

5. Narrative Description

5a. Detailed Project Description Narrative:

Project Description

The Feather River Land Trust (FRLT) requests \$350,000 toward a conservation easement to protect the Rogers Key Brand Angus Ranch in Plumas County.

The Key Brand Ranch is located in Indian Valley, just 4 miles east of the small town of Greenville (See project location map). At over 25,000 acres, Indian Valley is one of the Northern Sierra's most important valleys for both wildlife habitat and local agricultural production (photo 1). The 627-acre Key Brand Ranch contains 365 acres of wetland, montane riparian, and wet meadow habitat types with an additional 262 acres of upland meadow and improved irrigated pasture used primarily for agricultural production. The wetlands provide important nesting and feeding habitat for migratory waterfowl. Aside from stunning views of Indian Valley, extensive year round wetlands, and high quality wildlife habitats, the ranch directly contributes to the local agricultural economy by producing both hay and high quality Angus beef.

The Key Brand Ranch provides valuable habitat for diverse assemblage wildlife and plant species. Several Species of Special Concern, State Threatened, and California Department of Fish and Game Watchlist species are found growing, feeding, and/or breeding on the property, including the redhead (*Aythya americana*), white-faced ibis (*Plegadis chihii*), golden eagle (*Aquila chrysaetos*), northern harrier (*Circus cyaneus*), bald eagle (*Haliaeetus leucocephalus*) (photo 6), greater sandhill crane (*Grus canadensis tabida*) (photo 2), yellow warbler (*Dendroica petechia*), yellow-breasted chat (*Icteria virens*), yellow-headed blackbird (*Xanthocephalus xanthocephalus*), Sheldon's sedge (*Carex sheldonii*), Pacific fisher (*Martes pennanti*), and Webber's ivesia (*Ivesia webberi*). Other more common species that use the Key Brand Ranch include California mule deer, mountain lion, bobcat, black bear, coyote, badger, gray fox, raccoon, striped skunk, weasel, numerous species of waterfowl including Canada geese, swans, snow geese, many songbirds, great-horned owl, barn owl, burrowing owl, numerous reptiles and amphibians, and several other species. In addition to abundant wildlife, the property contains evidence of use by the Mountain Maidu, including tools and artifacts from an abandoned Maidu Village. Remnants of a stone foundation on the ranch are the likely site of a general store owned by Peter Lassen (photo 8).

Tom Rogers Sr. purchased the ranch in 1972. Since then, the property has been sustainably managed over the last 4 decades by the Rogers family. The Rogers family raised their sons on the ranch, all of whom have been intimately involved in the ranching operation. Their purebred line of Angus cattle is well known in the production and livestock show circles around Northern California and Nevada. The ranch was featured on the Public Television show, "California Heartland," featuring winter ranching in the Sierra Nevada. The show was so popular that they came back and filmed another segment on summer ranching in the Sierra. The land stewardship ethic of the Rogers

family's management approach is reflected in the ranch's well developed wetland vegetation, high cover of native and annual meadow species, and extensive list of species that have been detected on the property.

Following Tom Rogers' death in 2006, Tom's wife and some of the children made plans to sell the ranch. However, Tom's son Harry Rogers, the current owner and the person who has managed the ranch since 1979, was successful in borrowing enough money to purchase the ranch outright. It is Harry's intention to use the proceeds from the conservation easement to pay off this short-term loan against the property and secure ownership of the ranch for his children and future generations. With FRLT's assistance, Harry has already taken a big step towards this goal by receiving funding approval for a permanent "Wetland Reserve Program" (WRP) easement, which will be held by the Natural Resources Conservation Service and will be completed in 2013. This WRP Easement will prohibit development and subdivision while restricting grazing in nearly 365 acres of the property's prime wetlands (See maps in section 6f). The proposed conservation easement in this application is immediately adjacent to the WRP easement (See maps in section 6f).

Within the planned conservation easement project area, there is an existing historic barn (photo 7), used for storing hay, an additional pole barn used for hay storage (photo 9), corrals, a 1.2 acre pond, and various fences and gates used to manage livestock rotational grazing. The property is currently zoned for agriculture under the Plumas County General Plan, meaning that the 3 individual parcels that compose the ranch could be sold off to individual owners. In addition, on each of the 3 parcels, the owner can build 1 additional new residence and an unspecified amount of "employee housing" units for the management of the property. There is an outstanding short-term loan against the property, which Harry Rogers utilized to buy out his siblings and gain full ownership of the property. It is likely that Harry would have to sell all or portions of parcels to pay back that loan if he was not able to repay it via the sale of this conservation easement.

The proposed easement with FRLT, for which we seek Sierra Nevada Conservancy funding, would protect the remaining the property's 262 acres that are located outside of the current WRP easement area (See maps in section 6f). The easement would specifically prohibit any subdivision of the parcels and would allow for only 1 residential structure to be built in the future, along with allowing for the maintenance and limited construction of common agricultural related buildings and infrastructure necessary for the operation of the ranch. The landowner has agreed, within the conservation easement, to allow educational and recreational public use of the property for events organized, sponsored, and insured by FRLT or its partners, including the Plumas Unified School District.

The proposed easement acquisition would be funded by the Sierra Nevada Conservancy, the Northern Sierra Partnership, and a generous bargain sale donation from the landowner.

Specifically, completion of the proposed conservation easement with FRLT would result in the following deliverables and meet these specific goals:

- ✓ **The Conservation Easement:** The primary deliverable of this transaction, the recorded conservation easement, funded in large part by the Sierra Nevada Conservancy, would directly and in perpetuity, eliminate the short and long-term threat of subdivision and subsequent development of the Key Brand Ranch. Together, the proposed easement and the existing NRCS WRP easement would prevent any future subdivision of the property, protect and enhance wetlands on the property, and allow for continued management of the property as a working ranch.
- ✓ **Preservation of Ranches, Agricultural Lands, Working Landscapes, and the Local Agricultural Economy:** Protection of this working ranch in the Sierra Nevada Region is consistent with the mission of the Sierra Nevada Conservancy, which has invested additional state funding on another nearby ranch (the Pearce Ranch Conservation Easement) in Indian Valley. Protection of this ranch will help insure that it can continue contributing to the local agricultural economy as a working ranch.
- ✓ **Greater Protection of Indian Valley, and its Land, Water Quality, and Other Resources from the Threat of Future Subdivision:** The greater project area (Indian Valley), including its wetlands which are found on the Key Brand Ranch, have been identified as a priority conservation area within The Nature Conservancy's Sierra Nevada Ecoregional Plan and by the Northern Sierra Partnership. In addition, protection of natural resources located on the Key Brand Ranch is consistent with several Statewide Conservation Actions described in the California Wildlife Action Plan Report (CA Department of Fish and Game, 2007) and the Plumas County Integrated Regional Water Management Plan (2005).
- ✓ **Increased Opportunities for Tourism, Recreation, and Public and Student Educational Access:** As part of the conservation easement, the current land owner, Harry Rogers, will allow FRLT to use the property for organized tours by groups such as the Audubon Society and The Sierra Institute for Community and Environment. In addition, as part of FRLT's ongoing "Learning Landscapes" program, the easement would require that the property be available for educational uses by local and out of area students and teachers, including the study of wetland ecology, Maidu culture, ranch management, and ecological restoration. Notably, Harry is an active member of the Indian Valley Youth Summit, a local volunteer organization dedicated to providing improved opportunities for local youth. Harry's demonstrated land ethic is one of sharing his knowledge, experience, and land for the benefit of the community.

- ✓ **Protection of Publically Important Scenic Resources:** The easement would result in permanent protection of portions of the scenic vistas viewed from State Highway 89, Stampfli and North Valley County Roads, and Plumas National Forest lands surrounding Indian Valley.

Project Summary

The 627-acre Key Brand Angus Ranch is located in Indian Valley, Plumas County, just east of the town of Greenville, within the North Fork of the Feather River Watershed. The final deliverable of a recorded conservation easement on the ranch would limit future residential development while protecting the ranch's unique wetland, scenic, and agricultural values.

The Key Brand ranch is a 3rd generation, locally-owned, working family ranch that directly supports the local agricultural economy by producing both hay and high quality grass-fed Angus beef.

The property supports extensive high quality wetland, wet meadow, and riparian habitats, as well as black oak woodlands. In addition to common Sierran mammals such as mountain lion, bobcat, and bear, there have been over 72 unique avian species confirmed on the property. These include species such as the white-faced Ibis, greater sandhill crane, great-horned owl, white pelican, and wood duck. The property also contains important historic sites, such as the Peter Lassen Historic Marker, hundreds of acres of scenic open space, and Maidu cultural sites, including tools and artifacts of an abandoned Maidu Village. Remnants of a stone foundation on the ranch are the likely site of a general store owned by Peter Lassen (see photo 8).

The Rogers family desires to place the ranch into a conservation easement for several reasons, which include: 1) a deep seated desire to prevent development of this pristine portion of Indian Valley; 2) wanting to pass this ranch on to their sons; 3) assuring that this beautiful ranch with its wealth of natural resources and agricultural values becomes a legacy to future generations; and 4) assure that this working landscape remains intact providing habitat to wildlife and waterfowl, forage for a beef cattle operation, clean water for downstream users, and open vistas of an unspoiled landscape in perpetuity. The ranch owner, Harry Rogers, has expressed willingness for a bargain sale component of this easement.

The \$350,000 requested from SNC, in addition to a bargain sale from the owner and pre-acquisition funds from the Northern Sierra Partnership would complete the 262 acre easement. The remaining 365 acres are being conserved through a NRCS Wetland Reserve Program Easement; together, the two easements will conserve the entire 627 acre ranch. The proposed conservation easement will:

- ✓ Protect important wetland, riparian, wet meadow, and upland meadow habitats from the threat of subdivision and future development.
- ✓ Conserve high quality agricultural land for grazing and food production

- ✓ Provide educational and recreational access through events and activities organized on the property by the Feather River Land Trust and the Plumas Unified School District
- ✓ Increase children's contact with and stewardship of the natural world
- ✓ Maintain our rural scenic heritage and beauty by preventing development in the meadow lands.
- ✓ The property will continue to be managed as a highly productive working landscape.

Environmental Setting

The beautiful Indian Valley is located approximately 12 miles north of the town of Quincy and 4 miles east of the town of Greenville, in Plumas County, California. The ranch sits in the middle and on the north side of Indian Valley (see project location map) and is surrounded on 3 sides by other working, locally-managed ranches. To the north, the ranch is adjacent to North Valley Road. Wolf Creek flows along one of the boundary lines on the south side of the ranch and then flows into Indian Creek, which is one of the main tributaries of the North Fork of the Feather River. There are several large year-round springs that flow into the ranch and from which the ranch has water rights. Wolf Creek has and continues to experience numerous flood events and much of the ranch is within the floodplain. Management and restoration projects, including planting of willows by the current owner, within the last ten to twenty years have restored much of the native riparian plant community.

There are also significant cultural and historic resources on the ranch. A historic marker identifies the site of the "Peter Lassen Store," which had been built by pioneer Peter Lassen in the mid-1800's. Also, many tools and artifacts are evidence that a Maidu village site was once located on the ranch.

The dominant use of the ranch is for raising high quality Angus Beef. These cattle are fed in the winter directly from a well established haying operation on the property, providing locally grown forage year round for the animals. The agricultural land use of this and the adjacent ranch are consistent with Plumas County's current general plan, and are anticipated to be fully consistent with the County's soon to be adopted, revised general plan.

5b. Workplan and Schedule Narrative

The workplan and schedule are summarized in the table below. A Phase 1 Environmental Site Assessment was completed for the project area in August, 2010. This report concluded that "The Phase I ESA identified no evidence of REC's on the Site or on adjoining properties. No further environmental assessment of the site appears to be warranted". An appraisal for the project was completed on September 25th, 2012 and is included with this application. An initial title report was completed in April of 2012, with a follow up report scheduled for completion in October, 2012. Aside from the SNC Funding applied for in this grant, the Northern Sierra Partnership is the only other

funder, and will make a determination on funding their portion of the project by December of 2012.

Task	Status	Complete
Phase I ESA	Completed	August 2010
Escrow account, Preliminary Title Report (PTR),	Completed	April 2012 with updated report on order
Property appraisal	Completed	September 2012
Funding proposal to SNC	Completed	October 2012
Funding proposals to NSP	In progress	November 2012
18 month option agreement with landowner	In progress	February 2013
Baseline documentation report	In progress-pending funding	June 2013
Close escrow; transfer of Conservation Easement to FRLT	Pending funding	June 2013 or sooner
Establish Stewardship and Legal Defense Funds	Pending funding	June 2013 or sooner
6 Month progress report	Pending funding	June, 2013
Final Report to SNC	Pending funding	December, 2013

5c. Restrictions, Technical/Environmental Documents and Agreements Narrative

Restrictions & Agreements:

Based on discussions with the landowner, title report, and field visits, there are no property restrictions and/or encumbrances that could adversely impact project completion. There is an outstanding loan on the property that will be paid off at closing, should the project be funded.

Based on Phase I Environmental Site Assessment, completed in August of 2010, discussions with the landowner, and subsequent field visits to the property, there is no known toxic contamination on the site.

Regulatory & Requirements/Permits:

We hereby declare that there are no known regulatory requirements, California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), or other federal, state, or local permits required to complete the proposed conservation

easement. The proposed conservation easement is “Not a Project” per CEQA as it does not meet the definition of a “Project” as defined by the California Code of Regulations. Section 15378 of Article 20 (“Definitions”) of Chapter 3 (Guidelines for Implementation of the California Environmental Quality Act) of Title 14 of the California Code of Regulations, clearly define a “Project” under CEQA as “...the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment...”. The conservation easement, once recorded, will not create any direct or reasonably foreseeable indirect physical change in the environment.

The conservation easement in this application will not occur on federal lands, nor will it be completed using federal funds and is therefore clearly excluded from any further analysis under the National Environmental Policy Act (NEPA). In addition, there are no local zoning, ordinances, or laws preventing or otherwise requiring further environmental analysis of conservation easements in Plumas County.

5d. Organizational Capacity Narrative

Since 2000, FRLT has helped conserve 36,000 acres in the Feather River region, the Sierra’s largest watershed (2.4 million acres). FRLT owns, manages, and/or holds easements on approximately 6,000 acres.

With an operating budget of \$750K, FRLT has 7 staff, 850 members, and 250+ volunteers. FRLT is a founding partner of the Northern Sierra Partnership (NSP). FRLT has the expertise to plan, implement, and monitor this project. Executive Director Paul Hardy is a wildlife biologist, serves on regional and state conservation boards, and is a founder of the NSP. Conservation Consultant Jason Moghaddas is a Registered Professional Forester, former wildland firefighter, and resource management expert. Attorney Jim Olmsted has 23 years’ expertise with public access, easements, and fee title management for land trusts. Stewardship Director Gabe Miller’s expertise is in land management, monitoring, and partnering with local ranchers and Resource Conservation Districts. Conservation and stewardship staff will monitor the easement.

5e. Cooperation and Community Support Narrative

Due to the numerous resource values associated with this ranch, there is major support for this project from public agencies, non-profits and local individuals. Harry Rogers has been working for over the 3 years to find funding to conserve his property. The letters written in support of having a conservation easement on the property show a consistent wide range of agency and local support as far back as 2009. Aside from the letter included in the application (below), an additional 34 letters of support from local individuals and neighbors were written during this time.

The following letters are in this application:

1. Robert Meacher, Plumas County Supervisor District 2

2. Lucy Blake, President, Northern Sierra Partnership
3. Unanimous support from The Plumas County Board of Supervisors via Board Resolution (2008)
4. Jim Wilcox, FR-CRM Program Manager, Plumas Corporation
5. Bob Orange, Fish & Game Warden, CA Department of Fish & Game
6. Terri Weist, Associate Wildlife Biologist, CA Department of Fish & Game
7. Darrel Jury, President, Plumas Audubon
8. Rose Comstock, Chair, Plumas County Board of Supervisors
9. Rick Leonhardt, Vice President, Feather River Resource Conservation District
10. Paul Hardy, Executive Director, Feather River Land Trust
11. Michael DeSpain, Environmental Director, Greenville Rancheria
12. Ginger Gramm, Sierra Farmstead
13. Kim Delfino, California Program Director, Defenders of Wildlife
14. Mike Savino, President, Save our Sandhill Cranes
15. Tom Talbot, President, California Cattlemen's Association

5f. Long-Term Management and Sustainability Narrative

The landowner will pay for future costs of operations, maintenance, and stewardship of the property using revenues generated by agricultural operations on the ranch. The Feather River Land Trust will secure an endowment to cover annual conservation easement monitoring costs in perpetuity. The property has not had a history of vandalism or damage due to weather events, including flooding. The owners of the property live on-site and patrol the property to trespassers and potential vandals.

5g. Performance Measures Narrative

People Reached: Landowner intends educational trips w/100+ people/year, including educational access for Plumas County schools. Protection of these Indian Valley riparian, wet meadow, and upland meadow habitats will benefit downstream water users.

Resources Leveraged: An additional \$95,000 investment into the Sierra, including matching funds for the pre-acquisition costs, easement purchase, legal and stewardship endowment, and easement management.

Jobs Created: Support 1 ranching family, 1 easement stewardship job

Economic Activities: Angus beef production, haying operation, and carbon sequestration.

Acres Conserved: A conservation easement on 262 acres will complete conservation of the 626 acre ranch.

Linear Feet of Stream Bank: 2,000 feet of stream (Wolf Creek) and 2,500 feet of perennial spring channels protected along with a ½ mile of open irrigation channel and an existing 1.2 acre pond which helps support several species of waterfowl.

Sites Protected: Several significant historical sites, including the Peter Lassen Historic Site, and Maidu cultural sites will be preserved.

5h. Budget Narrative

The 262 –acre conservation easement proposed in this application was appraised at a value of \$410,000 (\$1,564 per acre) in September of 2012. The landowner has agreed to reduce the price by \$20,000 with the Northern Sierra Partnership funding the remaining \$40,000 to purchase the easement. It is expected that NSP will make a final approval on this project by December of 2012, with actual funds available soon after. The project is cost effective because:

1) The project leverages \$350,000 of state funds with nearly \$95,000 of additional non-state contributions to complete the project, including funds from the Northern Sierra Partnership, Feather River Land Trust, California Rangeland Trust, and a bargain sale by the landowner.

2) A major portion of conservation on the property, outside of the 262 proposed easement in this application, is funded from Federal funds, via the Natural Resource Conservation Service, Wetland Reserve Program (WRP). This WRP easement greatly reduced the necessary state funding investment required to protect the entirety of property.

Note, there are no other revenues anticipated to be generated from the implementation of this project.