develop environmental thresholds of significance to use in determining whether impacts of Bay-Delta Program projects on agricultural lands are significant. Such work should include:
 - a. Investigate the applicability of the Department of Conservation’s Land Evaluation and Site Assessment (LESA) model to determine thresholds of significance for Bay-Delta Program projects.
 - b. If LESA is judged suitable, with or without modification, as a method for determining the significance of Bay-Delta Program project impacts on agricultural lands, include LESA as part of the mitigation protocol described in Goal II(A)(3).
 - c. If LESA is determined not to be suitable for use by Bay-Delta Program, develop an alternative threshold methodology for use in determining the significance of Bay-Delta Program project impacts on agricultural land.
 3. Work with the Bay-Delta Program agencies to develop an agricultural resources impact mitigation protocol. Prepare a policy document that describes and explains specific measures that will be used to minimize and mitigate impacts on agricultural lands, including adjacent agricultural lands, in accordance with the CALFED ROD. The policy will describe, illustrate and, where necessary, provide guidance on specific strategies to mitigate impacts on agricultural resources that will normally be used for specific actions.

Existing examples of the application of mitigation measures will be referenced or linked to the extent they are available.

- a. The developed threshold(s) of significance (Goal II(A)(2)) should be incorporated into the mitigation protocol document, and into Bay-Delta Program's program plans as appropriate.
 - b. Encourage the provision of training for Bay-Delta Program agencies on the use of the protocol's mitigation measures and thresholds of significance.
4. Work with Bay-Delta Program agencies to identify and develop for implementation those CALFED ROD agricultural mitigation measures requiring further elaboration, authority or guidance for use by Bay-Delta Program agencies. For example, the CALFED ROD's list of adopted mitigation measures for agricultural land includes, "[s]upport the California Farmland Conservancy Program in acquiring easements on agricultural land" (CALFED Programmatic Record of Decision, Volume 1, Appendix A, section 7.1, item 8). For this measure to be used as a mitigation tool, the word "support" will need to be defined. For example, if the term means the establishment of a mitigation bank within the California Farmland Conservancy Program, as some Subcommittee members have concluded, development of any necessary authority, guidance on the calculation of mitigation fees and other aspects of the bank may need to be completed in order for Bay-Delta agencies to use it for mitigation.

B. Encourage conservation in rural communities by providing incentives and resolving barriers for landowner participation in Bay-Delta Program projects.

1. Work with the Bay-Delta Program to support and promote programs, policies and legislation that remove disincentives for conservation in rural communities. Examples of such support may include:
 - a. Regulatory assistance;
 - b. Development of Safe Harbor Agreements; and,
 - c. Implementing SB 231 Voluntary Local Programs.
2. Work with Bay-Delta Program agencies to promote agriculture-wildlife habitat land use compatibility, including:
 - a. The Development of Good Neighbor Policies. Bay-Delta Program agencies should support the local development of policies that avoid, minimize or resolve conflicts between agricultural land uses and wildlife habitat in the Delta and the Sacramento and San Joaquin valleys. The first good neighbor policy supported could be the policy proposed for the SRCAF.

- b. The funding of measures in project proposals that maximize agricultural-wildlife habitat land use compatibility. Encourage funding for measures to improve compatibility of agricultural land uses with ERP habitat restoration and enhancement, and other program actions. Such measures may include management of groundwater seepage, fencing, vegetative buffers, acquiring easements on buffer areas, and planting crops on restored habitat land to draw wildlife away from private agricultural land. Because of prior work that has been conducted, focus could be on the Sacramento River Conservation Area Forum for initial support for conflict resolution.

C. Work with the Bay-Delta Program Science Program to evaluate the ecological, social and economic costs and benefits of farming and restoration practices that promote the creation of Working Landscapes. Encourage the Science Program to support research and monitoring of the ecological and socio-economic costs and benefits of agriculture-friendly wildlife habitat restoration and wildlife friendly farming practices compared to public acquisition, conversion and/or management of agricultural lands to meet Bay-Delta Program goals and objectives.

1. Work with the Bay-Delta Program to initiate Science Program Consultation to:
 - a. Develop conceptual models;
 - b. Develop monitoring and evaluation protocols to evaluate the habitat benefits of wildlife-friendly farming/farming-friendly habitat restoration on selected projects identified in Goal I. Prepare report explaining the results of monitoring and evaluation; and,
 - c. Develop and prioritize adaptive management “experiments.”
2. Work with Bay-Delta Program agencies to assess the socio-economic effects of Bay-Delta Program projects on local, rural communities, including minority, low-income, tribal, under-served communities. Such work is encouraged to include the:
 - a. Assessment of past and current research on the socio-economic effects of Bay-Delta Program projects on rural communities, as defined in Goal II(C)(2), above. Where there are gaps in this research, work with the Bay-Delta Program’s Science Program and the Environmental Justice Subcommittee to fund additional research to better inform Bay-Delta Program agencies about the full range of potential socio-economic effects of program implementation, and to support adaptive management.
 - b. Review of existing research, and where necessary, the funding of new research to document the net effects of Bay-Delta Program projects on local tax revenues.
 - c. Support of Payment of In Lieu Taxes (PILT) and other assessments where the net tax revenue effects on local agencies are negative.

- d. Analysis of existing laws, regulations and policies concerning PILT payments, and support of existing laws, regulations and policies that provide for PILT payments. Where existing laws, regulations or policies are needed to authorize PILT payments, or other forms of revenue impact mitigation, the Bay-Delta Program is encouraged to support the necessary regulatory or legislative changes.

GOAL III

Goal III: *Coordinate funding and outreach to support a working landscape approach to meeting Bay-Delta Program objectives.*

- A. Develop web-based conservation toolbox.** Review existing efforts and evaluate the need for a tool-box. As needed, develop an area within the California Department of Food and Agriculture’s website that provides information on various financial incentives and sources of technical assistance available to agricultural landowners. The website should contain a comprehensive list of links to websites that provide specific information about relevant programs, and notices of grant programs, workshops, meetings and conferences for landowners interested in wildlife conservation on agricultural land, as well as other land stewardship issues.
- B. Coordinate funding.** Establish a process to better coordinate Bay-Delta Program ERP funding and funding priorities with state and federal programs, including Farm Bill programs.
- C. Conduct landowner workshops.** Work with the American Farmland Trust, the California Farm Bureau Federation, and other farm groups and local entities as appropriate to schedule local workshops that offer information to landowners about various topics relative to conservation, such as environmental regulation, estate taxes, and including conservation measures and wildlife habitat in agricultural operations. One of the major goals of the workshops will be to explain the incentives for wildlife conservation on agricultural lands and how such incentives can improve or complement ongoing agricultural operations. The workshops would be intended to help landowners improve profits from agriculture and meet regulatory requirements using various incentives.
- D. Prepare media supporting wildlife friendly farming.** Prepare publications, articles and audio-visual materials to increase landowner awareness of available programs and practices that enhance habitat values on commercial agricultural operations, including the development of innovative revenue producing activities. Products may include “how-to” booklets, brochures, radio spots, videos and press releases.