

U. S Fish and Wildlife Service Sacramento Valley Conservation Easement Guidelines

The U. S. Fish and Wildlife Service (FWS) appreciate your continuing cooperation in helping to ensure that the important goals of the waterfowl habitat easement program are achieved. In order to facilitate this process, the following guidelines have been developed by the FWS to assist landowners and FWS employees in working together towards meeting their respective obligations. The guidelines cover two categories of landowner activities:

- A) Activities which are consistent with the purpose of the easement and therefore do not require consultation with the FWS, and
- B) Activities which, by their very nature or if carried out improperly, could adversely affect the wetland character and migratory bird use of the easement lands.

Those activities under B require the prior permission of the FWS. In some instances, a written permit application may be required.

A. Consistent Activities

The property owner retains numerous rights over the lands held under easement. These rights encompass all uses of the easement lands that are consistent with the maintenance of the lands as waterfowl habitat. Such uses include:

1. hunting and operation of a hunting club;
2. building, relocating or renovating hunting blinds;
3. maintenance of existing facilities and structures (including water control structures);
4. irrigating vegetation;
5. planting trees and vegetation found on the current approved plant list;
6. removing trees and vegetation that encroach into open marsh and interfere with the use of the easement lands as waterfowl habitat (includes mowing and discing of vegetation);
7. livestock grazing;

The activities listed above are often the major factors influencing waterfowl use of wetland properties. So long as they are conducted in a manner consistent with the maintenance of easement lands as waterfowl habitat, no consultation with the FWS is required. If a landowner would like technical assistance with these management activities it can be provided by the FWS free of charge.

B. Activities Requiring Prior Consent

The following management activities, by their very nature, or if carried out improperly, could adversely affect the wetland character and ultimately the migratory bird use of your property. They include:

2. dike or levee construction;
3. dike or levee relocation or removal;
4. road construction;
5. ditch construction or relocation;
6. island construction;
7. any project (other than those listed under heading A) that will involve the mechanical movement of earth;
8. permanent removal of an existing water control structure;
9. installation of a new water control structure where none existed previously;
10. any action involving the transfer of water rights from the easement lands or that adversely affects water availability or continued water deliveries to the easement lands;
11. planting trees and vegetation not included on the current approved plant list; and
12. any third party action involving items 1 through 10 above.

To ensure that Category B activities are conducted in a manner that is either neutral or beneficial to waterfowl habitat and are consistent with the terms of the easement, landowners must consult with and obtain the permission from the FWS **before** these types of projects are initiated. To assist the landowner with the planning and implementation of such projects, the FWS will work closely with the landowner or their representative to ensure that the work will meet both the landowner's needs and the legal requirements of the grant of easement. The purpose of the above guidelines is to assure that, through the cooperation of the easement landowner and FWS personnel, current levels of waterfowl habitat quality and quantity are maintained or enhanced while beneficial use of the waterfowl resource by the landowner continues.

All requests for consultation or technical assistance should be directed to:

Easement Program Manager
U.S. Fish and Wildlife Service
Sacramento NWRC
752 County Road 99W
Willows, CA 95988
(530) 934-2801