

RECREATIONAL AND CONSERVATION EASEMENT PROGRAM

A Program to preserve Humboldt County working lands and public lands access in support of General Plan conservation and open space goals

I. PROGRAM SETTING

State law requires every county to have open space and conservation elements included as part of their General Plan, along with a requirement for action plans to implement these elements. The Recreational and Conservation Easement Program (the “Program”) provides a method of implementing goals pertaining to conservation and open space in the county, via the protection of working lands and the provision of access to public lands. Two main Program categories will provide support for 1) Conservation Easements, including new Williamson Act contract fees; and 2) Access Easements.

The Humboldt County Board of Supervisors has recognized the importance of protecting working lands and recreational access, and on July 13, 2004 directed funding from HR 2389 Title III monies to support a county level Recreation and Conservation Easement Support Program. Guidelines established for the use of these monies included “funding assistance for costs associated with acquiring easements including: appraisal costs, legal fees, recording fees, preparation and planning costs, and easement purchases (suggested 20% maximum contribution) for non-County initiated projects.” It was anticipated that in addition to easement support, California Land Conservation (Williamson Act) contract fee assistance could be provided.

Easements serve to preserve and protect working landscapes as well as provide public access. Conservation easements are restrictions on a piece of property that remove development rights from the “bundle of rights” that constitute property ownership. Access easements separate the right to travel across a parcel from the ownership rights bundle, providing access to adjacent lands. When an easement is established it is recorded and runs with the deed on a piece of property. Local land trusts, governments, or nonprofit groups hold the easements and are responsible for monitoring and stewardship. Williamson Act contracts protect county working lands via voluntarily restrictions by private landowners that keep lands in agricultural and compatible open space land uses.

The HR 2389 Title III funding allocations provided \$230,000 for the Program; \$50,000 was allocated to fund an extra help staff person to manage the program, leaving \$180,000 in funds for easements and easement support. The program will be implemented over a period of three years, providing a strong basis for continuing working lands conservation and preservation program in the county. This document outlines Program goals, funding criteria, and implementation strategies.

II. PROGRAM GOALS

As pressures on working landscapes in the County increase, General Plan implementation programs that provide methods of preservation without undue regulation are desirable. This

Program involves local government in support of conservation efforts that are undertaken voluntarily by landowners and implemented and managed by local land trusts. The **Access Easement Program** for non-motorized access to public lands will support hunting, fishing and recreational uses of public lands. The **Conservation Easement Program** will support costs associated with conservation and open space easements, and may assist with fees for new lands enrolled as part of the county's Williamson Act program.

Program Goals

- 1) Position the County as an active participant in all conservation and preservation activities in the County
- 2) Provide support of General Plan policies encouraging the conservation of working lands and access to public lands and the implementation of conservation policies
- 3) Create cooperative working relationships with local land trust and conservancy organizations
- 4) Provide incentives for voluntary participation by producers and landowners in working lands conservation, while respecting land owner property rights
- 5) Provide non-motorized access to public lands for hunting, fishing and recreational uses

III. PROGRAM FUNDING CRITERIA

Funding for projects will be approved during advertised funding rounds from the \$180,000 allocated, depending on a specific project's ability to support the Program Goals and substantially meet the Funding Criteria defined for its category. *All* proposals will be required to meet criteria for consistency with the General Plan, Title III funding guidelines (Appendix 1), and any applicable State or County laws or guidelines (P1 – P3). Proposals will not be required to meet all of the other listed criteria for funding; however, projects meeting a majority will receive stronger consideration.

Program Funding Criteria for <i>Both</i> Conservation and Access Easement Categories	
P1	Consistent with the General Plan
P2	Consistent with Title III funding guidelines
P3	Consistent with applicable State or County laws or requirements
P4	Demonstrates capability of grantee and/or landowner to maintain easement and perform easement monitoring requirements
P5	Leverages matching funds
P6	Involves willing seller/participants
P7	Demonstrates financial need
P8	Provides protection of resources (including, but not limited to, open space, wildlife, threatened species, riparian resources, water quality, and cultural resources)

P9	Demonstrates public benefit
P10	Expected success in obtaining easement
P11	Immediacy of need
P12	Implementation has no significant adverse effects on county tax base
Specific Conservation Easement Program Criteria	
C1	Insures that working lands remain in resource production status
C2	Likelihood of funds reinvestment by grantee and/or landowner for continued productivity and stewardship of the land
C3	Supported by local agricultural and timber interests
Specific Access Easement Program Criterion	
A1	Provides non-motorized access to public lands for hunting, fishing and other recreational purposes

IV. PROGRAM IMPLEMENTATION

Program strategies will focus on incentive-based, voluntary and cooperative approaches to implementing access and conservation easements in the county. The County GIS system is available for use to identify, inventory, and prioritize working lands that may be eligible and appropriate for the Program. With the input of Program partners, potential benefits of placing conservation easements on particular parcels can be examined in light of specific threats or development pressures. Partners will include local land trusts, Farm Bureau, agricultural and timber interest groups, and agencies that fund easements or manage public lands. Access easement support will be explored with groups concerned with non-motorized access to public lands for hunting, fishing and other recreational purposes, as well as with public lands agencies affected.

Applications for HR2389 Title III funding through the Program will be coordinated by Community Development Services staff using a project application form and application deadline similar to the system currently in use for allocating Fire Prevention and County Planning Title III monies. Applications will be evaluated using established Program Criteria, and approved by the Board of Supervisors for funding.