

# LAND STEWARDSHIP PROPOSAL FOR THE KENNEDY MEADOWS PLANNING UNIT

Submitted by:

The Tuolumne County Resource Conservation District  
and  
The County of Tuolumne



Submitted to:  
*The Pacific Forest and Watershed Lands Stewardship  
Council*

December 2008

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## ***I. Contact Information***

If we have any questions during the review process, the Stewardship Council may need to contact you to get additional information in a timely manner. Please provide the contact information for three people in your organization: 1) the primary proposal contact, 2) the secondary proposal contact, and 3) the executive director of the lead organization for the proposal. If any of your contact information should change during the course of the review process, please contact us so that we may keep your information updated. For proposals that involve collaboration among multiple organizations, please include the below contact information only for the proposed conservation easement holder(s) and the proposed fee title recipient(s).

### ***Primary Proposal Contacts***

<b><u>TCRCD</u></b> First Name: Kirk Last Name: Ford Title: Chair, Board of Directors Address: PO Box 4394 City: Sonora State: CA Zip Code: 95370 Primary Telephone: (209)533-8866 Secondary Telephone: (209)532-8028 E-mail Address: kirk@tcrccd.org	<b><u>COUNTY of Tuolumne</u></b> First Name: Craig Last Name: Pedro Title: County Administrator Address: 2 S Green Street City: Sonora State: CA Zip Code: 95370 Primary Telephone: (209) 533-5511 Secondary Telephone: E-mail Address: cpedro@co.tuolumne.ca.us
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### ***Secondary Proposal Contacts***

<b><u>TCRCD</u></b> First Name: Ty Last Name: Wivell Title: Vice-Chair, Board of Directors Address: PO Box 4394 City: Sonora State: CA Zip Code: 95370 Primary Telephone: (209)533-8866 Secondary Telephone: E-mail Address: ty@tcrccd.org	<b><u>COUNTY of Tuolumne</u></b> First Name: Daniel Last Name: Richardson Title: Deputy County Administrator Address: 2 S Green Street City: Sonora State: CA Zip Code: 95370 Primary Telephone: (209) 533-5511 Secondary Telephone: (209) 770-5526 E-mail Address: drichardson@co.tuolumne.ca.us
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## *Joint Powers Proposal Additional Contacts*

<p><b><u>Mother Lode Land Trust</u></b> First: Dan Last: Port Title: Board President Address: 2690 Highway 104 City: Ione State: CA Zip: 95640 Primary Phone: (209)-304-9418 Secondary Phone: (209)-274-4351 Email: ports@winterportfarm.com</p>	
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## *Executive Director for Lead Proposal Organization*

<p><b><u>TCRCD</u></b> First Name: Kelli Last Name: Fraguero Title: Board Treasurer, Interim Executive Address: PO Box 4394 City: Sonora State: CA Zip Code: 95370 Primary Telephone: (209)533-8866 Secondary Telephone: E-mail Address: kelli@tcrd.org</p>	<p><b><u>COUNTY of Tuolumne</u></b> First Name: Craig Last Name: Pedro Title: County Administrator Address: 2 S Green Street City: Sonora State: CA Zip Code: 95370 Primary Telephone: (209) 533-5511 Secondary Telephone: E-mail Address: cpedro@co.tuolumne.ca.us</p>
<p><b><u>Mother Lode Land Trust</u></b> First: Ellie Last: Routt Title: Executive Director Address: PO Box 1435 City: Jackson State: CA Zip: 95642 Primary Phone: (209)-419-2861 Secondary Phone: (209)-296-5251 Email: <a href="mailto:ellieroutt@sbcglobal.net">ellieroutt@sbcglobal.net</a></p>	

## ***II. Executive Summary***

*Provide a two-page Executive Summary that concisely describes your organization’s qualifications and proposed plans for the planning unit. For collaborative proposals, identify the role of each team member. Please be advised that the Stewardship Council expects to post this executive summary (or parts thereof) to its website (two pages or less).*

Kennedy Meadows is a special place that is captured in the hearts of many, both young and old. It is a place where memories are made, where families and friends and individuals alike spend time to rejuvenate the soul amidst the beauty of the mountains, the towering trees of the forest, the rushing waters of the river.

It is the desire of the Tuolumne County Resource Conservation District and the County to engage in the oversight of the Kennedy Meadows parcel so that the Beneficial Public Values (BPV’s) are preserved and enhanced in perpetuity. It is obvious that this parcel is special; likewise, so are the strengths each party brings to the table. The Kennedy Meadows parcel is not solely about the 240 acres, but also how it serves to accentuate and integrate with the existing access and uses in the surrounding National Forest and with Tuolumne County as a whole.

Thirty percent of visitors to the Emigrant Wilderness enter through the trailhead located here. While some visitors choose the commercially provided activities such as lodging/dining/horseback riding as their destination, others will enjoy the area on their own terms. Many hikers and equestrian users use their own provisions and take pride in their self-sufficiency. It is probably safe to say that most who visit will engage in both—a bit of self reliance enhanced by the services offered by the Resort and Pack Station. Day users, too, enjoy the area in a similar fashion. It is precisely this combination that necessitates the involvement of the RCD and the County to ensure this unique combination exists into the future.

This proposal includes three options for the Stewardship Council to consider, each of which includes the Tuolumne County Resource Conservation District and the County of Tuolumne as the primary partners for fee title and as easement holders.

	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>
Fee Title	TCRCD	County	JPA (TCRCD + County)
Conservation Easement	County (w/California Rangeland Trust & Tribe as Consultants)	TCRCD (w/California Rangeland Trust & Tribe as Consultants)	MLLT
Mandatory Access Easements	USFS	USFS	USFS
Retained Rights	PG&E	PG&E	PG&E

It is acknowledged that the US Forest Service will retain an easement in compliance with the FERC licensing requirements and PG&E will also retain specific rights within the Planning Unit. The Mother Lode Land Trust would serve as the conservation easement holder only under option 3. Based on the desires of the Tribal Council, the Tuolumne Band of Me-Wuk Indians would act only as consultants in regards to cultural resources and not as formal partners. Under Options 1 and 2, the California Rangeland Trust (CRT) would act as consultants due to their broad based experience with easements.

Compliance with the Stewardship Council's established objectives will be accomplished using a collaborative process consisting of interested stakeholders. This group will provide direction to site plans.

The overall approach takes to heart the public input received by the Stewardship Council during the initial phases of development of the Land Management Plans and the donee selection process. This proposal maintains local control of the property, ensures that the public has a voice in future management decisions, incorporates preservation and enhancement of the various beneficial public values, and primarily, strives to maintain the historic uses and feelings of the Kennedy Meadows property.



### ***III. Organization Information***

The Land Stewardship Proposal must provide the basic organization information for the eligible donee, as described below. For proposals that involve collaboration among multiple organizations, please include the below organizational information only for the proposed conservation easement holder(s) and the proposed fee title recipient(s).

Indicate which category applies to your organization(s): A nonprofit corporation that is a public charity exempt from federal taxation under Section 501(c)(3), qualified to do business, and in good standing in the State of California; A public entity; A recognized tribe. Attach documentation of your organization(s)' status, such as Internal Revenue Service and/or Franchise Tax Board Determination Letters.

#### ***Proposing Organization(s)***

<p><b><u>TCRCD</u></b> A public entity Organization Legal Name: Tuolumne County Resource Conservation District Common Name of DBA, if applicable: TCRCD Address: PO Box 4394 City: Sonora State: CA Zip Code: 95370 Primary Telephone: (209)533-8866 Secondary Telephone: ((209)532-8028 Fax: (xxx) xxx-xxxx Web site Address: <a href="http://www.tcrd.org">www.tcrd.org</a> Year Founded: 2005 Organization Tax ID: 11-3799688</p>	<p><b><u>COUNTY of Tuolumne</u></b> A public entity Organization Legal Name: County of Tuolumne Common Name of DBA, if applicable: Tuolumne County Address: 2 South Green Street City: Sonora State: CA Zip Code: 95370 Primary Telephone: (209) 533-5511 Secondary Telephone: (209) 533-5521 Fax: (209) 533-5510 Website Address: <a href="http://www.tuolumnecounty.ca.gov">www.tuolumnecounty.ca.gov</a> Year Founded: 1850 Organization Tax ID: 94-6000547</p>
<p><b><u>Mother Lode Land Trust</u></b> Non-profit corporation Legal Name: Mother Lode Land Trust Address: PO Box 1435 City: Jackson State: CA Zip: 95642 Primary Phone: (209)-419-2861 Secondary Phone: (209)-296-5251 Website: <a href="http://www.motherlodelandtrust.org">www.motherlodelandtrust.org</a> Year Founded: 1990 Organization Tax ID: 94-3137444</p>	

## ***IV. Organization/Team Qualifications***

For proposals that involve collaboration among multiple organizations, please include the below organizational information only for the proposed conservation easement holder(s) and the proposed fee title recipient(s).

### ***Organization/Team Mission or Programmatic Focus***

1. ***Describe how your organization's mission and/or programs and activities include preservation and enhancement of beneficial public values consistent with Volume II of the adopted LCP. (two pages or less)***

#### **Tuolumne County Resource Conservation District.**

TCRCD was formed by the voters of the County in 2005 for the sole purpose of conserving and managing natural resources in this County. RCD's are government agencies regulated as a subdivision of the State of California. RCD's are, by their very nature, collaborative bodies rather than regulatory agencies and serve the conservation needs of their communities through leadership, education, outreach, technical assistance, financial assistance, and implementation of a variety of conservation measures.

Our current strategic plan specifically identifies Kennedy Meadows Stewardship as a priority activity for the District, including collaborating with other entities and organizations to maintain and enhance the Council's beneficial public values. Additionally, our Strategic Plan includes programs related to water quality, quantity and distribution, fuel load management, forest management, noxious weed control, range and grazing management, soil quality, education and operations.

TCRCD's mission is to identify and meet the natural resource conservation needs of all the people of Tuolumne County and its future generations by providing leadership through educational, technical and financial support for valuable, voluntary services and programs that promote conservation and sustainable agriculture, while maintaining our county's rural heritage. Our District's function is to take available technical, financial and educational resources, whatever their source, and focus or coordinate them so that they meet the needs of the local land managers with conservation of soil, water and related natural resources. Many RCD's throughout the state and nation currently hold and manage a variety of conservation easements set up for a variety of different reasons, and TCRCD has the capacity and capability to draw on our own members experiences as well as those shared by other RCD's through our State-wide Association - CARCD.

Our District's current short and long term strategic plan also includes focusing programs and projects that enhance and protect water quality, quantity and distribution, wildland fire fuel reduction, range and pasture management, noxious weeds, soil erosion, forest management, land stewardship, and education.

The Council's specific management objectives for Kennedy Meadows require that the land and land uses be preserved and enhanced by focusing on unique habitat values,

opportunities to preserve and enhance the popular recreation experience, and protection of the historic and cultural values of the region. The objective is to preserve the unique ecosystem while also providing appropriate recreational opportunities. TCRCD has the ability to meet these objectives with existing Board members, staff, contractors, and through expanding our existing collaborations with other local entities including the Tuolumne Band of Me-Wuk Indians, Tuolumne County, the Tuolumne County Office of Education, Natural Resource Conservation Service, and others.

We envision expanding our existing Upper Tuolumne River Watershed Coordinator position to also encompass the Upper Stanislaus Watershed, and anticipate showcasing many Best Management Practices developed by our Coordinator at Kennedy Meadows. Our Stream Team could easily expand to include water quality data collection at Kennedy Meadows and in partnership with Yosemite College District, it may be possible to utilize their Baker Station facility in conjunction with an outdoor education program. We are currently working with the Tuolumne River Trust to expand their youth program into the high country surrounding Kennedy Meadows. We have access to Foresters, Wildlife Biologists, Erosion Control Specialists, Cultural Resource Specialists, Archaeologists, Planners, Restoration Ecologists, Recreation Specialists, and Educators.

Again, TCRCD was formed specifically to collaborate to conserve, protect and enhance the natural resources of Tuolumne County. Our mission, strategic plan, and current activities are specifically consistent with both the overall requirements of enhancing the Council's beneficial public values as well as the specific management objectives for Kennedy Meadows.

### **County of Tuolumne**

The County's mission is to assure the health and safety of its citizens through the effective delivery of public services. Over 30 County Departments are assigned to oversee different areas of expertise. Departments with knowledge required to successfully oversee Kennedy Meadows are the Agricultural Commissioner, Farm Advisor, Recreation, Community Development, Environmental Health, Board of Supervisors, County Administration, and an array of internal service departments. In addition, the Chief Administrator's Office traditionally includes a natural resources analyst and although that position is currently vacant, members of the Board of Supervisors have expressed their strong intent to retain this critical position. The Film Commission is another service overseen by the County which occasionally markets the history and natural beauty of Kennedy Meadows for commercials and filmmaking.

The mission statement for the Tuolumne County Agricultural Commissioner is to protect, enhance and promote the preservation of agriculture and the environment while sustaining the public health, safety and welfare of all citizens, and to provide consumer and marketplace protections through the fair and equitable enforcement of laws and regulations. The Agricultural Commissioner's Office oversees the Williamson Act which protects open space.

One of the guiding documents for the County is the General Plan. In addition to the required elements for a County General Plan such as zoning, the County wrote seven optional elements as follows: Agricultural Resources element, a Cultural Resources element, a Community Identity element, a Recreational element which places great emphasis on developing trails, an Economic Development element which acknowledges the importance of the natural environment, a Public Services element which includes a discussion of water and sewer, and an Air Quality element.

The County adopted a Wildlife Handbook to guide stewardship and mitigation of developments' impacts almost 20 years ago that was one of the first of its kind and has served as a model to other counties across the state. The Wildlife Handbook is currently being updated (as the Biological Resource Handbook) to include broader biological resources including Oak Trees and riparian habitats.

In 2005 the citizens of Tuolumne County voted to establish the Tuolumne County Resource Conservation District (RCD). Since that time, the County Board of Supervisors, appointed its first directors, and provided seed monies and staff to assist the organization in its start up. Since then and very quickly, this talented group's efforts have led to the receipt of grant funding to hire a watershed coordinator (the RCD assists the County in the implementation of our Water Quality Plan) and other funds to conduct fire fuels management projects. The RCD is an important component of preserving and promoting proper use of the County's resources such as those in Kennedy Meadows.

County Departments, the County General Plan, ordinances, and reports demonstrate a balanced, inclusive approach, representing a diversity of interests for the proper use and protection of the natural environment. Tuolumne County has been awarded two designations based on efforts to preserve its history. The first is that of a "Certified Local Government," given for meeting a high standard for historical preservation. Also, the County was recently given the title of a "Preserve America Community," the only County in California with this designation. A Preserve America Community is given to communities who preserve and enjoy the country's priceless cultural and natural heritage.

### **Mother Lode Land Trust**

The Mission of the Mother Lode Land Trust (MLLT) is to help protect agricultural and rangelands, historic and scenic sites and natural habitats. Through this mission we envision maintaining the rural quality of life in the Mother Lode through the preservation of working landscapes. Holding a conservation easement on the Kennedy Meadows planning unit fits perfectly with our mission and vision. The history associated with Kennedy Meadows from the early settlers to the development of Pack Station warrants protection as do the natural communities.

Being a 501 (c)-3 public benefit corporation, we hold conservation easements that have significant beneficial public values. Sometimes these values are aesthetic such as the protection of wildlife habitat and preservation of openspace for scenic value. However, most of the time the benefits are more specific. For example protecting working

landscapes suitable for agricultural production. Ensuring that lands stay in production through sustainable land management practices guarantees the continuation of our agricultural economy. The Mother Lode Land Trust emphasizes sustainability and the MLLT works closely with landowners to help them acquire the necessary resources to maintain a successful operation. When appropriate, the MLLT welcomes the public to enjoy the protected lands through passive recreational activities.

The Mother Lode Land Trust participates in several different types of management programs. It holds conservation easements with private landowners, partners with cities and developers on ensuring sufficient mitigation and monitoring projects, assist other organizations with land conservation measures, and conduct outreach to the general public emphasizing the protection of working landscapes and open spaces.

To specifically address the six Beneficial Public Values: (1. Openspace) All of the MLLT easements emphasize the protection of openspace whether it be for agricultural uses or wildlife. (2. Fish, wildlife and plants) Several easements underway specifically outline protective measures for threatened and endangered species such as the California Tiger Salamander, Red Legged Frog, the Long Horned Elderberry Beetle and the protection of their habitat. The MLLT has assisted in the Habitat Mitigation and Monitoring Reports required by the US Fish and Wildlife Service and other regulatory agencies and are beginning to manage preserves on lands held in easement for the benefit of T&E species. (3. Sustainable Forestry) The Mother Lode Land Trust recognizes the importance of using sustainable timber management as a way to protect and enhance the landscape. The MLLT encourages landowners to accept a clause in easement language that requires a large percentage of a timber sale to go back into the management of the land. Sustainable forestry is important not only financially but is a critical tool in ensuring protection from fire, disease and invasive species. (4. Agricultural Uses) Many of the MLLT easements are on working landscapes. Like forestry, grazing is recognized as an important land management tool if done properly. (5. Historical Values) While the MLLT does not specifically hold an easement for its historical value, it is recognized that agriculture, logging and mining are important historical land practices in the Kennedy Meadows region. Several of the MLLT easements have old gold mines on them which in turn are protected as important features depicting the settlement of the Sierra Nevada. (6. Outdoor Recreation) All of the easements currently held are under private ownership and are not open to the public. However the MLLT offers scheduled wildflower and fall color hikes on several lands in Alpine County and semi-annual banquets are held at some of the easement locations. Negotiations are underway in the City of Sutter Creek and a developer who intend to place perimeter trails around adjacent easements. The MLLT is working closely with them and will be incorporating both educational and directional interpretive materials at the site.

## *Regional Presence*

*2. Describe **your organization's knowledge and work within the region** where the watershed lands are located. Please include information about your ability to be inclusive of the cultural, economic, and political diversity of the region. (two pages or less)*

### **Tuolumne County Resource Conservation District.**

In 2005, 58+% of the Tuolumne County Voters approved the formation of the Tuolumne County Resource Conservation District (TCRCD). The Tuolumne County Board of Supervisors and the Sonora City Council appointed local citizens to fill the Board of Directors for the TCRCD, and we continue to work closely with both government entities.

The TCRCD Directors are all local land owners, stewards of the land, and striving to insure that the land in Tuolumne County is viable for many generations in the future. To this end we have solicited input from many organizations and the citizens of Tuolumne County to find out what they believe our priorities should include. Many of the TCRCD Directors have a great deal of personal interest in the region because we have spent many hours working, exploring, and enjoying the land. We have particular interest in Kennedy Meadows as it is a gateway into the Emigrant Wilderness. The history of the TCRCD Directors includes 5 generations of visiting and/or working in the region and around Kennedy Meadows. Some of our family members have been packers, guides, farriers, and cooks for Kennedy Meadows and other resorts. Tuolumne County and Kennedy Meadows is a destination that people look forward to visiting and/or discovering every year. This location not only offers conveniences that people expect, but also allows the public to learn about the high country, the wilderness, and to take that all important first step into our back yard, the Sierra Nevada Mountains.

Two of the organizations that we have contacted and want to collaborate with on the Kennedy Meadows project are the Tuolumne County Schools Office and the Tuolumne Band of Me-Wuk Indians. We are interested in maintaining the Kennedy Meadows that we know and love, but at the same time we need to respect the land, history, and natural resources the area has to offer. It is our intent to work with organizations that will help us to educate not only our community but all those who wish to come and enjoy Kennedy Meadows.

RCD's are by their nature very collaborative and rely on their organizational ability to attract diverse partners and participants with RCD conservation and education projects. The TCRCD has demonstrated our ability to work with diverse populations/organizations through our Stream Team, Rim Truck Fuel Break, and Upper Tuolumne River Watershed projects and our cooperative outreach and education programs.

### **County of Tuolumne**

The County of Tuolumne consists of 2,274 square miles, of which 2,235 square miles is land and 39 square miles is water. The elevation ranges from 300 feet to more than 12,000 feet. Federal, State, and local government own most of the land (77%) in

Tuolumne County. The County embraces its majestic natural and cultural resources and works to protect them. The County is adept at working with other governmental agencies including neighboring counties, the citizens, and private/not for profit organizations to address natural resource issues

A vibrant economy is paramount to the County's well being. During 2008, the Board of Supervisors and the City of Sonora cooperated to create an Economic Develop Agency which will act as a Joint Powers Authority to oversee economic development within the County. This renewed economic development spirit is especially important during the current recession and will help to return the County to more prosperous times. More revenues to the County from Kennedy Meadows in the form of sales tax and transient occupancy tax will allow the County to provide improved health and public safety services to its citizens and visitors.

State law requires that County's provide health and public safety services. This has grown over the years to include a myriad of related services such as but not limited to the following: Recreation, Library, Farm Advisor, Community Development, Agricultural/Air Pollution/Weights & Measure, Public Works, Transit, Survey, Elections, Social Services, Health, Behavioral Health, Probation, Sheriff/Coroner, Boat Patrol, Jail, and typical County administration services.

Having operated for 158 years, the County understands its place in protecting its culture and natural resources which in turn promote the economy. With the County sandwiched between the Stanislaus River on the north and the Tuolumne River on the south, working with regional partners such as neighboring counties, the National Park Service, and the National Forest is a regular part of how the County works. The Stewardship Council should feel comfortable that the County will be a wise steward of Kennedy Meadows either as a donee or easement holder.

### **Mother Lode Land Trust**

The Mother Lode Land Trust has been holding conservation easements in the region since 1990. Several of these easements are at high elevations, similar to Kennedy Meadows. These easements are mostly for the protection of wildlife habitat and scenic value and thus don't have many immediate management concerns. However, through these easements and the scientific knowledge of the Executive Director and board, it is understood what goes into managing alpine meadows and how important it is to help preserve these rare areas. There is a great respect for the families and organizations that are able to make a living in these alpine lands. It is a hard area to survive in financially and ensuring that the land is protected, in turn ensures the sustainability of the resident families.

On a more personal level, the Mother Lode Land Trust consists of a board of directors, most of whom have been in the area for their whole life. Some families even go back generations. Many of these families came here in the late 1800's in search of gold, and share stories similar to those of the first settlers to the Kennedy Meadows area. They

fought to cut out a living for themselves over 150 years ago and their descendants still prefer to work off the land today. For these reasons, the cultural history of the area is strong in our hearts as is the understanding that it is hard to make a living in this alpine environment. The economy in this region is reliant on recreation and some timber management and grazing. Thus it is critical to take care of the land so that she can provide for us for many years to come. Although the board shares a history, many members have different ideologies. This as an important part of the make up of the organization because it provides different political perspectives, from environmental activist to scientist to farmer. These differences are discussed and more often than not come to a consensus because the bottom line is all have a common vision. As a land trust, the constant struggle is balancing the interests of landowners and environmentalists who at times have differing views. There is a fine line between what is best for the land and what is best for the landowner. The challenge and reward is developing a solution that is good for everyone. Having had the experience with people with different beliefs, the MLLT has become a stronger organization. MLLT is prepared to deal with the issues facing a property such as Kennedy Meadows with its multiple uses. The Mother Lode Land Trust is in a good position to deal with the challenging cultural, economic or political issues.

## *Legal Compliance and Best Practices*

*3. Describe what best practices, standards, or guiding principles your organization uses to ensure all operations are legally and ethically sound and in the public interest. (one page)*

### **Tuolumne County Resource Conservation District**

The TCRCD is a public agency and is required to comply with all appropriate State and federal laws including the Brown Act. Division 9 of the California public Resources Code defines the State's framework for conducting the business of resource conservation within California. Division 9 authorizes the formation of resource conservation districts (RCDs) in order to address local resource conservation needs. Division 9 defines the roles and responsibilities of the RCD, as well as those of the Directors that are selected to govern them.

All Tuolumne County RCD by-laws and policies and procedures have been developed in accordance with the mandates stipulated in Division 9 and the California Resources Conservation District Director's Handbook which is produced by the California Department of Conservation. A copy of the handbook will be provided to the Stewardship Council.

### **County of Tuolumne**

The County is careful in complying with Federal law, State law, and its own County ordinances. Serving the public's interest is what the County does and its processes are set up to accommodate the wishes of the electorate in a legal and ethical manner. Doing the public's will is a privilege and duty of all County employees and processes are in place to assure this occurs.



Tuolumne County Counsel's Office reviews all contracts, writes County Ordinance Code, and helps to interpret the law. This office of seven employees includes four full time attorneys charged with helping the County comply with the ever changing law. Systems and processes are in place to allow for the timely review of contracts.

The Office of County Counsel educates the various County committees and commissions on compliance with the Ralph M. Brown Act which spells out open meeting rules. In addition, County Counsel provides ethics education to public officials on an annual basis to comply with the requirements of AB 1234. They also provide conflict of interest analysis for public officials.

The County Counsel's Office is independent of the Board of Supervisors and the County Administrator's Office. The chief client of the County Counsel is the County of Tuolumne acting through the Board of Supervisors. As such, County Counsel provides legal advice to numerous Special Districts including, but not limited to the Mi-Wuk Sugar Pine Fire District, the Resource Conservation District, and Amador Tuolumne Community Action Agency.

Assuring the public's voice is heard is critical to the County. Receiving public input and then disseminating information back to the public is enabled through public comments at meetings, e-mail, the County website, letters, petitions, and in person meetings. Ultimately, the public interest is evident when they vote for their elected officials, in this case the five County Board members who serve staggered four year terms.

### **Mother Lode Land Trust**

The Mother Lode Land Trust adheres to local, state and federal laws pertaining to 501(c)(3), public Benefit Corporations. MLLT also follows the guidelines set by the Land Trust Alliance's [www.lta.org](http://www.lta.org) Standards and Practices.

*4. Describe any current violations of law that may involve your organization(s) in any way. (one page)*

TCRCD:           None  
County of Tuolumne:       None  
Mother Lode Land Trust:   None

### ***Organization Capacity and Experience***

*5. Describe up to three **examples of projects** that most effectively illustrate your organization's capacity to manage the type of resource for which you are interested in obtaining an easement or fee simple title. (three pages or less)*

### **Tuolumne County Resource Conservation District**

The Tuolumne County Resource Conservation District (TCRCD) was established in 2005 and held its first meeting in February of 2006. Since that time the Board of Directors has developed a strategic plan, adopted by-laws, implemented a community outreach and education plan and hired a grant-writer. In the past year and a half the District has been awarded \$440,000 in grant funding, one of which was a Cooperative Agreement with NRCS to increase the capacity of the District. The District was able to leverage this investment which resulted in a return of approximately \$28 of project related funding for every \$1 invested. This funding has allowed the District to begin to address the priorities outlined in its strategic plan. Specific projects include:

Stream Team – The Tuolumne County Water Quality Plan calls for monitoring of targeted local streams to determine the effectiveness of the plan implementation. In order to meet this objective water testing equipment and supplies were purchased and a group of local citizens and high school students were trained to monitor stream health by testing for specific indicators. Data, that prior to the project was not available, was collected, recorded and provided to the National Resource Conservation Service (NRCS) and the Tuolumne County Resource Conservation District. Approximately seven teams conducted samplings each month. Sites sampled included two in the Stanislaus River watershed and approximately 18 in the Tuolumne River watershed.

The data collected has been compiled into the “Tuolumne County Stream Team Water Quality Monitoring Report 2007- 2008” (available on the District’s web-site). This report provides the NRCS, TCRCD, public agencies, landowners, farmers, ranchers and other stakeholders and partners essential data for water management and provides information needed by the NRCS in providing technical assistance.

Rim Truck Fuel Break Project - The Rim Truck Fuel Break Project is a collaboration between the TCRCD and The Southwest Interface Team (SWIFT) to mitigate extreme fire protection problems in southern Tuolumne County. The Southwest Interface Project has a comprehensive strategic fire protection plan approved for the area and through a partnership with the TCRCD will link two existing fuel breaks on a major ridge line. A local registered forester was hired to supervise the project. Treatments used in construction of the fuel break include; mechanical mastication, dozer piling and hand cut and pile. The new fuel break is approximately 12 miles long and will move SWIFT toward full implementation of their fire defense system plan. We are currently conducting archaeological surveys and completing the CEQA compliance documentation. Ground work is expected to begin in October 2008.

Upper Tuolumne Watershed Project – This long term project implements the Tuolumne County Water Quality Plan, is currently funded for three years, and is a collaboration of the TCRCD, Tuolumne Utilities District, Tuolumne River Trust, Stanislaus National Forest, US Department of Agriculture, SWIFT, California Department of Fish & Game, the Phoenix Lake Task Force, Phoenix Basin Watershed Group, Summerville High School, Tuolumne County, and Yosemite College District. Currently the TCRCD is beginning the implementation stages of the project. Some of the project objectives include; water quality improvement within the watershed, sediment reduction, fire and access road

improvement through reduction of sediments and stream crossing improvement, reduction of organic pollutants, community involvement and education, collaboration and cooperation among multiple watershed interests, facilitation of stream restoration projects, and the reduction of invasive, non-native plant species. The TCRCDD will take a leadership role in bringing together public agencies, community members, landowners, farmers, ranchers and other stakeholders for the development and implementation of holistic watershed management practices on the Upper Tuolumne River Watershed.

A full-time watershed coordinator has been hired and is implementing all aspects of two grants. The watershed coordinator will work with the Board of Directors to establish priorities, coordinate training and activities, facilitate the identification of demonstration project locations, oversee and organize improvement projects, identify and involve stakeholders, research and apply for additional funding and oversee and coordinate community water quality monitoring (the Stream Team).

Project deliverables include but are not limited to: a Best Management Practices Handbook, a roadway drainage and erosion survey program demonstration site, storm drain outfall mapping, a stream/lake restoration demonstration site, a Watershed Owners Manual, the formation of a new watershed work group and the expansion of the Stream Team to include new school districts.

The above mentioned projects demonstrate the ability of the TCRCDD to develop, implement and manage conservation projects. This young organization has accomplished much in the past 2 years. The TCRCDD's success is due in no small part to the extensive knowledge and expertise brought to the organization by the members of the Board of Directors who collectively manage thousands of acres locally and who individually have been developing and managing large scale projects for many years. This team has the knowledge, the skill and the experience to provide the local leadership that is essential to the continuing success of the unique institution that is "our Kennedy Meadows".

### **County of Tuolumne**

Tuolumne County is comprised of 1,248,544 acres with a population of 55,000+. The City of Sonora is the only incorporated city with a population of approximately 4,500. Other than a few community services districts, Tuolumne County provides the majority of government services.

The County has proven itself to be flexible, regularly facilitating diverse and potentially competing interests on different projects. One project which demonstrates the County's ability to manage and enhance resources is the Jamestown Mine, a former open pit gold mine located just west of Jamestown. Following a zero dollar County purchase of the majority of the mine in 1996, the County hired hydrogeologists to aid in an environmentally sound reclamation of the tailings management facility. This closure was coordinated with the State Regional Water Quality Management staff and board. Unfortunately, deteriorating water quality brought about by the former owners' management resulted in a cleanup and abatement order and ultimately a lawsuit from

the State Attorney General's Office which was brought to fruition in order to engage the former (and out of country) mine owners. The successful settlement agreement between over 30 parties now has allowed the County to begin to make proper remediation of the mine site, making it usable for other services. In addition, the County has preserved over 100 acres of the mine's land as a natural preserve. This preserve is listed in the County's Recreation Master Plan as a future regional park for passive recreation. The County owns and manages over 300 acres at the mine site.

The Lake Tulloch South Shore Marina is another property where the County has turned a formerly deteriorating asset into a gem. The County has an ongoing lease with the State to provide services at the South Shore Lake Tulloch Campground and Marina ([www.laketullochcampground.com](http://www.laketullochcampground.com)). When the asset was turned over to the County, the infrastructure and area was dilapidated, dangerous, and undesirable. A request for proposal process resulted in a concessionaire and agreement to revamp the electrical system, upgrade the campground, and provide services in a professional manner. A detailed list of improvements with dates for completion with financial incentives was set in place. After the initial improvements occurred, the County applied for and received a grant to expand the boat launch ramp, upgrade the sewer system, and resurface the parking lots. Improvements continue to occur each season.

Since the resort is on leased State land and involves a lake under the jurisdiction of the Tri-Dam Project, the approval process for making capital improvements involves up to 20 State and Federal agencies in addition to the local residents. Future projects include preventing lake erosion and fish habitat enhancement. In the early 1990's, the County's annual revenue from Lake Tulloch was less than \$30,000 but now surpasses \$100,000.

Another piece of land the County improved and upgraded is Pioneer Park in the town of Columbia. This former burn dump provided challenges that have been overcome thanks to ingenuity and a can-do attitude. Providing recreation opportunities is a priority for the Tuolumne County Board of Supervisors and Pioneer Park illustrates this value. If you were to visit Pioneer Park today, you would find a beautiful children's park, a Little League baseball field, restrooms, and general parkland, all while preserving the historical rock formations surrounding the park. Building and improving Pioneer Park required coordination with community service organizations and Little League volunteers. About a decade ago, the outfield began to settle, resulting in a large depression towards the baseball warning track. Once again, the County researched the problem, fixed the outfield, and upgraded the field to make it once again playable. While the County has done much with these three formerly degraded sites, we look forward to an opportunity to steward and enhance an already magnificent project in perpetuity.

Organizationally, the County is diverse in its departments which allow it to own and successfully manage a wide variety of projects. Typically this involves bringing together not only experts from within County staff but often paid consultants, volunteers, other governmental organizations, businesses, etc. A recent groundswell for conservation within the County led to the creation of the Resource Conservation District (RCD). The Board of Supervisors established the RCD to serve as a liaison to promote conservation

among private landowners, provide technical assistance and education, and give input to the Board on resource issues. The County will continue to include the RCD as we take on more resource issues.

### **Mother Lode Land Trust**

The Mother Lode Land Trust is currently working on two management and restoration projects in the region. Although these projects occur at much lower elevations than the Kennedy Meadows Planning Unit, the MLLT is faced with many management issues similar to those outlined by the Stewardship Council for Kennedy Meadows.

The first project is a vernal pool and elderberry protection and enhancement project in a proposed development. The purpose of this project is to ensure the continued reproduction and migration of the California Tiger Salamander and the sustained habitat of the Valley Elderberry Long-Horned Beetle. The Mother Lode Land Trust has been working closely with biologists and the US Fish and Wildlife Service to create an appropriate Habitat Management Plan (HMP). We have provided edits to the HMP, conducted site visits to identify key resource areas, provided comments on the tentative subdivision map and prepared a Property Analysis Record (PAR) to determine the costs. As preserve managers, the Mother Lode Land Trust will be responsible for executing the HMP. This includes monitoring the vernal pools and elderberry shrubs for species recruitment. It also includes identifying predatory species that could affect the Tiger Salamander and creating and implementing a predatory species eradication plan, a grazing regime that ensures proper stubble height to encourage Tiger Salamander migration, and identifying and eradicating invasive plant species.

These management efforts will occur within a 32 lot subdivision and thus will have to be managed with the consideration of human impact as well. There will be extensive outreach and education with the landowners as well as working with them to ensure that their property meets the Tiger Salamander migration requirements. The hope is to create a team of volunteers from this landowner outreach who can assist with the monitoring and enforcement as well as invasive species removal and trash clean up. In cooperation with the developer, the Mother Lode Land Trust intends to also build a perimeter trail around the open space parcel so that the people in the community can appreciate the Tiger Salamanders and enjoy the outdoors. The trail will contain interpretive signage describing the Tiger Salamander/Valley Elderberry Long-Horned Beetle ecosystems and the ongoing management efforts at the site.

The second project that the Mother Lode Land Trust has been working on for some time is a Cal-Trans by-pass project. Last year Cal-Trans opened the highway 49 by-pass around the cities of Amador City and Sutter Creek. This by-pass cut through miles of Blue Oak woodlands and affected several wetlands and creeks (Red Legged Frog and Valley Elderberry Long-Horned Beetle habitat) as well as several Native American historical sites. The regulatory agencies, US Fish and Wildlife Service and the Army Corps of Engineers required mitigation for the loss of habitat within this project area. Cal-Trans, in partnership with the City of Sutter Creek and the Mother Lode Land Trust

decided to undertake an experimental Habitat Mitigation and Management Plan (HMMP). This plan called for the re-creation of three wetlands and associated plant species including the Elderberry as well as the creation of a 3000 tree Mixed Blue Oak woodland. As conservation easement holders and preserve managers of this site the Mother Lode Land Trust is responsible for monitoring the plantings and create wetlands for survival.

A baseline document was created using GPS to pinpoint the location of all 3000 trees as well as the perimeter of the wetlands. The presence of red-legged frogs and other species coming to the site will be monitored and management plans will be developed (grazing, fire, mowing, no control) to determine the ones most suitable for the site. Through the required seven year mitigation monitoring project, the Mother Lode Land Trust will be working closely with Cal-Trans, USFWS and ACOE to make sure that the project is successful. Annual reports will be submitted to the regulatory agencies and work will commence with a local contractor if site maintenance is necessary.

This project will also have a perimeter interperative walking trail so that nearby residents and other locals can enjoy the openspace and appreciate the HMMP. The Mother Lode Land Trust is working with the City, local high schools, Boy Scouts, local businesses and other volunteers to create this trail and interperative sinage at a very low cost. The intent is to have a place where threatened and endangered species can thrive and people can recreate and learn about the natural communities around them.

### **Financial Management Practices**

*6. Describe how your organization adheres to sound financial management practices and processes. (one page)*

### **Tuolumne County Resource Conservation District**

The 2008/2009 budget for the Tuolumne County Resource Conservation District (TCRCD) is over \$300,000. The budget is developed by the Budget Committee which is made up of three TCRCD Directors. The budget incorporates grant funding and TCRCD cash and once developed is adopted by the full board. The budget document identifies and allocates expenses for district operations and project activities and provides the Board with a snapshot of the year to come as well as a tool by which to make efficient management decisions throughout the year. A copy of the adopted budget is forwarded to the Auditor/Controller's Office.

Funds for the TCRCD are held and distributed by the Auditor/Controller's Office for the County of Tuolumne. This office follows Generally Accepted Accounting Principles and adheres to the Governmental Accounting Standards Board directives. Revenues are received and invested by the Treasure/Tax Collector's Office.

Per County policy all invoices presented for payment must be accompanied by a completed warrant and must be approved by the TCRCD Board of Directors at their monthly meeting. Upon approval of payment the warrant is signed by two directors and

forwarded to the Auditor/Controller's Office for processing. A report of all revenues and expenses is prepared monthly for review by the Directors.

A professional auditing firm performs an annual audit for the County and will be made available to the Stewardship Council.

### **Tuolumne County**

The County's budget for Fiscal Year 2008/09 is over \$162 Million, adding together governmental, enterprise, and internal service funds. After adoption, the expenditure of the County budget is processed through a professional Auditor/Controller's Office of 13 employees. This office follows Generally Accepted Accounting Principles and adheres to the Governmental Accounting Standards Board directives. Revenues are received and invested by the Treasure/Tax Collector's Office which has 5.5 employees. In addition, the Tax Collector's Office maintains a Revenue Recovery Division of 7 employees. The County Administrator's Office oversees the annual budget process as well as a mid-year and third quarter budget updates.

The budget is complex and is completed using a staff of five budget analysts and sophisticated budgeting software. As part of this application, a copy of the 300+ budget document will be made available. The budget system is part of an enterprise software solution which includes budgeting, finance, human resources, and purchasing. These systems interact with one another and allow for accuracy and ease of operation.

The County is accustomed to a complex budget with revenues coming from the federal government, state government, local taxes, user fees, donations, fines, property, interest, permits, licenses, and loans. New fund designations are set up to properly account for special purposes such as that of Kennedy Meadows.

A professional auditing firm performs an annual audit for the County and will be made available to the Stewardship Council. Reflecting the County's sound financial practices, the credit rating firm Moody's Investor Services gave the County a grade of A3 in October of 2006.

### **Mother Lode Land Trust**

The Mother Lode Land Trust has a Finance Committee that decides what is best financially for the organization. This committee is led by a Treasurer and is comprised of board members with experience in finance and running an organization. The committee runs based on the MLLT 2008 financial management policy. MLLT files taxes with the federal and state governments annually and keeps stringent records that are updated monthly or more. Endowments, legal funds and grant monies are managed separately from the unrestricted funds.

## **Financial Capacity**

*7. Provide your organization's **operating budget for the current year and three years of your organization's audited financial statements** including a **Statement of Activities and Statement of Financial Position**. Audited Financial Statements with full footnotes are preferred; however, if those are NOT available, provide one of the following (in order of preference): an independent auditor's review, an independent auditor's compilation with full footnote disclosure, or a complete Income Statement and Balance Sheet with no independent review.*

## **Tuolumne County Resource Conservation District**

Fiscal Year 2008-2009 Annual Budget for the TCRCDC is provided as an attachment.

## **County of Tuolumne**

The Fiscal Year (FY) 2008/2009 operating budget will be provided along with the FY 2004/2005, FY 2005/2006, and FY 2006/2007 audits. The FY 2007/2008 audit is currently being processed by the County's outside auditor and should be ready in March of 2009.

## **Mother Lode Land Trust**

The 2008 beginning balance is \$78,813.02.

## **Optional Financial Information**

*8. Optional: Provide any information you would like to explain or highlight on your operating budget or financial statements. (one page)*

## **Tuolumne County Resource Conservation District**

Our existing Operating Budget for FY 2008-2009 totals \$295,930. Most of this is directly related to conservation projects and activities of the newly hired Watershed Coordinator. Our Administrative costs are estimated to be about 9% of the total budget at approximately \$26,000. We expect to maintain a fund balance at the end of the year of \$22,000. We have recently received an additional \$20,000 grant from NRCS to assist in fuel reduction education and will be making appropriate adjustments to our budget in the very near future.

Our finances are handled through the Tuolumne County Auditors Office and unfortunately, we were unable to obtain a formal Audited Financial Statement as requested within the time-frame allotted. However, we have provided a Financial Statement prepared by the County Auditor and a letter from the Deputy County Administrator explaining our finances.

## **County of Tuolumne**

The County is conservative in its budgeting approach as well as in its borrowing. This has allowed the County to weather the current recession quite well in comparison to neighboring counties. Evidence of the County's conservative nature is the Board of



Supervisors' recent actions to privatize jail cook services, the County Adult Day Health Care service, and the Groveland Physical Therapy unit. The County closed most of its hospital services over a year ago and will close its Acute/Psychiatric Unit on December 31, 2008. The County understands the need to focus on core governmental services and has the political will and experience to assure this occurs. Over the past decade, Tuolumne County government has shrunk by 68 positions.

### **Mother Lode Land Trust**

The board and staff of the Mother Lode Land Trust are efficient in grant writing and have the capacity to undertake multiple grants for conservation easement monitoring and maintenance/restoration. The staff is also proficient in the Center for Natural Lands Management Property Analysis Record software, and use it to determine the costs associated with management projects and to calculate endowments for easements. The Finance Committee is well versed in the management of grant funds and has created a financial management strategy which allows MLLT to properly invest grant funds. As part of MLLT's Strategic Plan the trust has compiled a list of potential funding sources both public and private which places MLLT in a wonderful position to access adequate funds for the long term management of the Kennedy Meadows Project. The MLLT has worked successfully with the Packard Foundation, the Resources Legacy Fund Foundation-Preserving Wild California, the Amador Community Foundation and the Sierra Nevada Conservancy. MLLT has also entertained the concept of conducting research on the lands funded by grants from the California State University System and other educational based organizations.

### **Key Personnel**

*9. Provide names and affiliations for your organization's board of directors (or equivalent). 10. Provide names and full resumes that describe relevant experience for your organization's executive leadership and the **proposed lead personnel for this particular project.***

### **Tuolumne County Resource Conservation District.**

#### TCRCD Board of Directors:

Kirk Ford, Chair; - Current Position: Stanislaus County Planning Director, Timberland manager

Ty Wivell, Vice-Chair; Current Position: Retired Vice President, Mother Lode Bank, Kelli Fraguero, Treasurer; Current Position: Director HRC Calaveras Crisis Center

Maiya Morrison, Secretary; Current Position: Real Estate

Steve Kistler, Board Member; Current Position: Manager K-Arrow Youth Camp, Cattle Rancher

Missy Marino, Board Member; Current Position: Financial Administrator, CALFIRE

Stuart Crook, Board Member; Current Position: Cattle Rancher

Galen Weston: Board Member; Current Position: Analyst; Tuolumne River Trust, organic farmer

### Contractors

Amy Augustine - Grant Writer

Corinne Munger - Watershed Coordinator

Our Board members and contractors bring diverse experience and interests in banking, real estate, timber management, ranching, education, farming, conservation, wildlife biology, tourism, youth camp management, administration, environmental sciences, land use planning, watershed management, grant writing, and financial accounting. Resumes of all members are attached.

Lead Personnel for this project will be Kirk Ford and Ty Wivell.

### **County of Tuolumne**

Tuolumne County Board of Supervisors: five public officials elected by district

Teri Murrison, Tuolumne County District 3 Supervisor

Craig Pedro, County Administrator for Tuolumne County

Daniel Richardson, Deputy County Administrator for Tuolumne County - Lead for Kennedy Meadows Project

Vicki Helmar, Tuolumne County Agricultural Commissioner

Beverly Shane, Tuolumne County Community Development Director

Scott Onetto, Tuolumne County Farm Advisor

Peter Rei, Tuolumne County Public Works

Ed Hoag, Tuolumne County Facilities Manager

Steve Boyack, Tuolumne County Assistant Human Services Director (and former Natural Resources Analyst)

The County is fortunate to have experts in a variety of fields including administration, finance, human resources, agriculture (noxious weeds, ag, wildlife, and open space), planning, fire, law enforcement, recreation, public works, and many others. Employees in these fields can be drawn upon to lend further expertise to this project's leadership team.

### **Mother Lode Land Trust**

#### Board Member Biographies

Dan Port, President

Susan Bragstad, Secretary

Kevin Bonneau, Rancher

Scott Oneto, Treasurer

Bob Dean

Richard DeBusmann

Bronwyn Hogan

Bob Broderick

### Advisory Committee

Bob Hartman - Physician, founding board member

Joe Aparicio - Farmer, grape grower, founding board member

### Staff:

Ellie Routt - Executive Director (see resume)

Rangeland Management Specialist

Amanda Bohl - Administration and Fundraising (see resume)

Community Development Specialist

## *References*

*11. Please submit **three references** which can attest to your **organization's track record and capacity to undertake the type of stewardship responsibilities associated with the land interest (easement or fee simple title) to be conveyed. Provide name, title, relationship, address, phone, and email.***

### **Tuolumne County Resource Conservation District.**

Pete Kampa, General Manager,

Tuolumne Utilities District

18885 Nugget Blvd.

Sonora, CA 95370

209.532.5536

[pkampa@tuolumneutilities.com](mailto:pkampa@tuolumneutilities.com)

Amy Rocha, District Conservationist

USDA Natural Resource Conservation Service

12200-B Airport Rd.

Jackson, CA 95642-9527

209 223-6535

[Amy.Rocha@ca.usda.gov](mailto:Amy.Rocha@ca.usda.gov)

Tacy Currey, Executive Director

California Association of Resource Conservation Districts

801 K Street, Suite 1415

Sacramento, CA 95814

Ph. (916) 457-7904

[tacy-currey@carcd.org](mailto:tacy-currey@carcd.org)

### **County of Tuolumne**

Greg Applegate, City Administrator, City of Sonora

(209) 532-6115

Pete Kampa, General Manager, Tuolumne Utilities District

(209) 532-5536

George Segarini, Executive Director, Tuolumne County Chamber of Commerce  
(209) 532-4212

### **Mother Lode Land Trust**

Pete Bell

Title: VP Board Of Directors; Foothill Conservancy, Board Member CSRC&D, Chair, steering committee of the CA Hydropower Reform Coalition.

Relationship: Conservation Colleague

20123 Shake Ridge Road

Volcano, CA 95689

(209)-296-5734

Email: [pete@mokeriver.com](mailto:pete@mokeriver.com)

Cheryl Belcher

Title: Executive Director – Sierra Cascade Land Trust Council

Relationship: Advisory Colleague

PO Box 2101

Nevada City, CA 95959

(530)-265-5965

Email: [cbelcher@nccn.net](mailto:cbelcher@nccn.net)

Katherine Evatt

Title: Past President of the Sierra Nevada Alliance, Founder and board member of the Foothill Conservancy

Relationship: Conservation Colleague

20123 Shake Ridge Road

Volcano, CA 95689

(209)-296-5734

Email: [Katherine@mokeriver.com](mailto:Katherine@mokeriver.com)

### ***Conflict of Interest Disclosure***

*12. To assist the Stewardship Council in evaluating whether any actual or potential conflicts of interest may arise when your proposal is considered, please include a disclosure of any personal or financial relationships of which you are aware between (a) your organization/proposal team and its members, trustees, directors, officers or stockholders, and (b) a member of the Stewardship Council's Board, his or her family members, or the Board Member's constituent organization. The existence of such a relationship may or may not require the affected Board Member to refrain from participating in the consideration of a land transaction in which you are involved.*

### **Tuolumne County Resource Conservation District**

The Board of Directors and its employees are not aware of any personal or financial relationships with the Stewardship Council's Board, his or her family members, or the Board member's constituent organization

### **County of Tuolumne**

The Board of Supervisors and its employees are not aware of any personal or financial relationships with the Stewardship Council's Board, his or her family members, or the Board member's constituent organization.

### **Mother Lode Land Trust**

There is no known conflict of interest between board members of MLLT and the Stewardship Council and/or PG&E.

## V. **Proposal Information**

*For proposals that involve collaboration among multiple organizations, please include the below proposal information for the full proposal team, including all partners.*

### **Proposal Team**

13. If the Land Stewardship Proposal represents the interests of several organizations, indicate the specific interest or role for each. (two pages or less, if applicable)

This proposal includes three options for the Stewardship Council to consider, each of which includes the County of Tuolumne and the Tuolumne County Resource Conservation District as the primary partners for fee title and as easement holders. The US Forest Service is also included as “mandatory easement holders” in compliance with the FERC licensing requirements and PG&E is included in accordance with PG&E’s desire to retain specific rights within the Planning Unit. The Mother Lode Land Trust would serve as the conservation easement holder only under option 3. Based on the desires of the Tribal Council, the Tuolumne Band of Me-Wuk Indians would act only as consultants in regards to cultural resources and not as formal partners.

	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>
Fee Title	TCRCD	County	JPA (TCRCD + County)
Conservation Easement	County (w/California Rangeland Trust & Tribe as Consultants)	TCRCD (w/CRT & Tribe as Consultants)	MLLT
Mandatory Access Easements	USFS	USFS	USFS
Retained Rights	PG&E	PG&E	PG&E

Option 1, with TCRCD as the fee title holder and the County of Tuolumne as the easement holder is the primary recommendation that has been strongly supported by both the County Board of Supervisors and the TCRCD Board of Directors. Option 2, with the County as fee title holder and TCRCD as the easement holder is supported only as a potential back-up alternative. Option 3 would also be considered, but requires that a Joint Powers Authority (JPA) be formed as a stand alone entity consisting of the RCD and the County.

The following provides a summary of responsibilities of various proposal team members for Option 1:

#### **Landowner – Fee Title Holder**

TCRCD - Fee simple title is proposed to be held by the Tuolumne County Resource Conservation District (TCRCD) to operate, manage, maintain & enhance the KM Planning Unit. As fee title holder, the RCD would be responsible for conducting all surveys and inventories, preparing the various management plans, and implementing all appropriate BMP’s to preserve and enhance Beneficial Public Values. Further they will seek counsel, advice & assistance from the easement holders and other collaborative partners as

appropriate. They will manage/work with the Lessee & partner with the Lessee as needed.

### **Easement Holders**

County of Tuolumne - Tuolumne County would hold a conservation easement over the entire planning unit and be responsible for oversight, monitoring and enforcement of easement requirements. It is anticipated that the County would also provide technical assistance to the RCD as necessary, and partner/consult with other entities such as the Tribe and the California Rangeland Trust. Should the JPA option be chosen, the Mother Lode Land Trust would hold the conservation easement.

### **Mandatory Easement Holders**

PG&E – In the background information provided, PG&E has expressed a desire to retain specific rights following transfer of the planning unit. These include water rights, rights of access, mandatory FERC license requirements, and others. The RCD as landowner, and the County as easement holder, would be required to acknowledge and accept these retained rights, and would be required to manage the property in a manner consistent with those rights.

USFS – Pursuant to the FERC license requirements, the US Forest Service will be provided specific easements and access rights. These include access to the Huckleberry Trail, roadway easements, and others. The RCD as landowner, and the County as easement holder, would be required to acknowledge and accept these easements, and would be required to manage the property in a manner consistent with those rights.

### **Lessee**

Matt Bloom – Resort Owner – The resort owner holds a lease with PG&E for the entire planning unit and is the primary land manager. The RCD may be required to either accept the terms of the existing lease or, because the lease may automatically terminate upon transfer (as is defined in Paragraph 8 of the original lease) may be required to renegotiate the terms of that lease. In either case, it is the intention of the RCD to retain the resort with the current owner and accept the agreements as defined in the existing lease, lease assignment, and any lease extensions and amendments that are negotiated prior to transfer.

### **Collaborative Partners**

The following provides a listing of other (non-donee) collaborators that the RCD and County would partner with, or use as consultants for management, preservation and enhancement of the BPV's.

The Tuolumne Band of Me-Wuk Indians – Cultural Resource Consultants

California Rangeland Trust – Easement Management Consultant

Tuolumne County Office of Education – Youth Investment & Education

USDA Natural Resource Conservation Service (NRCS) – Technical Support – BMP's & Conservation Practices

Yosemite College District – Education, Baker Station Facility

Twain Harte Horsemen – Technical Support, Backcountry Education  
Backcountry Horsemen – Technical Support, Backcountry Education  
Local Backpacking Group – Technical Support, Backcountry Education  
Central Sierra RC&D – Technical Support  
California Association of Resource Conservation Districts (CARCD) – Technical Support –  
Land Management & Administration  
National Association of Conservation Districts (NACD) – Technical Support - Land  
Management & Administration  
CDF – Technical Support – Fire Prevention Management  
CDFG – Technical Support – Wildlife, Fisheries  
UC Cooperative Extension

**Funding Sources**

Sierra Nevada Conservancy  
Sonora Area Foundation



## *Authorization to Submit Proposal*

*14. Attach a letter from the executive director or equivalent officer of each organization approving the submission of the Land Stewardship Proposal and the organization's participation in the Stewardship Council's land conservation process for the subject Planning Unit. (The selected donees will be expected to submit resolutions of their governing boards authorizing them to enter into negotiations toward a land transaction).*

Letters are attached from the TCRCB Board Chairman the County CAO, and the Executive Director of the Mother Lode Land Trust.

## *Overall Approach*

### 15. Describe your organization's/team's overall approach to the future management of the planning unit. (two pages or less)

Kennedy Meadows is a special place that is captured in the hearts of many, both young and old. It is a place where memories are made, where families and friends and individuals alike spend time to rejuvenate the soul amidst the beauty of the mountains, the towering trees of the forest, the rushing waters of the river. It is a place where people come to hike and horseback ride, sleep in a simple cabin, watch cowboys work, fish, camp, photograph nature, daydream.....any of a myriad of pursuits that connect them to the great outdoors. They come from near and far, and for most the hours or days they spend at Kennedy Meadows are vastly different from their day-to-day busy lives. They leave revitalized and appreciative that a place such as this still exists. Our future challenge is managing the "sense of place" that Kennedy Meadows provides reminiscent of the twentieth century, while meeting the needs of citizens of the twenty-first century.

It is the desire of the RCD and the County to engage in the oversight of the Kennedy Meadows parcel so that the Beneficial Public Values (BPV's) are preserved and enhanced in perpetuity. It is obvious that this parcel is special; likewise, so are the strengths that each party brings to the table. The Kennedy Meadows parcel is not solely about the 240 acres, but also how it serves to accentuate and integrate with the existing access and uses in the surrounding National Forest and in Tuolumne County as a whole. Thirty percent of visitors to the Emigrant Wilderness enter through the trailhead located here. While some visitors choose the commercially provided activities such as lodging/dining/horseback riding as their destination, others will enjoy the area on their own terms. Many hikers and equestrian users use their own provisions and take pride in their self-sufficiency. It is probably safe to say that most who visit will engage in both—a bit of self reliance enhanced by the services offered by the Resort and Pack Station. Day users, too, enjoy the area in a similar fashion. It is precisely this combination that necessitates the involvement of the RCD and the County to ensure this unique combination exists into the future.

Tuolumne County and Tuolumne County Resource Conservation District along with other interested stakeholders will form the core membership of a collaborative oversight group to provide resources and support, information, advice, and counsel on management issues pertaining to Kennedy Meadows. This process is described below under Question 17.

Initially, this collaborative oversight group will secure the services of an independent professional facilitator to ensure a process that is genuinely open to all.

The RCD will employ Holistic Management® best practices and decision-making as an important vehicle to satisfy interests, preserve and enhance BPVs, honor the much-

revered Pack Station and Resort as the treasure and economic driver it is for Tuolumne County, and facilitate consensus-based management and enhancement of Kennedy Meadows.

The perspective of Holistic Management® is that nature and systems function as a whole and any decision impacts the whole system. If a management decision disregards environmental, social, or economic consequences, it will likely lead to degradation of the environment, relationships, and economic health now or in the future. Holistic Management®-based processes will assist the RCD to plan, manage, and enhance resources primarily through incorporation of existing and highly-valued community, SC, and CPUC goals to ensure the best for all values: biological/habitat, open space, outdoor recreation, sustainable forestry, agricultural uses, cultural and historic values *and* the economic viability of the Resort and Pack Station. Holistic Management® decision-making will lead to outcomes that are environmentally, socially, and economically sound. Additionally, the HM framework will provide the tools to help determine what steps can be taken to reach that vision.

The RCD/County Team has solicited input from Holistic Management International, a 501 (c)(3) nonprofit organization founded in 1984, and will consider using this organization to provide training to the collaborative team. A detailed narrative and an initial proposal from HMI are provided as attachments.

Our overall approach takes to heart the public input received by the Stewardship Council during the initial phases of development of the Land Management Plans and the donee selection process. This proposal maintains local control of the property, ensures that the public has a voice in future management decisions, incorporates preservation and enhancement of the various beneficial public values, and primarily, strives to maintain the historic uses and feelings of the Kennedy Meadows property.

Should the third option be chosen by the Stewardship Council which includes the Mother Lode Land Trust (MLLT) as the easement holder, the MLLT intends to work in partnership with the JPA fee title holders to ensure that the 6 BPV's are preserved and enhanced to the best of their abilities. As an easement holder, the MLLT will remain a separate entity from the JPA but will work collaboratively if it is in the best interests of activities at Kennedy Meadows. The MLLT will assist the JPA in securing grant funding for projects on the property and will work with the JPA to ratify any breaches of contract to the conservation easement, should they occur.

## *Land Interests Sought*

16. Describe the scope of your proposal. Is the proposal for the entire planning unit or just select parcels or areas (specify which parcels or areas are included)? Does the proposal include both the proposed fee title recipient and conservation easement holder? (half page) Does the proposal require a legal parcel split or subdivision of the subject land? If the proposal reflects a request to use a mechanism other than a conservation easement to ensure the long-term conservation of the land, include an explanation that addresses how applicable law or policy precludes the donee from accepting a conservation easement, and describes how the Stewardship Council will be provided with satisfactory assurances in another form that the parcel or area will be managed consistent with the purpose of the Land Conservation Commitment. (two pages or less)

It is the intent of the RCD and County team to accept the entire planning unit of Kennedy Meadows. Due to the limited size of the unit at 240 acres, it would be unwise to divide the unit. A unified site will better enable the donee to effectively preserve the area's traditional uses while at the same time enhance the natural environment for the enjoyment of future generations. The best way to accomplish the six Kennedy Meadows planning unit objectives is to maintain a consolidated site with one owner.

A conservation easement is proposed to make sure the donee complies with the points of the property transfer agreement. The conservation easement holder will assure that an independent voice oversees unit activities.

The public voiced their concerns in public meetings that regardless of the owner agency, there should be a voice to provide input into what happens at the site. This is not the role of the easement holder, but will be accomplished through the input process described below in Question 17 of this document. The easement holder would provide the assurances sought by both the public and the Stewardship Council as are spelled out in the negotiated property transfer agreement and Land Conservation Commitment.

Regardless of who becomes the easement holder, be it the County or RCD, both governmental agencies are responsible to the electorate and must make all major decisions in a Public forum. Should the Motherlode Land Trust become the easement holder under the Joint Powers Authority scenario (Option 3), it is independent of the County and RCD and would act accordingly to enforce the property agreement.

## *Partners and Community Support*

17. Describe any efforts to work collaboratively with public and private entities in the geographic region to plan and/or implement the proposal, including: (a) Consultation and cooperation with private non-profits and local, state, federal, and tribal governments, including methods used to solicit participation. (b) Participation by stakeholders in designing and/or implementing the proposal, including methods used to solicit participation. (c) Community support and project partners, beyond those identified in response to question #1. (three pages or less)

A highly collaborative process will be used to develop site land management plans. If there was one message communicated at the initial public meetings at the Sonora Opera Hall, it was a desire for ongoing participation by community stakeholders. This process accomplishes this desire.

The Tuolumne County Resource Conservation District will engage in an outreach process to invite concerned citizens, non-profit organizations, agencies, local, state, federal, and tribal governments to participate in a collaborative Advisory Committee. The County, as easement holder is expected to participate. This committee will identify and seek representation from all of the "Communities of Interest" (COI) that have a stake in the future management of the Kennedy Meadows property. Examples of communities of interest are Habitat, Open Space, Recreation, Forestry, Agricultural, and Historical. The titles and number of COI's could change over time as needs arise.

Both the RCD and County regularly interact with the entities likely to participate in this collaborative process.

This Advisory Committee can provide resources, support, information, advice, and counsel on management issues pertaining to Kennedy Meadows. This group will make decisions based on consensus and operate with the following goals:

- 1.) Create an environment of openness and transparency
- 2.) Respect the positions of others as representatives of their constituency
- 3.) Advise RCD board and staff in the formation and implementation of management plans and strategies to perpetuate the BPV's
- 4.) Seek funding for projects that promote BPV's from both traditional and non-traditional sources to enlarge the circle of support for Kennedy Meadows
- 5.) Provide a forum through which participants can agree upon and share information about the environmental, economic, and social indicators of the property.

Initially, the TCRCD and this collaborative Advisory Committee will secure the services of an independent professional facilitator to ensure a process that is genuinely open and respectful to all. With help from a facilitator, and other consultants, this committee will review and advise the TCRCD staff in the creation and implementation of the Kennedy Meadows land management plans.

As stated above, the RCD envisions using a “Holistic management” approach to this process and has solicited input from Holistic Management International to provide training to the collaborative team. A description of the Holistic Management approach and a letter proposal from HMI are attached to this proposal.

Even after receiving public input and counsel from this highly collaborative process, every major decision made by the County and TCRCO will be discussed and voted on in a public meeting governed by the Ralph M. Brown Act. The public will be notified of every meeting and can comment on any item on the agenda.

While the initial purpose of this collaborative process is to provide input in the development of land management plans, it could also be used to address ongoing issues related to the property. This process will assure an organized method to communicate concepts that have been vetted by those having a particular expertise. This process is flexible and can be expanded as needs arise.

## *Preservation and Enhancement Measures*

18. For each applicable beneficial public value present in the planning unit, describe any specific preservation and enhancement measures that your organization/team proposes to implement in the first ten years. For each measure, explain the connection to the objectives listed in the LCP Volume II for the relevant beneficial public value. Describe how your overall approach is consistent with the overall management objectives for the planning unit as adopted by the Stewardship Council in LCP Volume II. (five pages or less)

The collaborative team of all five eligible donees worked with the Stewardship Council representatives in September, October and November 2008 to evaluate each of the objectives as defined in the LCP Volume II. All were in agreement that the objectives could be attained through implementation of various measures as defined in the LCP and the overall approach would be to focus on the six BPV’S prior to initiating other projects or programs. The team also proposed to slightly modify some of the Stewardship Council’s proposed preservation and enhancement measures. Additionally, the team stressed honoring existing economic uses so long as they did not conflict with the BPV’s. It was agreed that there appeared to be only minimal (if any) conflict between the existing economic uses and enhancement or preservation of the BPV’s.

However, it was further agreed that it would be more appropriate to conduct initial inventories and assessments prior to defining any specific measures to meet each of the objectives as defined in the LCP. Generally, the team agreed that surveys and inventories would likely be completed within the first year of acquisition, overall land management planning and development of various resource management measures would take place in Year 2, including the development of an overall Resource Management Plan and an education/outreach plan. Implementation of specific measures developed during those first two years would begin in earnest beginning in Year 3.

The RCD, the County, and the US Forest Service all sent technical teams to the Kennedy Meadows site in September and October to conduct reconnaissance level assessments of existing conditions and to evaluate potential BPV enhancement measures. Summary reports are provided as attachments to this proposal.

The following provides a summary of each objective and the modified measures as proposed for Option 1 wherein TCRCO would be the fee title holder and the County of Tuolumne would be the easement holder. Potential enhancement measures as outlined in the various reconnaissance surveys are included for possible implementation.

### **Beneficial Public Value: Protection of the Natural Habitat of Fish, Wildlife, and Plants**

Objective: Preserve and enhance habitat in order to protect special biological resources.

#### **Proposed Preservation and Enhancement Measures (Modified by the Donee Team):**

- Conduct surveys outside the relicensing study area to identify biological resources and enable their protection. (YEAR 1)
- Develop a wildlife and habitat management plan for the planning unit. (YEAR 1-2)
- Develop a noxious weed management plan for the planning unit. (YEAR 2)
- Assess opportunities to enhance cottonwood recruitment and bank stabilization if this requirement is not included in the New License Order. (YEAR 1-2)
- Assess infrastructure (i.e., bridge, trails, road) to protect sensitive habitat and minimize erosion. (YEAR 1-2)
- Actively manage and sustain the meadow system. (ONGOING)
- Assess water quality impacts from Kennedy Meadows. (YEAR 1-2)
- Continue existing economic uses, allowing for habitat mitigation where necessary. (ONGOING)

#### **Potential additional enhancements as outlined in the reconnaissance surveys**

- Install rip-rap at selected locations along the banks of the Middle Fork Stanislaus River
- Remove tree from stream or possibly move upstream and to center which would divert some of the water flows to the west side.
- Install water bar in camping area to divert some of the water to north.
- Grade road to make a channel to direct water to meadow to north. Flattening of the surface and change of direction will remove some of the energy from the water.
- Installing drainageways, French drains, and/or additional streambank protection in the parking lot and near picnic area to direct runoff to prevent erosion.
- Lengthen culvert and/or redirect runoff from corrals.
- Install wooden walkway between parking lot and picnic area.

***Inventories and Surveys.*** Cultural biology, terrestrial/aquatic wildlife and botanical (includes noxious weeds) surveys would be completed within the first year. *(Note: Mountain Yellow-legged frog studies will be done by PGE in the first 3 years after license issuance. In addition, PGE will be conducting studies and implementing restoration measures for riparian vegetation and streambank stability within the first 1-10 years after license issuance.)*

***Resource Management Plans.*** A Resource Management Plan would be completed for the Kennedy Meadows Planning Unit within the first 2 years. The plan would include an analysis of desired conditions, existing conditions, and management opportunities. The plan will include land management objectives, an implementation schedule, a monitoring plan, and a cost assessment for implementation of specific proposed measures. The Resource Management Plan will include a full range of resources including: wildlife (terrestrial and aquatic), botany, noxious weeds, hydrology, soils, vegetation, etc. The land management objectives adopted by the Stewardship Council in LCP Volume II will be incorporated and will form the underlying foundation of the Resource Management Plan.

TCRCD would be responsible for conducting all necessary surveys and development of the Resource Management Plans. The inventories and plans would be conducted by in-house staff, RCD Board members, and various consultants. A public involvement strategy would be designed and implemented by the RCD to ensure broad involvement and input opportunities for stake holders and the public at large. This will include stakeholder meetings held in Sonora and at Kennedy Meadows, user surveys, and general public outreach inclusive of the use of available public media.

### **Beneficial Public Value: Preservation of Open Space**

**Objective: Preserve open space in order to protect natural and cultural resources, the wilderness character of the region, and the recreation setting.**

#### **Preservation and Enhancement Measures:**

- Apply permanent conservation easements to ensure a higher level of open space protection.(YEAR 1)

***Conservation Easement.*** A permanent conservation easement will be recorded over the entire property to ensure that existing uses and resources values will be maintained and enhanced in perpetuity. As only a small portion of the property is currently developed, the easement will be designed to ensure that most of the remaining undeveloped property remains undeveloped and protected as “open space”. Future development would likely be limited to only that necessary to preserve and/or enhance resource conditions and recreational uses, improvements and services. Any new development (infrastructure) would need to be consistent with the land management objectives in the Resource Management Plan for the Kennedy Meadows Planning Unit.

It is anticipated the County of Tuolumne will be the primary easement holder, and will be responsible for inspecting and monitoring management activities and improvements installed by the fee title holder and the lessee. Additionally, the County will be



responsible for enforcing the terms of the easement including prevention of any activity or use of the property that is inconsistent with the purposes of the easement.

The TCRCD and County of Tuolumne will work with PG&E, the Stewardship Council, California Rangeland Trust (or in Option 3, the Mother Lode Land Trust) the Tuolumne Band of Me-Wuk Indians, and other appropriate entities to develop easement language that includes specific allowable and prohibited uses, and ensures compliance with the various BPV's. Only those land uses that do not significantly impair or interfere with the BPV's will be allowed. It is expected that the California Rangeland Trust will provide initial and ongoing technical assistance and oversight to both the County and the RCD in developing the easement language and during the first few years of easement management.

It is expected that PG&E will reserve specific rights in association with their FERC license. Additionally, the US Forest Service will be recording road and trail access easements for the Huckleberry Trail and roadway access to the Deadman Permittee cabins. It is expected that these rights will be specifically enumerated within the bounds of the conservation easement, regardless of whether they are recorded separately or not.

The easement will additionally include language providing details of monitoring schedules, enforcement actions, mediation and remedies, costs, amendments, subordination or assignments, and various standard legal technicalities. Final easement language is expected to be approved by the TCRCD, County of Tuolumne, PG&E and the Stewardship Council prior to transfer.

### **Beneficial Public Value: Outdoor Recreation by the General Public**

**Objective: Enhance recreational facilities and operations in order to provide additional public access, education, and recreation opportunities consistent with the carrying capacity of the area.**

#### Preservation and Enhancement Measures (Modified by the Donee Team):

- Develop a recreation management plan for Kennedy Meadows to determine if and how existing recreation uses could be improved to enhance the recreation experience. (YEAR 1-2)
- Assess opportunities to enhance public access, including parking, circulation, and signage. (YEAR 1-2)
- Assess potential and feasibility for an interpretive trail. (YEAR 1-2)
- Assess opportunities for day-use facilities. (YEAR 1-2)
- Preserve and enhance traditional recreation experience and values consistent with historic uses of the area. (ONGOING)
- Assess the potential for youth program opportunities. (ONGOING)
- Assess facilities management and operations for BPV enhancement possibilities. (YEAR 1)
- Assess the use of alternative energy sources at the pack station. (ONGOING)

- Require consistent maintenance and cleaning of the trail to enhance the recreation experience. (ONGOING)

**Recreation Management.** The TCRCO will prepare an inventory of existing recreational facilities and define existing conditions during the first year. TCRCO would prepare a recreation management plan for Kennedy Meadows in consultation with the County of Tuolumne Department of Recreation, the lessee, the US Forest Service, and other interested entities and individuals in Year 2. The above recommended assessments and possible enhancements would be included in the recreation management plan. The overall recreation management theme for this area would be to preserve and enhance traditional recreation experiences and values consistent with historic uses of the area, specifically, operation of a pack station and resort. The primary objective would be to provide resort and outfitter guide services through private ownership and operation of facilities on this parcel. Additional public recreation enhancements would be considered as appropriate and evaluated as to potential impacts to existing uses and other BPV's. Improvements in signing, trail access, day use facilities, etc. would be incorporated, if appropriate, in the plan to enhance visitor experiences and opportunities consistent with the overall theme. The TCRCO would develop and implement a public involvement strategy to ensure broad involvement and input opportunities for stake holders and the public at large.

**Youth Programs.** See separate section "Youth Investment Program Synergies".

**Facilities Management.** The TCRCO would conduct a site facility assessment with the lessee to identify and map all improvements including telephone, water, wastewater, and power line locations during Year 1. The assessment will evaluate existing conditions and identify any opportunities for management enhancements. The assessment will identify if any corrective actions are needed to ensure compliance with federal, state and local codes. An implementation schedule would be jointly developed with the lessee to initiate any necessary corrective actions. Any relocation of power and water lines would favor underground or pole replacement and attachments to living trees would likely be phased out.

Opportunities for relocation of all or a portion of the employee housing currently located along Deadman Creek and the Middle Fork of the Stanislaus River would be explored with the lessee. The objective would be to minimize the risk of activity-related sediment or other contaminants entering aquatic systems and to minimize impacts to habitat for aquatic or riparian dependent plant and animal species. Visual quality of employee housing facilities and locations would also be considered. It is recognized that summer employee housing is essential for the operation of the Resort and that relocation opportunities may be limited.

**Alternative Energy.** The lessee or permit holder would be encouraged to assess and implement affordable energy efficiencies and/or other "green" practices to enhance visitor experiences, improve efficiencies and minimize negative affect(s) on resources.

The TCRCDD would work closely with the lessee to identify alternative technologies and potential funding sources for implementation.

***Maintenance.*** Responsibilities for trail maintenance, public parking, commercial resort parking, road maintenance, etc. would be negotiated with the current lessee and specified in the lease/permit or the annual operations and maintenance plan.

### **Beneficial Public Value: Sustainable Forestry**

**Objective: Develop and implement forestry practices in order to contribute to a sustainable forest, preserve and enhance habitat, as well as to ensure appropriate fuel load management.**

Preservation and Enhancement Measures (Modified by the Donee Team):

- Evaluate existing timber inventory data and supplement as appropriate. (YEAR 1)
- Develop a Forest Management Plan to ensure long-term forest health, protection from insect and disease, reduce fuel loading, and removal of hazardous trees. (YEAR 2)
- Develop a Timber Management Plan to prevent conifer encroachment on meadows. (YEAR 2)

***Forest Management Plan.*** The Resource Management Plan for the Kennedy Meadows Planning Unit, discussed above, would include an analysis of desired and existing vegetation conditions in this parcel. The TCRCDD would prepare the plan and identify management needs and opportunities to ensure long-term forest health, including, protection from insect and disease, reducing fuel loading, and improving meadow and riparian health. Timber harvest for the purpose of maintaining a sustainable supply of wood is not feasible, nor would it be compatible with the designation of the river as proposed Recreational Wild and Scenic River should that occur. Timber harvesting is compatible and appropriate as a means to achieve Forest vegetation health such as fuels reduction, wildlife habitat improvement, and salvage/hazard tree removal.

### **Beneficial Public Value: Agricultural Uses**

**Objective: Preserve and enhance pass-through grazing practices in order to support ongoing ranching activity, if this can be accomplished in balance with ensuring appropriate protection of natural resources.**

Preservation and Enhancement Measures (Modified by the Donee Team):

- Evaluate impacts to the meadow and riparian area regarding pass-through cattle staging in Upper Meadow, consistent with relicensing requirements regarding streambank stabilization and restoration, and develop mitigation strategies if necessary. (YEAR 1)
- Develop a program to manage the disposal of manure generated by the Pack Station operations. (YEAR 1-2)

***Cattle Grazing.*** Gathering and pass-through grazing at the upper meadow is an existing economic use and the site has been historically used by the US Forest Service Kennedy Lake Grazing Allotment Permittee at the beginning and end of the grazing season. The TCRCD intends to work with the resort lessee, the US Forest Service and the Kennedy Lake Grazing Allotment Permittee to evaluate existing conditions and future opportunities for pass-through grazing in the upper meadow as necessary. It is understood that it is the intent of the Stanislaus National Forest to ensure that the Kennedy Lake Cattle Allotment remain viable, and pass-through grazing at Kennedy Meadows is expected to continue as part of yearly allotment operations. The Forest Service has also indicated that the Kennedy Lake Allotment is scheduled for new permit authorization in 2013.

The TCRCD will include a rangeland assessment in the overall resource inventories conducted in the first year. A grazing plan will also be included in the overall Resource Management Plan to be completed in Year 2. The TCRCD would conduct annual monitoring of range conditions prior to, during, and after pass-through grazing or gathering in order to evaluate potential impacts to the meadow and riparian areas. The RCD may consider installation of temporary fencing to preclude cattle grazing in sensitive areas, including streambank stabilization and restoration areas. A stand-alone lease may be required for the allotment permittee to continue pass through grazing.

*Note: The Forest Service has proposed that the standards and guides in the existing allotment permit could apply to the upper Kennedy Meadow (40% utilization, 20% browse, streamside trampling standards, etc.). They suggested authorizing 150 pair (the existing number) for an overnight on the way in, about July 1<sup>st</sup>, and 3-7 days on the way out, about Oct 5<sup>th</sup>.*

***Manure Management.*** The TCRCD will work with the lessee to develop and implement a manure management strategy during Year 1, and will include the strategy in the overall Resource Management Plan for the property. Options to explore could include (but are not limited to) use of certified weed free hay, alternative waste management technology (digester, energy production), composting, removal of manure to other disposal sites, exploration of market ideas for the manure that would pay for hauling it off, Kennedy Meadow souvenir compost bags, and continuation of a spreading strategy, etc. Concerns related to costs, environmental effects, water quality, aesthetics, parasite prevention, potential conflicts with other BPV's, etc will also be addressed.

## **Beneficial Public Value: Preservation of Historic Values**

**Objective: Identify and manage cultural resources in order to ensure their protection, as well as to support opportunities for public education.**

### Preservation and Enhancement Measures (Modified by the Donee Team):

- Coordinate with Native American and other responsible entities when conducting cultural resource measures. (ONGOING)
- Conduct surveys of the planning unit to identify cultural and historical resources and enable their protection. (YEAR 1)

- Develop a cultural and historic resources management plan for the planning unit. (YEAR 1-2)
- Assess opportunities for education and interpretation of cultural and historic resources. (ONGOING)

***Cultural/Historical Resource Management Plan.*** The TCRCD intends to work closely with the Tuolumne Band of Me-Wuk Indians to prepare a cultural resource inventory/survey in the first year. TCRCD will also work with PG&E and local historians and experts to develop a historical assessment during the first year. TCRCD and the Tribe will develop a Cultural Resources Management Plan for the Kennedy Meadows Planning Unit by the end of Year 2. In accordance with State law, specific locations of cultural resources or sites may need to be kept confidential. Opportunities for education and interpretation for both cultural and historic resources will be explored and incorporated into the overall resource management plans.

## ***BPV's and Existing Economic Uses***

### ***19. How will the proposal preserve and enhance the land's beneficial public values while honoring existing agreements for economic uses? (three pages or less)***

Since Kennedy Meadows as it has been for over 75 years is much-loved and opinions about changing its ownership and management are polarized and contentious, this is one of the most important questions in the proposal. We want to keep intact aspects of Kennedy Meadows that are vitally important for existing users and for our children and future generations, including its sense of place, and its rich cultural, historic, and natural legacy. It is equally as important to continue to capture and perhaps expand the economic benefits generated by visitors and users while simultaneously working on conditions that need correction and enhancing the Beneficial Public Values (BPV). Key to doing this will be a decision-making process that protects and furthers the interests of stakeholders, collaborators and the public without unduly burdensome bureaucratic red-tape and processes.

Existing economic uses include (but are not limited to): operations of the resort and pack station; hiking and horse-packing access to the Emigrant Wilderness and surrounding National Forest; access to private grazing leases on the National Forest; access to the Deadman Permitees cabins by cabin owners and the Forest Service; general recreation access by the public to the meadows, the river and surrounding areas for general open space recreation, hunting, fishing and hiking; and retained rights by PG&E for operations related to the FERC license.

There appear to be competing interests to be balanced in the management of Kennedy Meadows, however collaborators believe they have more interests in common than differences. Aesthetic beauty and ecologic integrity underlie both the beneficial public values and the economic use of the Kennedy Meadows property. Managing the property to preserve and enhance the existing ecological values of the land will have a direct and

long term benefit for those that profit from the visitors who travel to experience the beauty of the high sierra. Achieving balance and wide support requires commitment, flexibility, accountability, and due diligence to select measures and enhancements that achieve desired outcomes while avoiding and/or minimizing unnecessary changes to existing uses. The key to accomplish this is to come up with a shared vision, satisfy shared interests, scrupulously avoid unsubstantiated assumptions about cause and effect, and explore creative ways to accommodate both what exists and what can be.

The collaborative community involvement described in section 17 will be instrumental in bringing diverse interests to the table to help guide the Donee in balancing the Public Values and Economic Uses of Kennedy Meadows. An open, professionally facilitated process will be used to solicit public input on management plans that will strike this balance and ensure the continued environmental, financial and social sustainability of Kennedy Meadows.

## *Timeline*

### 20. Provide a timeline for proposed preservation and enhancement measures for the first ten years.

In general, various surveys and inventories as suggested in the Land Management Plan would be completed in the first year following transfer. Required Management Plans would be completed the following year, with implementation of those plans ongoing in years three through ten. Implementation of preservation and enhancement measures would be coordinated with FERC licensing requirements as necessary and as applicable.

The following provides a brief summary of the activities and actions anticipated for the first ten years.

#### **Year 1**

Following transfer and recording of the Conservation Easement, the RCD will complete appropriate Cultural, terrestrial/aquatic wildlife and botanical (includes noxious weeds) surveys. The RCD also expects to assess resort and recreational facilities management and operations (including infrastructure assessments and manure management) for BPV enhancement possibilities. We will evaluate the existing timber inventory data and supplement it as appropriate. We will additionally begin to evaluate impacts to the meadow and riparian area regarding pass-through cattle staging. We further expect to initiate a water quality monitoring program and begin expansion of youth oriented education activities. The RCD and County will initiate a public outreach program and will form the Advisory Committee described under Question 17.

It is unknown when PG&E will receive final relicensing from FERC, and it is also unknown how the license timing will relate to timing of the title transfer. However, the RCD and the County have reviewed the various draft mitigation measures and license conditions

that may be imposed, and recognize that PG&E will be responsible for specific actions that could directly affect the Kennedy Meadows property.

For example, within the first year of license issuance, PG&E will likely be required to complete or initiate the following tasks:

1. Prepare a Fire Management and Emergency Response & Reporting Plan
2. Prepare a Road Management Plan
3. Record an access and use easement to the Forest Service for road 6N01 and/or the Huckleberry Trail.
4. Conduct an assessment and prepare a study plan to evaluate effectiveness of streamflow regime on riparian vegetation restoration and streambank stabilization.
5. Initiate Visual Encounter Surveys in ponds and river for Mountain Yellow Legged Frog.

The RCD and County expect to work closely with the Forest Service and PG&E to ensure that these rights and responsibilities are clearly defined during transfer negotiations, and maintained as necessary. For example, it is assumed that FS Road 6N01 will be included in the Road Management Plan as it accesses the gaging station and reservoir area. Since the road is outside the project area, the Forest Service would issue the appropriate authorization (e.g. road use permit) for portion(s) of the road on lands administered by the FS. This license requirement only applies to roads on FS managed lands. The RCD and the County anticipate that PG&E will have retained specific access rights and responsibilities within the Kennedy Meadows property. The Forest Service also will be retaining access and use rights through an easement recorded by PG&E. At this point, the specific responsibilities for road maintenance within the property are unknown, although as future landowner, the RCD may have that ultimate responsibility. The RCD expects to work with PG&E and the Forest Service to define these rights and responsibilities during transfer negotiations.

## **Year 2:**

The RCD will complete a comprehensive Resource Management Plan for the Kennedy Meadows Planning Unit in Year Two, based on data and information collected in Year One, and with input from the Advisory Committee and the public. The Resource Management Plan will include aquatic and terrestrial biology and habitat management plans inclusive of erosion control, noxious weed management, habitat restoration and protection, and will also incorporate the forest and fuels management plans. A Recreation Management Plan will also be initiated as will a Cultural and Historic Resources Management Plan. The Manure Management program will be implemented, the water quality monitoring program will be ongoing and the youth programs will hopefully have expanded.

The FERC License requirement for PG&E in year 2 of license issuance will require PGE to conduct focused studies and to develop recommended restoration for riparian vegetation

restoration and streambank stability. The RCD expects to work closely with PG&E to provide a holistic approach to all habitat restoration activities on the Kennedy Meadows property.

### **Year 3:**

In Year 3, the RCD would complete the Recreation Management Plan and Cultural Resources Plan for Kennedy Meadows. Implementation of enhancement measures would begin in earnest in conformance with approved management plans.

PGE (FERC License requirement in year 3-10 of license issuance): PGE will implement monitoring and/or restoration activities for riparian vegetation restoration and streambank stability.

### **Years 4 through 10:**

In years four through ten, and ongoing in perpetuity, the RCD and the County expect to implement BPV enhancement and preservation measures as defined in the Management Plan(s) and as required through the FERC licensing agreements. We further expect continued expansion of Youth Programs and increased educational and recreational opportunities. We anticipate and expect a variety of improvements, but we will also strive to ensure that Kennedy Meadows remains true to the “sense of place” that makes it so special.



## *Youth Investment Program Synergies*

21. How will the proposal create opportunities for youth engagement, education, and the development of a future generation of land stewards? Please describe. (one page)

Initial concepts to implement a youth engagement program are listed below. These are cursory thoughts and will no doubt be expanded as the RCD and/or County engage in the collaborative process.

**Vision:** To foster land stewardship values and environmental literacy for elementary through college level students that will create an enduring impact on young people's values and attitudes towards nature and their understanding and appreciation for their role in conserving natural resources. This effort will sustain our public lands for future generations and develop the next generation of conservation leaders.

**Background:** The Kennedy Meadows site is a living laboratory that offers a four to six month window of accessibility for connecting students to the land. This time frame is roughly May- October. Due to the distance and driving time, overnight opportunities are desirable and could involve the following activities:

### **May to June and September to October**

- Provide overnight environmental education experiences for 4<sup>th</sup> & 5<sup>th</sup> graders. Students would learn about Leave No Trace principles, nature exploration and participate in stewardship projects in the Kennedy Meadows area.
- Provide overnight experiences for high school students. Students will learn about Leave No Trace principles, participate in stewardship projects and conduct biological inventories.

### **June - August**

- Youth Stewardship Intern Program. Under the supervision of crew leaders, students serve for 2 – 6 weeks performing conservation projects in the Kennedy Meadows area as well as the Emigrant wilderness. Other activities could include assisting back country wilderness rangers with Leave No Trace Education, and conducting biological inventories. Positions may offer stipend or be voluntary.
- Me-Wuk Culture Camps. Me-Wuk elders teach their youth about the material culture. Gathering sites can be re-established and utilized. Workshops for educators will be offered that focus on Me-Wuk material cultural and how to teach about California Indians in the classroom. Field trips could also be conducted.

### **September - October**

- History Festivals. Opportunities for special events highlighting our agriculture heritage and living history, similar to the Foothill Farmlands Arts Festival could be offered.

**Potential Partners:**

Back Country Horseman, California Regional Environmental Education Community Network (CREEC), Columbia College, Central Sierra Arts Council, Kennedy Meadows Resort, Modesto Junior College, Mother Lode Job Training, Office of Education (Tuolumne, Stanislaus, & San Joaquin), Stanislaus National Forest staff, Stanislaus Wilderness Volunteers, Sonora High School, Summerville High School, Tuolumne Band of the Me-Wuk Indians, U.C. Merced, UC Cooperative Extension & 4H, Youth Conservation Corp.

## *Budget and Funding Plan*

22. Use the Excel template provided to estimate a preliminary budget plan for the planning unit within the following categories:

- a) Initial transaction costs.
- b) Ongoing operations and management costs (baseline operations).
- c) One-time and ongoing costs related to enhancements of beneficial public values.
- d) Administration costs related to the conservation easement.

Notes:

Please include all costs you expect to incur related to the acquisition and management of the planning unit. However, please note that this does not indicate that the Stewardship Council intends to fund all transaction or management costs related to the planning unit.

Categories of activities that the Stewardship Council will consider funding include:

- Transactional costs (e.g., parcel splits, land surveys, title reports, etc.)
- Studies of management issues
- Capital costs for physical improvements
- Annual operation and maintenance (e.g., endowment)
- Long-term monitoring of easements

## *Additional Sources of Support*

23. The preliminary budget plan will be used to consider organizational capacity and endowment needs. We are particularly interested in additional resources and forms of support you will be able to bring to the project. Please include any sources of revenue or support you expect to be able to apply to the project in the budget template (grants, in-kind support, matching funds, etc.). Please include a narrative which describes your strategy for securing these additional sources of support for the project. (two pages or less)

The RCD has the capacity to perform the necessary ongoing duties at Kennedy Meadows with the funding currently being provided by the lessee. The enhancements of the BPV's may require additional grant requests to the Stewardship Council or others. Proposed capital expenditures may also require additional funding from the Stewardship Council.

Primary funding for the donee will come from the lessee; in addition, funding will be sought from such organizations as the Sierra Nevada Conservancy, Sonora Area Foundation, Department of Conservation, Department of Fish and Game, CalTRANS, and United States Department of Agriculture, and various Open Space, Water, and Park Bonds through the State of California.

An ongoing endowment in the estimated amount of \$150,000 would provide sufficient funding for the easement holder to perform the required duties. The amount of time and money required of the easement holder is highly dependent on the annual workplan of the donee. \$150,000 invested at 3.5 percent would yield approximately \$5,250 per year.

Non-monetary resources such as internal staff, internal specialized departments, internal knowledge & information, internal equipment, external in-kind staff and external knowledge.

The TCRCD receives budgeted funds through the USDA via the NRCS, funds via State bond measures, easement monitoring endowments, EQUIP & SWIFT project funds, grants from a variety of sources including the Dept. of Conservation (DOC), the Sierra Nevada Conservancy (SNC), CalFire, Cal Trans, PG&E, the Sonora Area Foundation (SAF), seminars, misc. fundraisers. The TCRCD utilizes its professional internal staff to accomplish projects & objectives including its Watershed Coordinator, two contract grant writers, its diversified Board of Directors which include ranchers & farmers, large & small land owners, a youth camp owner/operator, a county community development director, a real estate broker, a banker, a financial consultant, a county social program manager, a Cal Fire program & finance manager.

### **Tuolumne County**

The County of Tuolumne's resources are similar to those of the Resource Conservation District. The greatest resource lies within the broad based knowledge of staff working in County departments. This includes Agriculture, Farm Advisor, Community Development,

Environmental Health, Recreation, and various Public Safety departments. The County currently regulates any development at Kennedy Meadows through its permitting departments and divisions. This was recently demonstrated when the County partnered with Kennedy Meadows when the lodge burnt down to make sure the building plans were accurate and safe.

The County brings is accustomed to working with the agencies already listed under the RCD for grant opportunities. Resources from the County Economic Development Authority are available to help the donee be successful in its operation.

### **Mother Lode Land Trust**

The Board and Staff of the Mother Lode Land Trust are efficient in grant writing and have the capacity to undertake multiple grants for conservation easement monitoring and maintenance/restoration. The staff is also proficient in the Center for Natural Lands Management Property Analysis Record (PAR) software, and use it to determine the costs associated with management projects and to calculate endowments for easements. The MLLT Finance Committee is well versed in the management of grant funds and has created a financial management strategy which allows MLLT to properly invest grant funds. As part of MLLT's Strategic Plan the trust has compiled a list of potential funding sources both public and private and are in a wonderful position to access adequate funds for the long term management of the Kennedy Meadows Project. In the past, MLLT has worked successfully with the Packard Foundation, the Resources Legacy Fund Foundation-Preserving Wild California, the Amador Community Foundation and the Sierra Nevada Conservancy. MLLT has also entertained the concept of conducting research on our lands funded by grants from the California State University System and other educational based organizations.

## ***VI. Attachments: Supporting Documentation***

Attach the following information to your proposal:

1. Charter Documents
2. Internal Revenue Service and/or Franchise Tax Board Determination Letters
3. Letter from the executive director or equivalent officer of each organization approving the submission of the Land Stewardship Proposal and the organization's participation in the Stewardship Council's land conservation process for the subject Planning Unit.
4. Operating Budget (current year)
5. Financial statements for the past three years (prefer audited)
6. Tax Filings (most recently filed 990 if applicable)
7. Land Trust Alliance Standards and Practices Organization Assessment and/or Accreditation (as applicable)

*We are Working for You*

**TUOLUMNE COUNTY RESOURCE CONSERVATION DISTRICT**

**PO BOX 4394, 237 STOCKTON ST, SONORA, CA 95370**

**(209)533-8866**



December 16, 2008

Mike Chrisman  
President, Pacific Forest and Watershed Lands Stewardship Council  
15 North Ellsworth Avenue, Suite 100  
San Mateo, CA 94401

RE: Authorization for the Tuolumne County Resource Conservation District to submit a Kennedy Meadows Proposal

Dear Mr. Chrisman:

The Tuolumne County Resource Conservation District has authorized me to submit the attached collaborative proposal to the Pacific Forest and Watershed Lands Stewardship Council regarding the Kennedy Meadows Planning Unit. The Board of Directors of the RCD unanimously approved our participation in the land conservation process for Kennedy Meadows as defined in the proposal, and has actively been participating with the Council staff and other stakeholders for over 2 years on this exciting project.

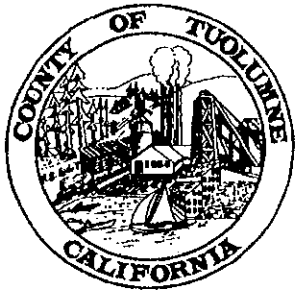
We understand that if selected as a donee, we will be expected to submit a formal resolution from the Board of Directors authorizing negotiations toward the final land transaction.

We look forward to finalizing the process, and hope that the Kennedy Meadows Pilot Project can be the first to come to completion.

Please call me at (209)533-8866 if you have any questions or need any additional information.

Sincerely

Kirk Ford, Chair  
Tuolumne County Resource Conservation District Board of Directors



## County Administrator's Office

Craig L. Pedro  
County Administrator

Tuolumne County Administration Center  
2 South Green Street  
Sonora, CA 95370  
Phone (209) 533-5511  
Fax (209) 533-5510  
[www.tuolumnecounty.ca.gov](http://www.tuolumnecounty.ca.gov)

December 17, 2008

Jayne Battey, Executive Director  
Stewardship Council  
15 North Ellsworth Avenue, Suite 100  
San Mateo, CA 94401

Re: Authorization to Submit Proposal to the Stewardship Council for the Kennedy's Meadows Planning Unit

The purpose of this letter is to confirm that the County of Tuolumne is authorized to submit a proposal to the Stewardship Council for the Kennedy's Meadow Planning Unit. On November 25, 2008, County staff made a comprehensive presentation to the Board of Supervisors on the overall mission of the Stewardship Council relative to all PG&E planning units and all actions to-date relative to the 240 acre Kennedy's Meadow Planning Unit. Various fee title and conservation easement (CE) models were presented to the Board for their consideration and direction to staff in preparing a proposal to the Stewardship Council. The following are summaries of the models (in order of preference) that the Board authorized staff to submit to the Stewardship Council:

- Model #1:** Fee Title Holder: Tuolumne County Resource Conservation District  
CE Holder: County of Tuolumne
- Model #2:** Fee Title Holder: County of Tuolumne  
CE Holder: Tuolumne County Resource Conservation District
- Model #3:** Fee Title Holder: Joint Powers Authority (County & RCD)  
CE Holder: Mother Lode Land Trust

It should be noted that it was the Board's strong preference that the Stewardship Council support Model #1 above. The major reason for the Board's position is that it is fully consistent with the purpose and mission of the RCD as established by the voters of Tuolumne County.

Yours truly,

A handwritten signature in black ink, appearing to read "Craig L. Pedro".

CRAIG L. PEDRO  
County Administrator





Stewardship Council  
Jayne Battey, Executive Director  
11521 Blocker Drive, Suite 205  
Auburn, CA 95603  
(530) 887-8918

Dear Jayne and the Board of the Stewardship Council,

The Mother Lode Land Trust Board and Staff have unanimously agreed to continue working collaboratively with the parties involved on securing the Conservation Easement to the Kennedy Meadows Pilot Project. We at MLLT feel that our core mission and values as well as our past work reflect the goals of the Stewardship Council and will be beneficial when preserving and enhancing the BPV's for Kennedy Meadows.

MLLT would like to thank the Staff at the Stewardship Council, especially Mary, Joel, Rick and Jayne for all of their help and support throughout this process. We look forward to working together as this acquisition process moves forward. If you have any questions please feel free to contact Ellie Routt.

Sincerely,

A stylized, handwritten signature in black ink, consisting of several sharp peaks and curves, followed by a small circle and a dot.

Ellie Routt  
Executive Director  
Mother Lode Land Trust  
PO Box 1435  
Jackson, CA 95642  
(209) 419-2861