

**MINUTE ITEM**

This Calendar Item No. C54 was approved as  
 Minute Item No. 54 by the California State Lands  
 Commission by a vote of 3 to 0 at its  
6-14-99 meeting.

**CALENDAR ITEM  
 C54**

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PRC 8098

06/14/99  
 W 30053  
 D. Jacobs  
 D. Sanders

**MEMORANDUM OF AGREEMENT REGARDING THE  
 SACRAMENTO RIVER RIPARIAN CONSERVATION AREA**

**APPLICANT:**

California State Lands Commission  
 100 Howe Avenue, Suite 100 – South  
 Sacramento, CA 95825-8202

**AREA, LAND TYPE, AND LOCATION:**

Sovereign lands in the Sacramento River within the counties of Butte,  
 Colusa, Glenn, Shasta, Sutter, Tehama, and Yolo.

**AUTHORIZED USE:**

N/A

**OTHER PERTINENT INFORMATION:**

1. In 1986, the California Legislature passed SB 1086. The law called for development of a management plan for the Sacramento River and its tributaries to protect, restore, and enhance both fisheries and riparian habitat. An Advisory Council (Council), composed of state and federal agencies (including the Commission) county supervisors, and landowner, water contractor, commercial and sport fisheries and wildlife and conservation groups developed "The Upper Sacramento Fisheries and Riparian Habitat Management Plan" (Plan). The Plan was published by the Resources Agency and submitted to the Legislature in 1989.

The Plan advocates a program "to preserve remaining riparian habitat and reestablish a continuous riparian ecosystem along the Sacramento River between Chico (Butte County) and Redding (Shasta County), and reestablish riparian vegetation the river from Verona (Sutter County) to Chico." (Clarification added)

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In the intervening time, many of the fisheries recommendations of the Plan have been implemented, and additional emphasis has been given to the protection and management of riparian habitat. The Secretary of the Resources Agency reconvened the Council in 1993. An adjunct of Council, the Riparian Habitat Committee, which includes area landowners, environmental groups and federal, State agency personnel and local government representatives, has developed "The Sacramento River Conservation Area Handbook" (Handbook) as a guide for riparian habitat management along the River.

The Council proposes and supports the formation of a locally based nonprofit entity to coordinate implementation of the riparian habitat management and restoration goals and objectives of the 1989 Plan and more recently developed Handbook. The proposed MOA, developed by the same parties represented on the Council, provides the framework within which the coordination of the activities of the nonprofit organization and the parties represented on the Advisory Council will occur.

2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 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 section 21065 and Title 14, California Code of Regulations, section 15378.

**EXHIBIT:**

- A. Memorandum of Agreement Regarding the Sacramento River Riparian Conservation Area

**PERMIT STREAMLINING ACT DEADLINE:**

N/A

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO

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TITLE 14, CALIFORNIA CODE OF REGULATIONS,  
SECTION 15061 BECAUSE THE ACTIVITY IS NOT A  
PROJECT AS DEFINED BY PUBLIC RESOURCES CODE  
SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF  
REGULATIONS, SECTION 15378.

**AUTHORIZATION:**

AUTHORIZE THE EXECUTIVE OFFICER, ON BEHALF OF  
THE COMMISSION, TO SIGN THE MEMORANDUM OF  
AGREEMENT REGARDING THE SACRAMENTO RIVER  
RIPARIAN CONSERVATION AREA.

## EXHIBIT A

### MEMORANDUM OF AGREEMENT REGARDING THE SACRAMENTO RIVER CONSERVATION AREA

#### I. Preamble

##### Background

In 1986, the California State Legislature passed Senate Bill 1086. The law called for development of a management plan for the Sacramento River and its tributaries to protect, restore, and enhance both fisheries and riparian habitat.

The law created an Advisory Council, composed of representatives of state and federal agencies, county supervisors, and landowner, water contractor, commercial and sport fishery, and general wildlife and conservation representatives. The Council and its action teams developed a plan which included a specific and action-oriented fisheries plan, and a more conceptual riparian habitat plan. This plan, the *Upper Sacramento River Fisheries and Riparian Habitat Management Plan*, was published by the State of California Resources Agency in 1989 (*1989 Plan*).

Many of the fisheries action items have since been or are currently being implemented, such as fish bypass structures at diversions on Sacramento River tributaries, and the Shasta Dam temperature control structure. A Riparian Habitat Committee was created in 1993, when the Advisory Council was reconvened by the Secretary of Resources to "complete its earlier work concerning riparian habitat protection and management, including the development of a specific implementation program."

The Riparian Habitat Committee is an informal and consensus-based planning group. It includes landowner representatives, environmental group leaders, and agency personnel who are working toward on-the-ground implementation of the *1989 Plan*. They have developed *The Sacramento River Conservation Area Handbook (Handbook)* as a guide for riparian habitat management along the Sacramento River. The Committee has worked to ensure that the *Handbook* addresses both the dynamics of riparian ecosystems as well as the realities of local agricultural economies.

Through the work of the Riparian Habitat Committee, the Advisory Council proposes the formation of a largely locally-based nonprofit entity to coordinate implementation of the riparian habitat management and restorations goals and objectives of the *1989 Plan* and *Handbook*. Actions implemented by the nonprofit should also be coordinated with the Central Valley Project Improvement

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Act, the CALFED Bay-Delta Program, and the U.S. Army Corps of Engineers Sacramento-San Joaquin Basins Comprehensive Study, and other ongoing related activities. The work of this nonprofit organization would be supported by the various agencies and organizations interested in the Sacramento River through this Memorandum of Agreement (MOA).

Goal of the Sacramento River Conservation Area Program

The goal of the Sacramento River Conservation Area Program as outlined in the *1989 Plan* is "to preserve remaining riparian habitat and reestablish a continuous riparian ecosystem along the Sacramento River between Chico and Redding, and reestablish riparian vegetation along the river from Verona to Chico." The goal will be met in a manner that follows these six guiding principles:

- Utilizes an ecosystem approach that contributes to recovery of threatened and endangered species and is sustainable by natural processes;
- Uses the most effective and least environmentally damaging bank protection techniques to maintain a limited meander, where appropriate;
- Operates within the parameters of local, state and federal flood control and bank protection programs;
- Encourages participation by private landowners and affected local entities that is voluntary, never mandatory;
- Gives full consideration to landowner, public and local government concerns;
- Provides for the accurate and accessible information and education that is key to sound resource management.

**II. Purpose of MOA and Disclaimers**

The purpose of this MOA is to:

- A. Document broad endorsement by the signatories of the decisions and recommendations made by the Advisory Council embodied in the *1989 Plan*.

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- B. Document signatory commitment to support the goals, six principles and *Handbook*.
- C. Improve coordination and cooperation between public agencies in the implementation of the *1989 Plan* and *Handbook*.
- D. Identify the agreements of the signatories and relationships among the signatories and the new nonprofit organization (NPO) in implementing the *1989 Plan* and *Handbook*.
- E. Document signatory support of the establishment of a NPO as described in *Goal, Role and Structure of a Nonprofit Organization* (Attachment A).
- F. Identify the role and responsibilities of the NPO as detailed in Attachment A.

Disclaimers

- A. Nothing in this MOA is intended to expand or limit the legal authority of any signatory, agency, entity or organization. This document does not modify or supersede other existing agreements, programs, MOUs, plans, regulations or executive orders.
- B. Nothing herein alters the existing authorities or responsibilities of any party nor shall be considered as obligating any party in the expenditure of funds or the future payment of money or providing services.
- C. This MOA is intended to embody general principles, and does not create contractual relationships, rights, obligations, duties or remedies between or among signatories.
- D. All activities implemented by the NPO under the *1989 Plan* and *Handbook*, including site specific agreements, will be in compliance with all applicable existing and future local, state, and federal laws and regulations.
- E. The signatories acknowledge that the California Environmental Quality Act requires consideration of the environmental

consequences of an activity as early as feasible in the planning process to enable environmental considerations to influence project program and design. All activities implemented under the *1989 Plan and Handbook* will comply with CEQA and the National Environmental Policy Act (NEPA) on a site-specific basis. The signatories will also consider the appropriateness and potential benefits of programmatic approaches to CEQA and NEPA compliance.

### III. Relationship between Signatories and Nonprofit Organization

- A. We will support the NPO in implementing the *1989 Plan and Handbook*, and will work with the NPO on specific projects. We will maximize coordination and consistency of policies and programs with the *1989 Plan and Handbook*.
- B. We will assist the NPO in identifying and obtaining funding sources for the activities of the NPO including, but not limited to, a voluntary land transaction or management program. This program may include activities such as development of site specific land management plans within the inner zone; bank stabilization that is consistent with the *1989 Plan and Handbook*; revegetation of levees and other areas where natural revegetation will not occur; and control of trespass and vandalism.
- C. We will coordinate with the NPO in the land management planning process for lands within the Conservation Area delineated in the *Handbook*.
- D. We will coordinate with the NPO when acquiring lands within the Conservation Area delineated in the *Handbook*.
- E. We will conduct land management practices on public lands within the Sacramento River Conservation Area in a manner that is consistent with the *1989 Plan and Handbook*.
- F. We may contract with the NPO.
- G. Signatories will work with the NPO to develop a streamlined/ coordinated permit process for individual project agreements.
- H. Appropriate signatories will participate in a technical advisory

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committee for the NPO. They will assist the NPO with technical information on issues such as erosion/deposition data, flood control activities, and habitat protection and restoration methods and programs.

- I. Appropriate signatories will work with the NPO to coordinate and maximize law enforcement activities regarding trespass and vandalism along the river and for participating properties within the Conservation Area on both private and public lands.

### General Agreements

- A. We endorse the goals of the *1989 Plan*.
- B. We agree to the goals, six principles, and *Handbook*.
- C. We agree to maximize coordination and consistency of the programs and policies of our agencies with the goals, and management objectives in the *1989 Plan* and *Handbook*.
- D. We agree to recognize the proposed Conservation Area as delineated and described in the *Handbook*.
- E. We recommend and agree to the creation of a NPO as detailed in Attachment A. The NPO will oversee implementation of the goals and restoration priorities stated in the *1989 Plan* and *Handbook*.
- F. We agree that any potential breach of the inner zone boundary will be addressed quickly and with our full cooperation. The manner in which the breach will be addressed will depend on the specific site, and may range from the placement of rock or other appropriate material to the acquisition of land.

### Amendment Process

This MOA may be supplemented, amended, or modified by the written agreement thereto of the signatories.

### Signatories

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Memorandum of Agreement  
Regarding the Sacramento River Conservation Area

NOTE: Support for this MOA will be solicited and welcomed from each of the governments and agencies below. After signing the MOA, each county participant will appoint two representatives to the board of directors of the proposed nonprofit organization. The participation of four counties is required to ensure a large enough initial board. Italics indicate those state governments and agencies from whom signed support is critical for the success of the program.

Butte County  
Colusa County  
Glenn County  
Shasta County  
Sutter County  
Tehama County  
Yolo County  
*California Resources Agency*  
*California Department of Fish and Game*  
*Wildlife Conservation Board*  
*California Department of Water Resources*  
*California Department of Parks and Recreation*  
*California Water Commission*  
*The Reclamation Board*  
*California State Lands Commission*  
*California Department of Food and Agriculture*  
*United States Army Corps of Engineers*  
*United States Bureau of Reclamation*  
*United States Fish and Wildlife Service*  
*United States Natural Resource Conservation Service*  
*National Marine Fisheries Service*  
City of Redding  
City of Anderson  
City of Red Bluff  
City of Tehama  
City of Colusa  
California Environmental Protection Agency  
California Department of Forestry and Fire Protection  
California Department of Boating and Waterways  
California Department of Conservation  
Special Districts (e.g. reclamation, flood control, irrigation districts etc.)  
State Water Resources Control Board  
Central Valley Regional Water Quality Control Board  
United States Environmental Protection Agency  
United States Bureau of Land Management

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United States Forest Service

In addition to signed support from the above governments and agencies, endorsements will be sought from the following programs and organizations:

Audubon Society  
CALFED Bay Delta Program  
California Cattlemen's Association  
California Farm Bureau Federation  
Central Valley Habitat Joint Venture  
California Waterfowl Association  
CalTrout  
Central Valley Flood Control Association  
Ducks Unlimited  
Family Water Alliance  
Friends of the River  
The Nature Conservancy  
Northern California Water Association  
Pacific Coast Federation of Fishermen's Associations  
Planning and Conservation League  
Riparian Habitat Joint Venture  
Sacramento River Discovery Center  
Sacramento River Partners  
Sacramento River Preservation Trust  
Sacramento River Watershed Program  
Sacramento Valley Landowners Association  
Society for Ecological Restoration, California Chapter  
Trust for Public Lands  
United Anglers of California

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**SIGNATURES**

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Agency

\_\_\_\_\_  
Date

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Date

**MEMORANDUM OF AGREEMENT  
REGARDING THE SACRAMENTO RIVER CONSERVATION AREA**

**ATTACHMENT A  
Goal, Role and Structure of a Nonprofit Organization**

**I. Goal**

The SB 1086 Advisory Council recommends the creation of a local nonprofit organization (NPO) to implement a Sacramento River Conservation Area Program as described in the *Upper Sacramento River Fisheries and Riparian Habitat Management Plan (1989 Plan)* and the *Sacramento River Conservation Area Handbook (Handbook)*.

The goal of the NPO and the Sacramento River Conservation Area Program is to preserve remaining riparian habitat and reestablish a continuous riparian ecosystem along the Sacramento River between Chico and Redding, and reestablish riparian vegetation along the river from Verona to Chico. The goal will be met in a manner that follows these six guiding principles:

- Utilizes an ecosystem approach that contributes to recovery of threatened and endangered species and is sustainable by natural processes;
- Uses the most effective and least environmentally damaging bank protection techniques to maintain a limited meander, where appropriate;
- Operates within the parameters of local, state and federal flood control and bank protection programs;
- Encourages participation by private landowners and affected local entities that is voluntary, never mandatory;
- Gives full consideration to landowner, public and local government concerns;
- Provides for the accurate and accessible information and education that is key to sound resource management.

The following outlines the role and structure of the NPO.

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## II. Role

Numerous factors were identified as being critical in the creation of a management entity to implement the *1989 Plan* and *Handbook*. These responsibilities and factors, listed and described below, provide the basis for outlining the role of the NPO.

- Enhanced Communication
- Coordination and Consistency
- Voluntary Land Transactions
- Riparian Habitat Restoration
- Flood Management
- Land Management
- Limiting River Meander (including Bank Stabilization)
- Mitigation
- Public Information and Technical Assistance
- Public Safety and Law Enforcement on Public and Private Lands
- Monitoring and Research
- Funding Sources and Financial Authority

Enhanced Communication. The NPO will provide a forum to enhance communication among the numerous agencies and interests along the river. The NPO will serve as a liaison between landowners, conservationists and local, state and federal agencies. The NPO will assist with conflict resolution regarding property management issues, and will facilitate timely distribution of information regarding permitting and regulations.

Coordination and Consistency. The NPO will work with public and private entities (individual landowners and non-governmental organizations) to maximize coordination and consistency of policies and programs with the *1989 Plan* and *Handbook*, to the extent allowable by law and agency mandates.

Examples of policies and programs needing increased coordination and consistency include:

- integration of non-governmental, federal, state or landowner acquisitions made to implement the *1989 Plan* (e.g. federal refuges, State ecological reserves, conservation easements, State wildlife areas, mitigation bank sites);

- mitigation banking;
- agreements to establish consistent mitigation guidelines, to the extent allowable by law and agency mandates;
- consolidation of permit application forms;
- development of programmatic or master permits for a region or repeated activity;
- development of long-term permits, and/or authorizations;
- coordination with County general plans;

Some of the tools available to the NPO to maximize coordination and consistency include:

- direct input from state and federal agencies represented on the NPO governing board as nonvoting members and agency staff acting as technical advisors to the NPO;
- contracts and agreements (such as conservation easements or set-aside arrangements) on individual properties which contain enforcement provisions if the contract is violated by either party; and
- When appropriate, development of regional habitat conservation plans pursuant to applicable laws.

Voluntary Land Transactions. The NPO will have the authority to buy and sell land and conduct or engage in other land transactions or agreements with willing participants consistent with the goals of the *1989 Plan and Handbook*. These activities may include full fee acquisition, conservation easements, set-aside agreements, land trades, private donations, land management contracts, mitigation banks, and transfer of development credits. The NPO will work closely with local landowners to facilitate mutually agreeable land protection arrangements, and will be able to act quickly to protect lands and compensate landowners, as appropriate.

Signatory agencies and the NPO will cooperate to identify and obtain funding to support a voluntary land transaction program. Funding could be provided to the NPO to carry out the transactions or the agencies could contract with the NPO to carry out the program.

Riparian Habitat Restoration. The NPO will facilitate and carry out riparian habitat restoration as part of the site - specific planning process. Evaluation of restoration projects within the inner river zone must follow

the six guiding principles of the program. The site should then be assessed using the basic principles, management guidelines and restoration priorities described in the Handbook Chapter 1:

- 1) Protect physical process where still intact.
- 2) Allow riparian forests to reach maturity.
- 3) Restore physical and successional process.
- 4) Conduct reforestation activities.

By focusing on river process, the priorities are designed so that projects are carried out in a manner consistent with the guiding principle on ecosystem management. They are listed in order of their significance to ecosystem management of the Sacramento River and its floodplain.

Flood Management. While it will not have any legal flood control authorities, the NPO will be in a unique position to provide effective support for actions that:

- maintain proper functioning of flood protection works, and
- are consistent with the goals and principles outlined in the *1989 Plan and Handbook*.

The NPO will be able to assist landowners in obtaining site specific approvals, assisting project sponsors and regulatory agencies in identifying individuals or entities interested in establishing mitigation banks, assisting in the establishment of such banks, and identifying efficient practices that will minimize the cost and/or acreage of mitigation needed. As a non-regulatory, but interested party, the NPO will be able to monitor progress toward riparian habitat restoration goals, and present an assessment of that progress to local decision makers.

The roles of the NPO in regard to flood protection purposes are to:

- help ensure that flood protection projects accomplish their primary purposes of alleviating flood and erosion damage and protecting lives and property while considering the overall habitat restoration objectives of the *1989 Plan*;
- maintain communication among all interested parties when it is necessary to maintain and repair levees and flood distribution facilities;

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- reduce confusion and delay in obtaining project approvals;
- promote floodplain management and habitat conservation practices that maintain the economic and environmental values of the Sacramento River corridor;
- encourage landowner participation in non-structural flood control methods that are economical;
- facilitate a coordinated funding program for projects, and actively encourage creation of, or access to, new funding sources that will accelerate the implementation of the *1989 Plan*; and
- support and assist local maintenance authorities on projects consistent with the goals of the *1989 Plan* and *Handbook*.

Land Management. The NPO and signatory agencies will coordinate land management practices on public and participating private lands to provide for consistency of their practices with the *1989 Plan* and *Handbook*, to the extent allowable by law and agency mandate. The NPO and signatory agencies will cooperate in identifying and obtaining funding sources for land management activities. Examples of land management activities include: development of site specific land management plans within the inner zone; bank stabilization that is consistent with the *1989 Plan* and *Handbook*; revegetation of levees and other areas where natural revegetation will not occur; and control of trespass and vandalism.

The NPO will have the authority to manage lands under three different arrangements:

- 1) to manage whatever land it acquires;
- 2) to oversee land management by private landowners if those landowners are under management agreements with the NPO; and
- 3) to manage lands under contract for other entities such as Department of Fish and Game or The Nature Conservancy. The NPO will work with the various entities to help to coordinate the acquisition and management of current and future landholdings in the Conservation Area in order to achieve the objectives of the *1989 Plan* and *Handbook*.

If an agency is unable to begin or finish a project that is consistent with their land management plan, the NPO can offer to complete such a

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project with the agency's permission. Once the agency has approved an action by the NPO, the NPO will be allowed to complete that action. Such actions may include the enforcement of conservation easement provisions on mitigation sites.

Limiting River Meander (including bank stabilization). The NPO will assist in securing the appropriate agency to address limiting river meander within the boundary of the inner river zone as described in the *Handbook*. Responsibility for maintaining the boundary of the inner zone would be negotiated on a case-by-case basis as part of individual agreements/contracts.

In some cases, maintaining the inner zone boundary will require bank stabilization. Responsibility for bank stabilization will also be negotiated on a case by case basis as part of agreements/contracts. The NPO may take responsibility for bank stabilization as part of an individual land management agreement, and will be responsible for identifying funding for the work and for ensuring the work is completed as agreed. The Army Corps of Engineers, the Reclamation Board or the Department of Water Resources will act as lead agency for bank stabilization only when it is within the agency's legal authority (such as the Sacramento River Bank Protection Project) and the goals of the *1989 Plan and Handbook*.

Funding for bank stabilization could come from a variety of sources such as a funding pool for maintaining the river within the inner zone, river restoration/habitat fund or flood control funds (see *Handbook* Chapter 9). Under a funding pool, funding for future needs could be created by the establishment of a retainer (a percentage of each project cost) to be placed into a pool for bank stabilization or other activities. This pooled account would provide the property owner with an assurance that river meander beyond an established point would be promptly addressed. The NPO would establish and administer this account and determine its use with the assistance of a technical team.

When bank stabilization is conducted on public and private lands within the Conservation Area, the NPO will actively promote the most effective and least environmentally damaging techniques as per the site specific agreements and/or contracts, and all applicable laws and regulations. The NPO will encourage and promote further research and evaluation of alternative bank stabilization techniques, and promote revegetation of levees and rocked areas, where appropriate.

The NPO will also work with the regulatory agencies to adopt, when appropriate, a comprehensive habitat plan for threatened and endangered species which could reduce the impact of Conservation Area projects that are consistent with the *1989 Plan and Handbook*.

Mitigation. It is anticipated that implementation of the *1989 Plan and Handbook* will provide a net increase in benefits to the environment and to species that currently exist, or may become established in the Conservation Area. Localized or short term impacts may occur, but it is a goal of the NPO that the net environmental benefits will outweigh these adverse habitat impacts and that mitigation of these impacts would be minimized or not required. The NPO will work with regulatory agencies to avoid, minimize or compensate for habitat impacts associated with proposed projects should impacts occur. If mitigation is required, it will be the responsibility of the NPO to work with the regulatory agencies to satisfy the requirements and include the costs as part of the total project cost.

When the NPO is the project proponent, the NPO will be responsible for mitigation, if required, as part of the project unless specific arrangements are made for the landowner to provide mitigation. The NPO will coordinate obtaining permits and/or authorizations as part of the landowner agreement/contracts. If certain project elements, such as bank stabilization, are planned for implementation in the future, the NPO will obtain permits and/or authorizations up front, to the extent possible, to ensure that bank stabilization or other activities can occur as intended, and the landowner and NPO can have certainty that the project can be implemented as was agreed.

Public Information and Technical Assistance. The NPO will provide public information and technical assistance to private and public landowners within the Conservation Area and to the general public on issues such as erosion and deposition, flood control projects, habitat protection and restoration, public access, and recreation. The NPO will serve as a local information clearinghouse but will refer technical questions such as emergency flood information and legal or regulatory requirements to the appropriate agency. The NPO will also provide information to the public and local communities regarding the benefits of the Conservation Area and of balancing habitat restoration/protection with agricultural land use/protection. Increasing local and regional appreciation of the river system will support the goals of the program and may lead to financial support.

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Public Safety and Law Enforcement on Public and Private Lands.

The NPO will work with the local, state and federal agencies which have public safety and law enforcement authority to coordinate and maximize enforcement activities within the Conservation Area on both private and public lands. The NPO will work with the enforcement agencies to identify and implement methods to maximize existing enforcement resources. The enforcement activities needing additional attention include vandalism and trespassing on public and private lands.

Monitoring and Research. The NPO will monitor and prepare annual reports on the implementation of the riparian management objectives of the *Handbook* and the success of the protection and restoration efforts within the Conservation Area. Monitoring will help guide future restoration/protection actions within the Conservation Area and help support future funding requests for the program.

The NPO will assist the agencies in furthering research priorities as outlined in the *Handbook* (see pages 9-10 and 9-11).

Funding Sources and Financial Authority. To implement the 1989 *Plan and Handbook*, the NPO will need funding for all the responsibilities listed above, as well as funding for annual administrative support. Local, state, and federal agencies will assist the NPO in identifying existing or new agency authorities and funding sources which can support implementation of the 1989 *Plan and Handbook*. The NPO will seek funding from federal, state, local sources, and private donations; revenue from leased lands; and land transactions, to support annual administrative costs. The NPO will support agency funding in order to ensure effective technical support from the respective agency representatives. The Advisory Council is opposed to the NPO having local property tax authority; however, local funding could be sought through other means.

In order to attract the participation of private landowners, the NPO, in coordination with involved signatory parties, must take a leadership role in seeking and supporting the availability of incentives which include some aspect of river engineering such as bank protection placed to ensure that the meander is limited. Because project components associated with engineering and construction are often more expensive than acquisition or active revegetation, it is anticipated that a significant portion of Riparian Conservation funding will be devoted to such project elements.

It is a goal of the NPO to ensure that adequate funding is obtained for necessary bank protection and other engineered construction. The NPO will work closely with signatory parties to distribute funds appropriately among all aspects of river management. Specifically, all parties will work toward a balanced effort to fund bank protection in order to establish a limited meander while maintaining an ecosystem. The NPO will encourage funding for all activities so the balance can be maintained over time. Furthermore, when site-specific project plans include multiple components such as acquisition, active planting, bank stabilization or flood protection, the NPO will review the project plans to ensure that all aspects are accurately represented in the project budget.

For a guideline on funding elements for various aspects of a restoration project, refer to the *1989 Plan* and the *Riparian Habitat Committee Report on 1999 Costs of Easements, Acquisitions, Restoration and Bank Protection along the Sacramento River* (Appendix J in *Handbook*).

The annual report of the NPO will include, at a minimum, a summary of activities and expenditures the NPO has supported in the following categories:

1. Landowner incentives, including set asides, easements, levee, bank stabilization, flood control projects construction and maintenance
2. Fee title land acquisition
3. Habitat restoration
4. Administration
5. Trespass
6. Education
7. Reimbursement of taxes to local government

### III. Structure

The *1989 Plan* recommended creation of a governing board... "(with a) balanced representation of participating landowners and public interest groups". The Advisory Council supports management entity options that are best able to reflect this board representation. An NPO would provide broad flexibility to create a non-governmental board with both landowner and public interest representation. The Advisory Council recommends the establishment of an NPO with a board of directors that will have up to 15 voting members, and six ex-officio (nonvoting) members.