

MINUTE ITEM

This Calendar Item No. C44 was approved as
Minute Item No. 44 by the California State Lands
Commission by a vote of 3 to 0 at its
12/1/95 meeting.

CALENDAR ITEM

C44

- A)
S)
- Statewide

12/07/95
W 30092
Jacobs

**AUTHORIZE EXECUTIVE OFFICER TO EXECUTE,
ON BEHALF OF THE COMMISSION,
A WORKING AGREEMENT FOR THE RIPARIAN HABITAT JOINT VENTURE
OF THE CALIFORNIA CHAPTER OF PARTNERS IN FLIGHT**

In 1990, an international conservation initiative called Partners in Flight was formed in response to the widespread population declines of migratory songbirds in North America, South America, and the Caribbean. Partners in Flight is comprised of more than a dozen federal agencies, numerous state agencies, and over 40 non-governmental educational and environmental groups. In 1992, a California Chapter of Partners in Flight effort was started, which has had major support and sponsorship from the National Audubon Society, the Point Reyes Bird Observatory, the U.S. Forest Service, the National Park Service, and the California Department of Fish and Game.

In the fall of 1993, the State Lands Commission released the 334-page *California's Rivers: A Public Trust Report*. This document describes the status and trends of the state's rivers by reviewing riparian and aquatic ecology, resource values, and the history of human use. The effort is an important source of information for the Commission as well as others who have an interest in the protection and restoration of river systems.

In recognition of the extreme importance of riparian forest and woodlands to wildlife and to migratory songbirds in particular, California Partners of Flight has organized a cooperative agreement focussed on the protection and restoration of riparian habitat, the Riparian Habitat Joint Venture. In 1994, numerous federal, state, and private organizations established a Working Agreement for the Riparian Habitat Joint Venture of the California Chapter of Partners in Flight. Exhibit "A" contains the full text of the working agreement.

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The Riparian Habitat Joint Venture is modeled after the highly successful Joint Venture programs of the North American Waterfowl Plan. The goal of the Working Agreement is to communicate, evaluate and analyze common riparian habitat issues, and ultimately develop a joint venture plan to implement cooperative strategies and actions to protect and restore riparian habitats in California.

The State Lands Commission has been invited to be a party to the Working Agreement. Staff recommends that the Commission participate in the Riparian Habitat Joint Venture because of the Commission's authority and responsibility over and expertise with major riverine resources in the state.

AB 884:

N/A

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code 21065 and 14 Cal. Code Regs. 15378.

EXHIBITS:

- A. Working Agreement for the Riparian Habitat Joint Venture of the California Chapter of Partners in Flight

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.

CALENDAR ITEM NO. **C44** (CONT'D)

2. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE, ON BEHALF OF THE COMMISSION, THE WORKING AGREEMENT FOR THE RIPARIAN HABITAT JOINT VENTURE, AS CONTAINED IN EXHIBIT "A" ATTACHED HERETO.

EXHIBIT A

**WORKING AGREEMENT
for the
Riparian Habitat Joint Venture
of the
California Chapter of Partners in Flight**

PURPOSE

California Partners in Flight Habitat Joint Ventures unite federal and state resource management agencies, private conservation organizations, corporations, foundations, and individuals in a common effort to protect and enhance habitats for landbirds native to California. It is the intent of this agreement to strengthen existing statewide collaborative efforts, such as the 1991 Agreement on Biological Diversity, to help sustain and enhance the integrity of biological and natural resource systems and the human and economic values they support. The cooperative framework of the Habitat Joint Ventures fosters mutually agreed upon habitat conservation objectives and the commitment of resources necessary to meet those objectives. The California Partners in Flight Habitat Joint Ventures will eventually encompass all habitats within California with declining or at risk populations of native landbirds.

This initial effort, the Riparian Habitat Joint Venture (RHJV), will focus on setting habitat objectives for riparian zones throughout the state. Riparian areas are the richest terrestrial habitats for breeding and wintering birds in the Western United States. California riparian habitats have undergone extensive modification and degradation. Only 5 - 10 % of the original riparian habitat in California still exists today. Subsequent working agreements will be developed for other California habitats (eg. coastal sage scrub, oak woodlands, etc.), as deemed necessary to focus attention and resources to restore and protect native landbirds in critical areas.

The primary purpose of this RHJV is to conserve, increase and improve riparian habitat throughout California in a common effort to protect and enhance habitats for both California's native birds and neotropical migratory birds in a manner consistent with the other objectives of the California Chapter of Partners in Flight.

RIPARIAN HABITAT JOINT VENTURE GOAL AND PRIMARY OBJECTIVES

GOAL: Communicate, evaluate, and analyze common riparian habitat issues. Develop a RHJV Implementation Plan which sets forth quantifiable habitat objectives, and outlines strategies and implementation actions to protect and restore riparian habitats for California's native landbird species as identified by the California Chapter of Partners in Flight.

OBJECTIVES:

1. Compile existing data on riparian habitat throughout the State to identify key riparian areas, as well as information gaps. Promote and coordinate efforts to obtain needed information.

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2. Develop guidelines for protection of existing habitat on public lands and recommend alternatives for protection on private land, including fee title or perpetual easement acquisition, long-term cooperative management agreements with landowners, and develop support for protective zoning and tax incentives to secure protective management. This would be accomplished by cooperative agreement, purchase and initiation of zoning and tax incentives on private lands and management guidelines on public lands.
3. Restore riparian habitats on public and private lands using commonly accepted, scientifically valid restoration techniques. Incorporate restored habitat into a long-term protection and management program as discussed in Item 2 above.
4. Enhance the productivity and biodiversity of riparian communities using appropriate management techniques on public and private lands.
5. Establish a network of high-quality riparian habitats throughout California to enhance and protect native birds.
6. Educate the general public and resource managers about the value of California's riparian habitat to promote its protection and restoration.

STRUCTURE OF DIFFERENT GROUPS

Joint Venture Implementation Board

The "Implementation Board" consists of designees from four conservation organizations that receive technical assistance from the U.S. Forest Service (USFS), U.S. Fish and Wildlife Service (USFWS), Bureau of Land Management (BLM), Bureau of Reclamation, (BR), California Department of Fish and Game (CDFG), Wildlife Conservation Board (WCB), California State Lands Commission (CSLC) and other organizations and agencies. Agencies serve as ex officio advisory members of the Board. If unable to attend a meeting, a member can designate an "Acting" to attend.

The voting members of the Board consists of representatives from the following organizations:

Point Reyes Bird Observatory (PRBO)
National Audubon Society (NAS)
Kern River Research Center (KRRRC)
The Nature Conservancy (TNC)
Ducks Unlimited (DU)

Riparian Habitat Technical Committee

The "Technical Committee" will consist of one biologist from USFS, PRBO, NAS, KRRC, USFWS, BLM, BR, TNC, DU, WCB, CSLC, CDFG, and other future signatories of this agreement in addition to the Project Coordinator who will serve as Chairperson. A vice-chair will also be designated. If both the Chair and Vice Chair are unable to attend a meeting, any member can be designated by the Chair to lead the meeting.

Working Committees

Each "Working Committee" formed will consist of at least one member from the Riparian Habitat Technical Committee. This technical committee member will chair the working committee and recruit needed participants.

Working Committees are responsible for making policy and scientific recommendations regarding the structure and content of the Implementation Plan to the Implementation Board. Following approval from the Board, the Working Committees draft pertinent section(s) of the Implementation Plan.

Other interested agencies and organizations may be invited to participate on various committees as needed and as approved by the Implementation Board. However, designated committee members only are responsible for developing their reports.

IMPLEMENTATION BOARD FUNCTION

1. Oversee development and completion of the Implementation Plan.
2. Assign tasks to the Riparian Habitat Technical Committee and consider and ratify the habitat recommendations. Approve reporting format.
3. The Chair and Vice Chair shall change on an annual basis, rotating in alphabetical order by organization/agency name, with Vice Chair assuming chairmanship as the Chair is vacated.
4. Make decisions and take action on conservation activities, and coordinate with other statewide riparian activities, including the California Riparian Habitat Conservation Program of the Wildlife Conservation Board.
5. Track accomplishment of objectives and approve suggested changes to Implementation Plan.
6. Meet quarterly at a time and location to be determined by the Board members.

7. Meet with and/or review reports from the Riparian Habitat Technical Committee at appropriate intervals.

RIPARIAN HABITAT TECHNICAL COMMITTEE FUNCTIONS

1. Perform work assignments from the Implementation Board, and prepare quarterly progress reports.
2. Recommend working committees for approval by the Implementation Board.
3. Provide technical information to the Implementation Board to set and achieve habitat objectives.
4. Supervise working committees and attend working committee meetings as appropriate.
5. Meet at least monthly. If requested, meet in concurrent sessions with the Implementation Board, quarterly.

WORKING COMMITTEE FUNCTIONS

1. Receive their authority to function from the Riparian Habitat Technical Committee and Implementation Board. The chairperson of each working committee will be a member of the Riparian Habitat Technical Committee.
2. Receive assignments from and report directly to the Riparian Habitat Technical Committee. Working Committee reports will go to the Riparian Habitat Technical Committee chair for review and are then submitted to the Implementation Board for final action.
3. Working Committee(s) should consult current literature and outside expertise to ensure the scientific rigor of their recommendations.
4. Establish their own meeting schedule to complete assignments.

PROJECT COORDINATOR FUNCTIONS

1. Chair Riparian Habitat Technical Committee.
2. Primary liaison between Implementation Board and Technical Committees.
3. Principal spokesperson on technical issues for the Riparian Habitat Joint Venture activities.

4. Responsible for scheduling and coordinating the development and completion of the Implementation Plan.

In pursuit of this Agreement:

1. This Agreement shall become effective upon signing by any five parties and shall continue in full force until the signatory parties become fewer than five in number. Termination of participation by any party shall require thirty (30) days written notice to the Chair of the Implementation Board.

2. Nothing herein shall be considered as obligating any party in the expenditure of funds or the future payment of money in excess of appropriations authorized by law and administratively allocated by any party for this work.

3. Nothing herein shall be construed as limiting or affecting in any way the delegated authority of any party.

4. Amendments to this Agreement may be proposed to the Chair of the Implementation Board at any time by any party and shall become effective upon written approval by all parties then signatory to this Agreement.

IN WITNESS WHEREOF, the parties hereto have joined into this Agreement by affixing their signatures on the dates shown below:

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