



## MEMORANDUM

*To:* Stewardship Council Board of Directors  
*From:* Watershed Planning Committee  
*Date:* April 19, 2010  
*RE:* McArthur Swamp Prospective Donee Recommendation

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The Watershed Planning Committee is forwarding to the Stewardship Council Board of Directors the attached staff recommendation regarding the selection of the prospective donees at the McArthur Swamp Planning Unit. The committee is recommending that the board adopt the staff's recommendation at its forthcoming meeting on May 19, 2010.

### **Donee Recommendation:**

Specifically, the committee is endorsing the selection of the following donees:

- The selection of **Shasta Land Trust (SLT)** to hold conservation easements over both the retained and donated lands
- The selection of **Fall River Resource Conservation District (RCD)** to receive fee title ownership to the property.

### **Conservation Partner Recommendation:**

The committee endorses the recommendation that the **California Waterfowl Association**, **California State Parks**, and the **Pit River Tribe** serve as conservation partners to actively participate in future efforts to preserve and enhance the beneficial public values on the lands to be conveyed.

### **Recommended Transaction Terms:**

The committee recommends that the board also adopt the transaction terms delineated below. These terms are expected to form the basis for subsequent negotiations with the prospective donees leading to a comprehensive Land Conservation and Conveyance Plan (LCCP) to be considered for adoption at a later date, following public comment.

1. The SLT will hold a conservation easement over both the lands to be retained and conveyed by PG&E, which shall provide for the preservation in perpetuity of the beneficial public values (BPVs) outlined in Volume II of the Stewardship Council's LCP.
2. The RCD shall receive fee title to the property, subject to the conservation easement and to PG&E's reserved rights described below.
3. The conservation easement will honor existing agreements for economic uses of the property (the grazing licenses) by reserving to the land owner the right to maintain and renew such agreements.
4. The conservation easement will provide that the land owner will not renew, replace, or enter into any agreements with a lessee without including language pursuant to which the lessee acknowledges that the property is subject to the terms of the conservation easement and reserving to the land owner the right to prevent substantial impairment of the BPVs resulting from such uses. All uses of the lands conveyed in fee simple must be conducted in accordance with best management practices and not significantly impact other BPVs, including protection of the natural habitat of fish, wildlife, and plants, and historic values.
5. The conservation easement will establish a mechanism (such as a land management plan) to provide for ongoing monitoring and future enhancements to the BPVs. The initial land management plan shall be included in the LCCP to be submitted to the Stewardship Council board for approval.
6. The Stewardship Council will facilitate the development and implementation of a demonstration project at McArthur Swamp. The demonstration project would lead to the development and implementation of a land management plan and enhancement projects that have the potential to enhance the beneficial public values of wildlife habitat protection and agricultural uses. The demonstration project would also lead to the development of complementary land management plans for the retained and conveyed lands to maximize the preservation and enhancement of the BPVs. The donee of fee title will be required to implement the demonstration projects and any studies necessary to implement the initial land management plan.
7. After transfer of fee title, the new landowner will assume responsibility for compliance with all applicable laws and regulations (including CEQA) applicable to post-closing preservation and enhancement measures on the lands which are conveyed.
8. The recommended donees will provide the Stewardship Council with details concerning the composition and operation of the technical advisory committee, how the three-member management team will function, and the content of the proposed MOU between the Pit River Tribe and the RCD.
9. A third party beneficiary may be appointed by the Stewardship Council for purposes of approving subsequent fee owners and conservation easement holders.
10. PG&E will reserve rights necessary to operate and maintain hydroelectric generation and related facilities in accordance with the terms of the Settlement and Stipulation. The

conservation easement and/or other agreements to be negotiated as part of the LCCP process will describe PG&E's reserved rights with reasonable specificity.

11. Future revenue generated from use of the lands donated in fee, such as the grazing licenses, shall be applied to costs associated with property ownership, such as land management costs, future enhancements to the BPVs, and the payment by the fee title holder of property taxes.
12. The land owner will permit reasonable access to the property for such purposes as public recreational access, protection of cultural and historical resources, scientific research into such issues as climate change, and outdoor programs for local and out-of-county youth as described in the conservation easement and/or other agreements to be negotiated as part of the LCCP process. The donee of fee title shall permit Native Americans to have reasonable access to the McArthur Swamp for traditional activities such as ceremonial and spiritual purposes and harvesting plant materials for food, medicinal, or artistic uses.
13. The Stewardship Council may require that legal documents transferring title to the RCD contain a prohibition against future transfers of title without the consent of the Stewardship Council or a third party, or such other restriction on the right to transfer fee title as may be necessary to ensure that the terms of the Land Conservation Commitment are honored in perpetuity.
14. In transferring fee title to the Property, PG&E will hold the donee harmless for hazardous waste or substance liability as provided in the Settlement and Stipulation.

### **Funding Recommendation:**

The McArthur Swamp planning unit presents a unique opportunity to preserve local grazing traditions while enhancing wildlife habitat, and providing greater access to recreational opportunities in the Fall River Valley. It is the fourth largest of the Stewardship Council's 47 planning units and ranks sixth among all the planning units in terms of the amount of acreage available for donation. For these reasons, the committee recommends that the Stewardship Council:

- Fully fund transaction costs as reasonable and appropriate based upon discussions with the recommended donees, PG&E, Shasta County, and other stakeholders.
- Provide a reasonable level of funding to support enhanced management activities on the swamp and to provide a reserve for major maintenance projects.
- Provide grant funding for a portion of the costs of development and implementation of the demonstration project, studies, and other enhancements. Staff will make a specific recommendation after the design of the demonstration project.
- Fully fund property tax neutrality costs as reasonable and appropriate based upon discussions with Shasta County and special tax districts.



- Provide funding for reasonable costs of monitoring and managing a conservation easement (including baseline conditions report, easement recordation, endowment for annual costs, and legal defense).

## STAFF RECOMMENDATION MCARTHUR SWAMP PLANNING UNIT

The Stewardship Council was created to oversee PG&E's land conservation commitment to protect over 140,000 acres of land (watershed lands) and to preserve and enhance, on an overall basis, the following six beneficial public values (BPVs): (1) protection of the natural habitat of fish, wildlife, and plants; (2) preservation of open space; (3) outdoor recreation by the general public; (4) sustainable forestry; (5) agricultural uses; and, (6) historic values. As part of this process, the Stewardship Council is responsible for developing a land conservation plan and recommending qualified organizations to become involved in the future stewardship of these lands.

The McArthur Swamp Planning Unit, located in Shasta County, is the fourth largest of the Stewardship Council's 47 planning units and ranks sixth among all of the planning units in terms of the amount of acreage available for donation. McArthur Swamp contains the spring-fed Big Lake, the Tule and Little Tule Rivers and part of the Fall River, along with 6,000 acres of grassland and wetland areas. The site provides habitat for the endangered Shasta crayfish and several special status species. The multitude of bird species that reside or migrate through the area makes the McArthur Swamp site special. Fall River Valley, where McArthur Swamp is located, is Shasta County's most important waterfowl nesting area and has been designated by the Audubon Society as an Important Bird Area. Boating, fishing, wildlife viewing, and hunting are popular recreational activities at McArthur Swamp. The Rat Farm boat launch on the site also provides the only access to Ahjumawi Lava Springs State Park. The open grasslands of McArthur Swamp provide excellent forage for livestock grazing. McArthur Swamp is located within the ancestral territory of the Ahjumawi Band of the Pit River Tribe and includes several recorded archaeological sites.

A review team, composed of staff and consultants, evaluated two land stewardship proposals for McArthur Swamp. One of these proposals was submitted by the County of Shasta (County) and the California Waterfowl Association (CWA). The other proposal was submitted by a collaborative group consisting of the Fall River Resource Conservation District (RCD), the Pit River Tribe (Tribe), California State Parks – Cascade Sector (State Parks), and the Shasta Land Trust (SLT).

### *CONSIDERATIONS*

In making the below recommendations, staff considered the following:

- The requirements of the Settlement and Stipulation<sup>1</sup>
- General requirements outlined in Volume I of the LCP and other relevant policies, procedures, and goals.

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<sup>1</sup> California Public Utilities Commission Decision 03-12-035, December 18, 2003 (the "Settlement") and the Stipulation Resolving Issues Regarding the Land Conservation Commitment dated September 25, 2003 (the "Stipulation").

- The management objectives for the McArthur Swamp Planning Unit adopted by the Stewardship Council board in Volume II of the Land Conservation Plan;
- Public comments received regarding the potential donees and future stewardship of the Planning Unit;
- The programmatic, financial, and legal evaluation process that was used to evaluate the potential donees and their land stewardship proposals; and
- The evaluation team's analysis of the potential donees and the two land stewardship proposals.

*Staff's Donee Recommendation:*

- The selection of **Fall River Resource Conservation District** to receive fee title ownership of approximately 4,724 acres of the 7,663 acre site. The remaining 2,939 acres would be retained by PG&E.
- The selection of **Shasta Land Trust** to hold conservation easements over both the retained and donated lands.

*Staff's Conservation Partner Recommendation:*

The **California Waterfowl Association**, **California State Parks**, and the **Pit River Tribe** are recommended as conservation partners, to actively participate in future efforts to preserve and enhance the beneficial public values on the lands to be conveyed.<sup>2</sup>

Staff's recommendation of donees and conservation partners is based on a process that was established by the board in March 2008 for the McArthur Swamp Planning Unit and three other pilot project sites. This process was designed to select the best-suited prospective donees that would have the financial and organizational capacity to preserve and enhance the property and BPVs in accordance with the Land Conservation Plan (Volumes I and II). Key steps in the process consisted of soliciting and registering interested donee organizations, confirming their eligibility, requesting land stewardship proposals from eligible donee organizations, and reviewing and evaluating both the potential donees and their land stewardship proposals. This recommendation is also based on consideration of public comment received in the form of

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<sup>2</sup> In addition to working with owners of donated lands, conservation partners with the concurrence of PG&E may also work with PG&E to implement specific enhancement projects on the lands PG&E retains. These enhancement projects may be funded, either wholly or in part, by the Stewardship Council and would be implemented in concert with other enhancements planned as part of PG&E's ongoing land stewardship programs, FERC License, and other regulatory requirements.

The recommendation of specific organizations by the Stewardship Council does not preclude additional organizations from participating as conservation partners. The selected fee title donee has also received interest in the planning unit from other organizations, such as Ducks Unlimited and Shasta County 4H.



stakeholder correspondence, comments at meetings of the Stewardship Council's board of directors, and via input from public meetings organized and facilitated by the Land Conservation Program staff.

*Proposed Demonstration Project:*

In recognition of the unique wildlife habitat values of the McArthur Swamp and the importance of the agricultural use of cattle grazing to the local economy, staff is also recommending the creation of a demonstration project to develop and implement a land management plan and projects that are intended to demonstrate how the beneficial public values existing on the property can be harmonized and enhanced to their mutual benefit (See Appendix A). The management objectives of the demonstration project are expected to include enhancing habitat and nesting cover, controlling noxious weed populations, maintaining a diversity of meadow plant species, maintaining or improving water quality, and promoting ethno botanical species, while at the same time allowing for the Planning Unit to continue supporting an economically viable cattle grazing operation.

*Proposed Transaction Terms:*

Staff recommends that the Planning Committee's recommendation of prospective donees for the McArthur Swamp Planning Unit be accompanied by the following transaction terms:

1. The SLT will hold a conservation easement over both the lands to be retained and conveyed by PG&E, which shall provide for the preservation in perpetuity of the BPVs outlined in Volume II of the Stewardship Council's Land Conservation Plan (LCP).
2. The RCD shall receive fee title to the property, subject to the conservation easement and to PG&E's reserved rights described below.
3. The conservation easement will honor existing agreements for economic uses of the property (the grazing licenses) by reserving to the land owner the right to maintain and renew such agreements.
4. The conservation easement will provide that the land owner will not renew, replace, or enter into any agreements with a lessee without including language pursuant to which the lessee acknowledges that the property is subject to the terms of the conservation easement and reserving to the land owner the right to prevent substantial impairment of the BPVs resulting from such uses. All uses of the lands conveyed in fee simple must be conducted in accordance with best management practices and not significantly impact other BPVs, including protection of the natural habitat of fish, wildlife, and plants, and historic values.
5. The conservation easement will establish a mechanism (such as a land management plan) to provide for ongoing monitoring and future enhancements to the BPVs. The initial land management plan shall be included in the Land Conservation and Conveyance Plan (LCCP) to be submitted to the Stewardship Council board for approval.

6. The Stewardship Council will facilitate the development and implementation of a demonstration project at McArthur Swamp. The demonstration project would lead to the development and implementation of a land management plan and enhancement projects that have the potential to enhance the beneficial public values of wildlife habitat protection and agricultural uses. The demonstration project would also lead to the development of complementary land management plans for the retained and conveyed lands to maximize the preservation and enhancement of the BPVs. The donee of fee title will be required to implement the demonstration projects and any studies necessary to implement the initial land management plan.
7. After transfer of fee title, the new landowner will assume responsibility for compliance with all applicable laws and regulations (including CEQA) applicable to post-closing preservation and enhancement measures on the lands which are conveyed.
8. The recommended donees will provide the Stewardship Council with details concerning the composition and operation of the technical advisory committee, how the three-member management team will function, and the content of the proposed MOU between the Pit River Tribe and the RCD.
9. A third party beneficiary may be appointed by the Stewardship Council for purposes of approving subsequent fee owners and conservation easement holders.
10. PG&E will reserve rights necessary to operate and maintain hydroelectric generation and related facilities in accordance with the terms of the Settlement and Stipulation. The conservation easement and/or other agreements to be negotiated as part of the LCCP process will describe PG&E's reserved rights with reasonable specificity.
11. Future revenue generated from use of the lands donated in fee, such as the grazing licenses, shall be applied to costs associated with property ownership, such as land management costs, future enhancements to the BPVs, and the payment by the fee title holder of property taxes.
12. The land owner will permit reasonable access to the property for such purposes as public recreational access, protection of cultural and historical resources, scientific research into such issues as climate change, and outdoor programs for local and out-of-county youth as described in the conservation easement and/or other agreements to be negotiated as part of the LCCP process. The donee of fee title shall permit Native Americans to have reasonable access to the McArthur Swamp for traditional activities such as ceremonial and spiritual purposes and harvesting plant materials for food, medicinal, or artistic uses.
13. The Stewardship Council may require that legal documents transferring title to the RCD contain a prohibition against future transfers of title without the consent of the Stewardship Council or a third party, or such other restriction on the right to transfer fee title as may be necessary to ensure that the terms of the Land Conservation Commitment are honored in perpetuity.
14. In transferring fee title to the Property, PG&E will hold the donee harmless for hazardous waste or substance liability as provided in the Settlement and Stipulation.

*Rationale for Donee Recommendation:*

In recommending general acceptance of the RCD/Tribe/State Parks/SLT collaborative proposal (“collaborative proposal”), staff took into account the following key considerations:

1. The collaborative proposal supports the preservation and enhancement of the BPVs identified in the Stewardship Council’s Land Conservation Plan (LCP) and the proposed preservation and enhancement measures are consistent with the management objectives for the property.
2. The stated goals of the collaborative proposal are consistent with the Stewardship Council’s core values, particularly with respect to collaboration.
3. The collaborative proposal supports the continuation and enhancement of existing public recreational uses and economic uses (i.e. grazing) of the property.
4. The organizations that comprise the collaborative proposal team have demonstrated an interest in, knowledge of, and ability to seek grant funding for projects, including watershed improvement projects, meadow and stream restoration projects, and noxious weed management.
5. The Stewardship Council’s Land Conservation Program Funding Policy states that revenues derived from lands donated in fee will be the first source of funding for the costs associated with property ownership, land management, and enhancements to the BPVs. The collaborative proposal indicates that revenues from existing grazing operations and other revenue received would be applied to such costs.
6. The collaborative proposal includes Native American involvement and supports the preservation of cultural values and resources.
7. Overall, the collaborative proposal creates an opportunity for managing, preserving and enhancing the property’s resources in accordance with the goals and objectives of the Land Conservation Commitment and the Land Conservation Plan. It also provides opportunities for youth engagement at the site.
8. The Shasta Land Trust holds 6 conservation easements on properties in Shasta County totaling approximately 15,000 acres, and appears to possess the capacity and experience to hold and administer a conservation easement over the property. It has expressed enthusiasm for participating in the demonstration project.
9. The RCD is well suited to help design and implement a demonstration project to preserve and enhance the Stewardship Council’s BPVs, focusing on agriculture and habitat protection, and has expressed enthusiasm in participating in that process.
10. The Pit River Tribe, which would be jointly managing the property with the RCD, has significant experience owning and managing rural lands, including lands utilized for cattle grazing. The proposal indicates that the Tribe would donate in-kind resources to preserve and enhance the natural habitat of fish, wildlife, and plants, and would seek

grant funding for noxious weed abatement and other projects. The tribe has a successful track record obtaining and managing federal grants and would be an active participant in the demonstration project.

11. California State Parks, which would be a member of the proposed Technical Advisory Committee, would contribute to the overall management of the McArthur Swamp Planning Unit by lending its expertise in managing recreational land, including experience with cultural and natural history.
12. The California Waterfowl Association has significant expertise in implementing wildlife habitat enhancement projects and has demonstrated a strong interest in McArthur Swamp working with the community, resource agencies, and PG&E to prepare management plans for McArthur Swamp over a several year period.

*Staff's Funding Recommendation:*

The McArthur Swamp planning unit presents a unique opportunity to preserve local grazing traditions while enhancing wildlife habitat, and providing greater access to recreational opportunities in the Fall River Valley. It is the fourth largest of the Stewardship Council's 47 planning units and ranks sixth among all the planning units in terms of the amount of acreage available for donation. For these reasons, staff recommends that the Stewardship Council:

- Fully fund transaction costs as reasonable and appropriate based upon discussions with the recommended donees, PG&E, Shasta County, and other stakeholders.
- Provide a reasonable level of funding to support enhanced management activities on the swamp and to provide a reserve for major maintenance projects.
- Provide grant funding for a portion of the costs of development and implementation of the demonstration project, studies, and other enhancements. Staff will make a more specific funding recommendation to the Planning Committee after the demonstration project has been designed.
- Fully fund property tax neutrality costs as reasonable and appropriate based upon discussions with Shasta County and special tax districts.
- Provide funding for reasonable costs of monitoring and managing a conservation easement (including baseline conditions report, easement recordation, endowment for annual costs, and legal defense).

Final funding priorities and the Stewardship Council's proposed funding commitment will be reflected in the draft LCCP that will be reviewed by the Planning Committee and board prior to their approval.

In support of staff's recommendation, the following information is found in Appendices B, C, and D:

1. A description of the property, key features, and summary of the management objectives that were adopted by the board for the McArthur Swamp Planning Unit;



2. A summary of public outreach conducted by the Stewardship Council and public comments received and considered regarding the potential donees and future stewardship of the planning unit;
3. An overview of the process that was followed to solicit, engage, evaluate, and recommend prospective donees;
4. A summary of the two land stewardship proposals that were submitted; and
5. An overview of the programmatic, financial, and legal evaluation process that was used to evaluate the potential donees and their land stewardship proposals;

## APPENDICES

Appendix A - McArthur Swamp Demonstration Project Description

Appendix B - McArthur Swamp Background

Appendix C - McArthur Swamp Planning Unit Report from LCP Volume II

Appendix D - Summary of Public Comments and Correspondence

## APPENDIX A

### McArthur Swamp Demonstration Project Concept

The McArthur Swamp Planning Unit encompasses 7,663 acres; 4,724 acres are available for donation. The Demonstration Project would lead to the development and implementation of a land management plan and enhancement projects that have the potential to enhance the beneficial public values of wildlife habitat protection and agriculture, allowing the swamp to continue to support a viable cattle grazing operation, an important economic use in the region. . The Stewardship Council's regional land conservation manager would facilitate a collaborative process to design the Demonstration Project. The design stage would principally occur prior to conveyance of fee title. The implementation phase would occur after the lands have been conveyed. Stewardship Council would provide partial funding for project implementation.

#### DEMONSTRATION PROJECT CONCEPT

- Develop a grazing management strategy that is focused on improving habitat and range conditions
- Maintain, to the maximum extent possible, a grazing program that does not result in fewer AUMs (Animal Unit Months) than the current potential yield
- Maintain economic viability of the agricultural components of the planning unit
- Determine feasibility of reintroducing cropping on suitable portions of the Planning Unit to enhance wildlife habitat and increase agricultural revenues to support land management and enhancement activities
- Involve the local ranchers who currently hold PG&E grazing licenses in the development and implementation of the Demonstration Project
- Develop and implement an integrated management plan in collaboration with interested stakeholders including the grazing association currently holding grazing licenses on the planning unit
- Determine the most cost effective ways to eliminate noxious weeds
- Protect and/or enhance the native plant species that are a high priority for Native Americans
- Strive to have the lands in the planning unit managed as a resource unit to preserve and/or enhance the beneficial public values through complementary land management practices on both retained and conveyed lands
- Improve communication, knowledge, and working relationships among key stakeholders

## APPENDIX B – BACKGROUND

### I. OVERVIEW OF MCARTHUR SWAMP PLANNING UNIT AND LAND STEWARDSHIP PROPOSALS

#### A. *Property Description*

The McArthur Swamp Planning Unit is located within the Fall River Valley in Shasta County, just north of the town of McArthur. The site contains grassland and wetland areas, as well as the spring-fed Big Lake, the Tule and Little Tule Rivers, and part of the Fall River. The planning unit is made up of seven legal parcels with a total acreage of 7,663, with approximately 4,724 acres located outside Federal Energy Regulatory Commission (FERC) boundaries. The majority of the planning unit is zoned "EA-AP" (Exclusive Agriculture-Agriculture Preserve) with portions zoned "U" (Unclassified). The planning unit is located within the Pit 1 FERC Project. In March 2003, FERC issued a new license to PG&E for the Pit 1 Project, which is valid through February 28, 2042. The property is bounded to the south and west by private land, to the east by private and BLM lands and to the north by Ahjumawi Lava Springs State Park. In addition to the large contiguous parcels that comprise the majority of the planning unit, there is a small piece of land within the planning unit, referred to as the Glenburn Dredge site, located along the Fall River downstream of the Tule River and Fall River confluence. This piece is entirely surrounded by private property and does not have road access. The planning unit also includes a small linear piece of land located off of the Little Tule River called the Bowman Ditch. This ditch is surrounded by Ahjumawi Lava Springs State Park and serves to collect spring water and funnel it into the Little Tule River. McArthur Swamp is located within the ancestral territory of the Ahjumawi Band of the Pit River Tribe. McArthur Swamp is located within the ancestral territory of the Ahjumawi Band of the Pit River Tribe and includes several recorded archeological sites.

McArthur Swamp is recognized as being an important site for birds. Tens of thousands of birds use this site during their migration; in 1998 a USFWS bird count recorded over 500,000 during a single year. The Fall River Valley, where McArthur Swamp is located, is Shasta County's most important waterfowl nesting area and has been designated by the Audubon Society as an Important Bird Area. McArthur Swamp supports wintering waterfowl, such as mallard, wigeon, gadwall, and geese, including large numbers of Cackling Canada Geese, a small rare subspecies. The grassland areas provide excellent foraging for at least 10 wintering and resident crane and raptor species, including many special status species (such as Greater Sandhill Crane, Bald and Golden Eagle, Short-Eared owl, Northern Harrier, and Prairie Falcon).

Boating, fishing, wildlife viewing, and waterfowl hunting are popular recreational activities at McArthur Swamp. Due to the abundance of bird species, bird watching opportunities are tremendous. The Big Lake area is part of the nationwide Watchable Wildlife Program and is included within the California Wildlife Viewing Guide. Wildlife viewing is currently possible from the levee tops and main access road. Hunting is a prominent use of the site as McArthur Swamp is the most popular waterfowl hunting location in the intermountain area. Although

hunting is allowed at the Swamp at no charge, there are no specific hunting facilities on the property.

For over 70 years, the open grasslands of McArthur Swamp have provided excellent forage for livestock and in earlier years the uplands were farmed for grain. The forage provided by McArthur Swamp has become an integral part of the local economy, providing income via jobs, goods, and services. The areas of the property used for grazing consist of 16 fields and 19 stock pond watering systems, which support 10,000 animal unit months (AUMs) from April to November. Approximately 7,750 AUMs are present on lands available for donation. Fields are grazed at various times throughout the grazing season, but these properties are particularly important in providing high elevation grazing in the summer months—when temperatures in the Central Valley soar and cattle are moved to cooler pastures. In recognition of seasonal wetland habitat and avian usage of the area, the Wildlife Habitat Improvement Program (WHIP) area is only grazed for one month in late summer. As indicated in the LCP Volume II, grazing activities at McArthur Swamp are managed to encourage waterfowl use and to enhance winter use by migrating waterfowl.

A major land management issue at McArthur Swamp is the presence of noxious weeds. Noxious weeds within the planning unit include bull, musk, and Scotch thistle; spotted and squarrose knapweed; and perennial pepperweed. In addition, Eurasian watermilfoil, an aquatic invasive plant, has become a significant issue within the Tule River and surrounding waterways. PG&E has an active noxious weed abatement program in place. This program will need to be maintained and possibly enhanced in the future.

### ***B. Beneficial Public Values***

As required by the Settlement Agreement and Stipulation, the following broad range of BPVs must be preserved in perpetuity on the PG&E watershed lands on an overall basis: (1) protection of the natural habitat of fish, wildlife, and plants; (2) preservation of open space; (3) outdoor recreation by the general public; (4) sustainable forestry; (5) agricultural uses; and, (6) historic values. The Stewardship Council was created to ensure this commitment is realized through the development and implementation of land conservation recommendations consistent with this mandate.

The Stewardship Council staff recommends that the preservation and enhancement of the lands at the McArthur Swamp Planning Unit specifically focus on unique habitat values, agricultural uses, popular outdoor uses, and protection of the historic and cultural values that are present. The Stewardship Council has established specific management objectives to preserve and enhance each of the BPVs found on the McArthur Swamp Planning Unit. These management objectives, along with a description of the existing BPVs, are described in the attached McArthur Swamp Planning Unit Report (See Appendix C).

A number of potential measures supporting the management objectives and BPVs were listed in Volume II of the LCP. Staff reviewed this list and developed the following preliminary list of priority measures:

- Conducting biological and cultural resource surveys;
- Extending the noxious weed management program;
- Developing a rangeland management plan;

- Developing management plans related to wildlife and habitat management and cultural resources; and,
- Coordinating with Native American entities when conducting cultural resource surveys

Following the development of the proposed Demonstration Project, staff will further review and possibly refine this preliminary list of measures.

### *C. Public Outreach and Comment*

The Stewardship Council has developed and implemented a public outreach program to ensure that local communities, elected representatives, neighboring property owners, tribes, and other key stakeholders are engaged in the Stewardship Council's effort to preserve and enhance the watershed lands. There is a high degree of public interest in the McArthur Swamp Planning Unit.

Public outreach efforts and public input on the McArthur Swamp Planning Unit are summarized in Appendix D. Public input that the Stewardship Council received as a result of the public outreach process, including comments on Volume II of the LCP, comments from public workshops on the selection of donees and other issues, comments made by the public at the Stewardship Council's board meetings, and correspondence received by the Stewardship Council, were considered by the evaluation team in its evaluation of the potential donees and their land stewardship proposals.

### *D. McArthur Swamp Pilot Process*

Following the board's adoption of Volumes I and II of the Land Conservation Plan (LCP) in November 2007, the McArthur Swamp Planning Unit was selected as one of four pilot projects. As a pilot project, the property was used by the Stewardship Council to develop a process for soliciting, evaluating, and selecting prospective donees and developing a Land Conservation and Conveyance Plan (LCCP). When adopted, following a public review and comment period, the LCCPs will together constitute Volume III of the LCP.

In March 2008, the board adopted a pilot process for McArthur Swamp and the three other pilot project sites. The pilot process included a series of steps designed to solicit eligible organizations, and to evaluate and select the best suited organizations that would have the organizational and financial capacity to receive fee title or hold a conservation easement at each of the four pilot sites. The McArthur Swamp pilot process consisted of the following steps:

- All organizations interested in becoming a donee for the McArthur Swamp Planning Unit were required to register their interest on the Stewardship Council's Interested Donee Registry.
- All organizations that registered interest in becoming a donee were required to submit a Statement of Qualifications (SOQ) that included a description of the organization's capacity and qualifications to manage land or hold a conservation easement and land interests sought.
- Shasta County, the Fall River Resource Conservation District (RCD), the Shasta Land Trust (SLT), the Pit River Tribe, Cottonwood Creek Watershed Group, California State Parks, and the California Waterfowl Association (CWA) each submitted an SOQ for the

McArthur Swamp Planning Unit. Staff reviewed the information provided in the SOQs, and confirmed the eligibility of all seven organizations based on a specific set of minimum eligibility criteria. The minimum eligibility requirements are outlined in the Pilot Process Overview that was adopted by the board on March 26, 2008.

- All seven eligible donees were invited to prepare and submit a land stewardship proposal (proposal). The purpose of the proposal was to provide sufficient information to enable the Stewardship Council to evaluate and select the prospective donee(s) for each planning unit consistent with the requirements of the Settlement Agreement and Stipulation using the donee evaluation criteria described in Section II below. In the proposal, eligible donees were asked to describe their qualifications, how they would manage the property to preserve and enhance the BPVs, and how they would honor existing economic uses. The eligible donees were also required to submit a preliminary ten-year budget outlining the potential costs associated with transactions, operation and maintenance, and preservation and enhancement of the BPVs, with potential sources of funding identified.
- Throughout the process the Stewardship Council encouraged collaboration among all eligible donees and other interested organizations. Over the course of several months, the eligible donees met on several occasions to discuss and explore ways of collaborating on a proposal. During these meetings, they learned about each other's qualifications and interests in the McArthur Swamp Planning Unit. Ultimately, two separate proposals were submitted to the Stewardship Council.

#### *E. Summary of Land Stewardship Proposals*

By the deadline of February 6, 2009, the Stewardship Council had received two proposals for the McArthur Swamp Planning Unit that included all but one of the eligible donees. One proposal was submitted as a collaborative effort by the RCD, Tribe, State Parks, and the Shasta Land Trust. The other proposal was submitted by Shasta County and the California Waterfowl Association. Midway through the proposal development process, the Cottonwood Creek Watershed Group informed staff that they were withdrawing because of other priorities and because they felt that their interests were protected by the Stewardship Council's established management objectives and the recommended measures proposed by the remaining potential donees. A staff summary of both proposals is provided below.

#### *RCD Collaborative Proposal Summary*

The proposal submitted by the RCD, Tribe, State Parks, and SLT provides a detailed description of how the property would be managed and the roles and responsibilities for each of the partners. The proposal identifies a number of stakeholders interested in the future use and management of the property and describes how each stakeholder could participate in the future management of the unit, including participation from the general public. Several letters of support for the proposal were included with the proposal, from organizations including the Natural Resource Conservation Service and the Central Valley Regional Water Quality Control Board.

*Summary of the overall management approach*

- The management approach emphasizes preservation and enhancement of the BPVs by several organizations, and outlines how these organizations would work together and make decisions concerning future management of the property. The proposal describes the Tribe as a “full partner” in management of the property.
- The formation of a technical advisory committee (TAC) is proposed to provide expertise in the management of the planning unit. Members of the advisory group would represent key stakeholders interested in the future management of properties in the geographic region, including the McArthur Swamp Planning Unit. Concerned citizens, non-profit organizations, as well as local, state, and federal agencies would be invited to participate in the TAC. The TAC would have one vote on the three-member management team for the McArthur Swamp Planning Unit; the other two votes would be held by the RCD and Tribe.
- The RCD and Tribe would execute a memorandum of understanding (MOU) to formalize the partnership that has been created through the Stewardship Council process.

*Summary of proposed measures to preserve and enhance the BPVs*

- The preservation and enhancement measures outlined in the proposal emphasize the need to conduct surveys to inform the development of resource management plans prior to defining specific measures.
- The proposal indicates that some of the Stewardship Council’s recommended potential preservation and enhancement measures described in Volume II of the Land Conservation Plan are contingent on the outcomes of the inventories and assessments.
- In addition to conducting surveys and developing management plans, the following specific measures were proposed: development of a hunting program similar to a wildlife refuge program; enhanced grazing through irrigation using groundwater; and, the creation of a cultural monitoring program for the property. As a long term goal, the proposal also suggests exploring the feasibility of growing crops on some of the lands to increase revenues and enhance wildlife habitat.
- Surveys and inventories would likely be started within the first year of acquisition. Overall land management planning and development of various resource management measures would take place in the second year. As outlined in the RCD proposal, implementation of specific measures developed during those first two years would begin as early as the second year.
- The proposal recognizes potential opportunities for youth interaction and education at the McArthur Swamp Planning Unit, and recommends evaluating the feasibility of constructing a youth summer camp facility on the property.
- A visitor and cultural center and museum are proposed on a site near the Intermountain Fairgrounds to provide a central location for introductory information and displays on the history and ecology of the McArthur Swamp. It is envisioned to include space for on-site

management offices and maintenance facilities, lecture halls and class rooms, and museum space for cultural displays.

- The proposal recommends continuation and expansion of the noxious weed management program with an emphasis on A-rated weeds and perennial pepper weed.
- The proposal indicates an intention to honor existing grazing leases as long as the existing grazers remain interested in grazing the land.

#### *County and California Waterfowl Association Proposal Summary*

An important element of the County's proposal is to maintain the use of the property for summer pasture, thus supporting the rural agricultural economy of the region. The proposal expresses strong support for the local ranching families to continue grazing cattle at McArthur Swamp.

#### *Summary of the overall management approach*

- The proposal recommends an adaptive management program based on habitat conditions, desired resource uses, and management targets that can optimize the resource values of the Swamp.
- The proposal recommends creating 7 staff positions, including positions for a conservation program coordinator, seasonal biological technicians, ranch foreman, education coordinator, and seasonal education interns.
- The proposal recommends the creation of an advisory committee that would be responsible for reviewing monitoring results and comparing the results against the baseline conditions and goals and objectives of the management plan, as well as making recommendations for future management. The advisory committee would be composed of representatives from federal, state, and local public resource agencies, the grazing licensees, the Pit River Tribe, the County, CWA, and the University of California Cooperative Extension Service. It is proposed that any disputes between Shasta County and CWA over management goals and objectives or proposed management actions be resolved by consensus of the advisory committee members in which the County and CWA would not be voting parties.
- The proposal, similar to a previous proposal prepared by the McArthur Swamp Collaborative Group in 2003 (the McArthur Swamp Management Plan), supports continued grazing by the McArthur Swamp Range Management Association – the local grazing interest.

#### *Summary of proposed measures to preserve and enhance the BPVs*

The County proposes to conduct resource surveys to inform the development of land management plans. In the absence of such information, the County and CWA believe it is premature to develop specific measures to preserve and enhance the site. The proposal identifies the following areas of interest and concern to the proponents:

- Cattle grazing is an essential use of the property both inside and outside the Pit 1 FERC Project boundary and would continue as an important activity supporting the local economy, culture, and tradition, and as a means of managing habitat conditions of the McArthur Swamp.
- Native Americans would be allowed access to the property for traditional activities, such as ceremonial and spiritual purposes and harvesting plant materials for food, medicinal, or artistic uses. The Pit River Tribe would be invited to become a member of, and participate in, an advisory committee.
- Noxious weed control would be prioritized to limit spread of weeds to private lands, reduce fire danger, prevent degradation of grazing conditions, and protect botanical resources.
- The proposal recommends using the McArthur Swamp property to provide hands-on youth experiences, lessons, and service projects with the goal of developing lifelong stewardship interests and skills in youth.

## II. OVERVIEW OF PROGRAMMATIC, FINANCIAL, AND LEGAL EVALUATION

The evaluation of the donees and their land stewardship proposals was guided by three sets of criteria - programmatic, financial, and legal. These criteria were used by an evaluation team with the relevant knowledge and expertise to evaluate the potential donees and the proposals. The team included Land Conservation Program staff, external reviewers from the environmental consulting firm of EDAW/AECOM, and the Resources Law Group. Other members of the evaluation team included the Stewardship Council's legal counsel and director of finance, who reviewed the proposals for legal compliance and financial capacity, respectively.

The evaluation criteria are organized into two parts, described below. Section A describes the criteria used to evaluate the donee organizations. Section B describes the criteria used to evaluate the proposals.

### A. *Evaluation Criteria for Donees*

The evaluation criteria that were established by the Stewardship Council and used to evaluate the donees are described below.

#### *Programmatic Considerations*

- Organization has the capacity and experience to hold, monitor, and manage similar real estate interests in perpetuity.
- Organization's mission and/or programs and activities include the protection and enhancement of the Stewardship Council's six BPVs.
- Organization has demonstrated an ability and effort to work collaboratively and in partnership with public and private entities in the geographic region.
- Organization follows conservation and land management best practices.

- Organization ensures that its operations are legally and ethically sound and in the public interest.

#### *Financial Considerations*

- Organization has the financial capacity to hold, monitor, and manage similar real estate interests in perpetuity.
- Organization adheres to sound financial management practices and processes.

#### *Legal Considerations*

- Organization has the legal capacity to hold, monitor, and manage similar real estate interests in perpetuity.
- Organization is not currently in violation of any legal or regulatory requirements.

#### *Other Considerations*

- Public input on the selection of the donee(s) and measures to preserve and enhance BPVs.

### ***B. Evaluation Criteria for Land Stewardship Proposals***

The evaluation criteria that were established by the Stewardship Council and used to evaluate the land stewardship proposals are described below.

#### *Programmatic Considerations*

- Proposal demonstrates consistency with the general requirements outlined in Volume I of the LCP and other relevant policies, procedures, and goals.
- Proposal demonstrates an ability to meet the management objectives for the planning unit as described in Volume II of the LCP.
- Proposal demonstrates an ability to be inclusive of the broader cultural perspectives and values within the region.
- Proposal demonstrates an ability to create opportunities as appropriate for youth engagement, education, and the development of future generations of stewards.
- Proposal reflects the core values of the Stewardship Council including collaboration, stewardship, discovery, sustainability, and leadership.
- Proposal reflects efforts to work collaboratively with public and private entities in the geographic region to plan and/or implement the proposal.

*Financial Considerations*

- Proposal demonstrates a reasonable understanding of the financial costs of proposed activities.
- Proposal demonstrates an ability to leverage resources and funds beyond those of the Stewardship Council to ensure continuance of efforts over time.

*Legal Considerations*

- Proposal demonstrates consistency with specific requirements of the Settlement Agreement and Stipulation, such as:
  - property tax neutrality;
  - honoring existing agreements for economic uses;
  - the requirement that all lands be protected by conservation easements or, in the absence of a conservation easement, satisfactory assurance in another form that the lands will be managed consistent with the LCP;
  - provisions regarding FERC license conditioning authority; and,
  - consistency with PG&E's ongoing hydropower operations.

The potential donee(s) and their land stewardship proposals were reviewed by the Stewardship Council to determine how well they satisfy the above criteria.

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### Existing Conditions & Uses

#### Overview

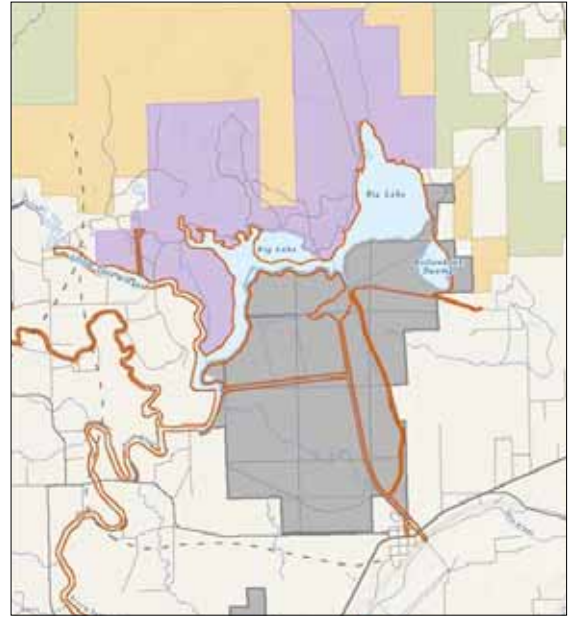
- Spring-fed lake and rivers; valuable grazing lands and important waterfowl area
- Planning unit provides the only public access to Ahjumawi Lava Springs State Park
- 7,596 acres in Shasta County; 5,196 acres outside the FERC boundary and 2,400 acres inside the FERC boundary
- Part of the Pit 1 Project (FERC #2687); new License issued March 2003

As shown in Figure PM-3, the McArthur Swamp Planning Unit is located within the Fall River Valley in Shasta County, just north of the town of McArthur. The site contains the spring-fed Big Lake, the Tule and Little Tule Rivers and part of the Fall River, along with 6,000 acres of grassland and wetland areas. The property is bounded to the south and west by private land, to the east by private and BLM lands, and to the north by Ahjumawi Lava Springs State Park.

In addition to the large contiguous parcels that comprise the majority of the planning unit, there



View toward Mt. Shasta



McArthur Swamp Planning Unit  
Shasta County

is a small piece of land within the planning unit, referred to as the Glenburn Dredge site, located along the Fall River downstream of the Tule River and Fall River confluence.<sup>1</sup> This piece is entirely surrounded by private property and does not have road access. The planning unit also includes a small linear piece of land located off of the Little Tule River called the Bowman Ditch. This ditch is surrounded by Ahjumawi Lava Springs State Park and serves to collect spring water and funnel it into the Little Tule River.

McArthur Swamp was once a large, wet meadow-fringed marsh fed by a network of springs. Due to the system of levees and drainage canals that were built beginning in 1903, the area now includes 1,400 acres of open water, which mainly consists of Big Lake, Tule River, and some canals. PG&E purchased the area in 1925 and it became part of the Pit 1 FERC Project. The only hydropower infrastructure within the planning unit is the system of levees and canals.

### Fish, Plant, and Wildlife Habitat

McArthur Swamp provides habitat for several special status species, including rough sculpin, bigeye marbled sculpin, and northwestern pond



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turtle. The endangered Shasta crayfish<sup>2</sup> is also found in the lava substrate and springs within the area, particularly in Big Lake, Ja-She Creek, and along the Tule River Levee System. The Fall River, adjacent to the Glenburn Dredge site, is a DFG-designated Wild Trout stream that is well known for large rainbow trout. Three rare plants and two special status snails have also been identified within the planning unit.

The multitude of bird species that reside or migrate through the area makes the McArthur Swamp site special. Tens of thousands of birds use this site during their migration; one USFWS bird count recorded over 500,000 during a single year. Fall River Valley, where McArthur Swamp is located, is Shasta County's most important waterfowl nesting area and has been designated by the Audubon Society as an Important Bird Area.<sup>3</sup> McArthur Swamp supports wintering waterfowl, such as mallard, wigeon, gadwall, and geese, including large numbers of cackling Canada geese, a small rare subspecies. The grassland areas provide excellent foraging for at least 10 wintering and resident crane and raptor species, including many special status species (such as greater sandhill crane, bald and golden eagle, short-eared owl, northern harrier, and prairie falcon).

Despite the valuable habitat and grazing lands found at McArthur Swamp, noxious weeds are evident and a growing concern. Noxious weeds within the planning unit including bull, musk, and Scotch thistle; spotted and squarrose knapweed; and perennial pepperweed. In addition, Eurasian watermilfoil, an aquatic invasive plant, has become a significant issue within the Tule River and surrounding waterways.

The 2003 McArthur Swamp Management Plan (MSMP) proposed the creation of additional habitat for wildlife within the 675-acre Wildlife Habitat Improvement Program (WHIP) area (see Figure PM-3). The MSMP includes levee repair, seasonal flooding, fencing, vegetation management and construction of a water control structure at Rat Farm Pond, as well as a topographic survey, pipe installation, vegetation

management, and fencing at Hollenbeak Field, a 700-acre area that includes the 675-acre WHIP area. Additional fencing is proposed for several areas around drains and canals not currently fenced from cattle. The MSMP is modeled on a similar plan developed by the Technical Review Team from 1998-2000, however it does not address properties or issues located outside of the FERC Project boundaries.

### Open Space

The Shasta County General Plan recognizes that rivers, creeks, associated riparian corridors, and floodplains within the county are major open space resources. The General Plan also recognizes that agricultural lands provide privately maintained open space, which contributes to both the rural character of the county and its open, natural landscape. Lands along the southern portion of the planning unit and the Glenburn Dredge site provide scenic views for McArthur Road, an important thoroughfare. The open grassland area also provides excellent views of Mt. Shasta, a regional landmark.

### Outdoor Recreation

Boating, fishing, wildlife viewing, and hunting are popular recreational activities at McArthur Swamp. An existing boat launch is located at Big Lake Access, and fishing and boating are



Meadow habitat

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Cattle within grazing lease area

common on the Fall River and at Big Lake. This boat launch also provides the only access to Ahjumawi Lava Springs State Park—where primitive campsites are available only by boat access. There is only one other public boat launch to the Fall River, a car-top boat launch installed by CalTrout farther upstream.

Due to the abundance of bird species, bird watching opportunities are tremendous. The Big Lake area is part of the nationwide Watchable Wildlife Program and is included within the California Wildlife Viewing Guide. Wildlife viewing is currently possible from the levee tops and main access road. Hunting is a prominent use of the site, as McArthur Swamp is the most popular waterfowl hunting location in the intermountain area. Though hunting is allowed at the Swamp at no fee, there are also no specific hunting facilities on the property.

Under the new Pit 1 Project FERC License, PG&E will construct a new boat launch at the termination of McArthur Canal into the Tule River on the western edge of the planning unit. This new boat launch (called the Tule-Fall River Boat Launch) will provide car-top boat access to the Tule, Little Tule, and Fall Rivers. The Pit 1 Project Recreation Plan also includes provisions for signage on levee tops, at boat launches, and along Highway 299 to draw attention to recreational opportunities and wildlife viewing at McArthur Swamp.

### Forest Resources

There are no forest resources within the planning unit.

### Agricultural Uses

The open grasslands of McArthur Swamp provide excellent forage for livestock grazing. Also an historic use, grazing has occurred at the Swamp for about 70 years. The property currently provides leased grazing opportunities for nine to twelve ranchers on 6,000 acres of land for approximately 1,200 to 2,000 head of cattle. Perimeter and cross-fencing have created 16 fields where 19 stock pond watering systems can support 10,000 animal unit months (AUMs) from April to November. Fields are grazed at various times throughout the grazing season, but these properties are particularly important in providing high elevation grazing in the summer months—when temperatures in the Central Valley soar and cattle are moved to cooler pastures. In recognition of seasonal wetland habitat and avian usage of the area, the WHIP area is only grazed for one month in late summer. Additionally, grazing activities carried out within McArthur Swamp are carefully managed to encourage waterfowl use and have specifically enhanced winter use by migrating waterfowl.

### Historic Resources

McArthur Swamp is located within the ancestral territory of Ajumawi Band of the Pit River Tribe. PG&E conducted cultural resource studies within the Pit 1 Project cultural resource study area, which is generally the area within the Pit 1 Project FERC boundary (see Figure PM-3). While cultural resource information for the planning unit is relatively limited, there are six recorded archaeological sites at McArthur Swamp within the Pit 1 Project cultural resource study area, five of which are located along Rat Farm Road. These sites include prehistoric lithic scatter sites and a multi-component site. Additionally, the historic Rat Farm, which was the site of a PG&E muskrat farm built in 1924, is

# MCARTHUR SWAMP PLANNING UNIT

## Pit-McCloud River Watershed

located within this planning unit. There are at least six other sites outside the cultural resource study area, including an ethnographic village site.

The recent License Order for the Pit 1 Project implemented the Pit 1 Project Programmatic Agreement. The Programmatic Agreement required PG&E to develop the Pit 1 Historic Properties Management Plan (HPMP) to manage cultural resources per Section 106 of the National Historic Preservation Act.

### Stewardship Council Recommendations

The Stewardship Council recommends that the land and land uses at McArthur Swamp be preserved and enhanced by focusing on the importance of the planning unit for local ranching, the excellent habitat values and protected species found within the planning unit, the importance of public access and recreation to the region, and the presence of cultural resources. In presenting the Recommended Concept provided here, our objective is to preserve and enhance habitat, open space, recreation, and cultural resources while also protecting and preserving important grazing activities.

**Objective: Preserve and enhance biological, cultural, and agricultural resources and enhance education and recreation opportunities.**

As shown on Table PM-2, the Stewardship Council has identified a number of preservation and/or enhancement measures that may contribute to the conservation management program for McArthur Swamp. Additional detail and background regarding these potential measures can be found in the Supporting Analysis for Recommendations, provided under separate cover. These measures are intended to be illustrative in nature, not prescriptive, and



Historic Rat Farm building

will be amended, deleted, or augmented over time in coordination with future land owners and managers to best meet the objective for this planning unit.

### Fish, Plant, and Wildlife Habitat

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

McArthur Swamp is an important wildlife area, particularly for migrating raptors and birds. To preserve and enhance the habitat and resources found here, the Stewardship Council recommends that baseline studies and plans be developed to gain a clear understanding of the



View from levee toward Rat Farm Pond

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resources. These studies will likely be followed by management plans to ensure implementation of preservation and enhancement measures for specific resources. Management of the property to preserve and enhance habitat will also include heightened management of noxious weeds specifically bringing agency and resource interests on board to assist PG&E and future potential landowners or easement holders in the fight against Eurasian watermilfoil.

The Stewardship Council also recommends assessing the potential to restore Bowman Ditch to enhance habitat connectivity as well as assessing the potential to enhance habitat for Shasta crayfish in addition to supporting Shasta crayfish recovery efforts. We recognize that McArthur Swamp is an important resource in a regional setting and strongly encourage close coordination with local entities and other resource experts in implementing all biological resource protection measures. All planning should be considered in conjunction with the rangeland management plan, relevant Pit 1 Project plans, and other onsite improvements that PG&E will be undertaking as part of the MSMP.

### Open Space

**Objective: Preserve open space in order to protect natural and cultural resources, viewsheds, and agricultural land uses.**



Boat launch at Big Lake

This concept would preserve open space by limiting new construction to signage and minor additional recreation facilities, as well as through permanent conservation easements. Conservation easements would describe all prohibited uses to maintain open space values, including the level of uses allowed and the requirement to maintain scenic qualities.

### Outdoor Recreation

**Objective: Enhance recreational facilities in order to provide additional education and recreation opportunities and enhance the recreation experience.**

McArthur Swamp is an important recreational area offering boating, fishing, hunting, bird watching. Additionally, the planning unit provides the primary access to the unique boat-in only primitive experience of Ahjumawi Lava Springs State Park. The Stewardship Council looks to enhance these opportunities by recommending modest enhancements to recreational facilities on the properties (Figure PM-4). We recommend enhancements focused on providing interpretive signage to promote natural and cultural resource awareness and assessing the potential for hunting blinds and wildlife viewing facilities. In addition, we recommend increasing opportunities for youth education and recreation as well as providing a dock and day use facilities at the Big Lake Access site.

### Agricultural Uses

**Objective: Preserve and enhance grazing in order to support associated economic benefits, as well as to protect open space and habitat resources.**

The McArthur Swamp Planning Unit provides significant cattle forage and has long been an important component of the regional ranching economy. The Stewardship Council looks to preserve this resource and important economic use as part of the long-term management of

# MCARTHUR SWAMP PLANNING UNIT

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McArthur Swamp. To support this effort, we anticipate that a baseline conditions report will be required to describe current agricultural, physical, and overall biological conditions of the area. From this, specific determinations can be made to identify and manage grazing practices in balance with other uses and values of the property.

### 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.**

McArthur Swamp is rich with Native American history, as well as the history of use of the Fall River Valley. The Stewardship Council aims to support an increased understanding of these resources and ensure they are appropriately protected. To meet this objective, we recommend that cultural resource studies be conducted to understand the resources found at McArthur Swamp (particularly outside the FERC cultural resource study area where little information is available), that appropriate management plans be developed and implemented, and that opportunities to support public education regarding cultural resources be considered. Throughout this effort, the Stewardship Council recommends close coordination with Native American entities. Development of the cultural resources management plan should be consistent with the Pit 1 Project Programmatic Agreement.

### Endnotes

<sup>1</sup>The Glenburn Dredge site has traditionally been the mooring site of the PG&E commissioned dredge Francis.

<sup>2</sup>The recent Pit 1 Project License Order requires monitoring of Shasta crayfish (and bald eagles), as well as development of a Shasta Crayfish Technical Review Committee and a Shasta crayfish management plan.



View of Mt. Shasta from McArthur Swamp

<sup>3</sup> The Fall River Valley has been designated by the Audubon Society as an Important Bird Area based on the approximately 17 species of sensitive bird species that breed in the valley and the significant numbers (over 4,000) of migratory and wintering birds that use the valley. This designation by Audubon highlights areas that are biologically exceptional and is intended to heighten the awareness of the State's avifauna, their habitat, and the potential threats to the stability of bird populations.

## APPENDIX D: PUBLIC OUTREACH AND COMMENTS

### I. PUBLIC REVIEW OF VOLUMES I AND II OF THE LCP

The Draft LCP Volumes I and II were released in June 2007 for a 60-day public comment period. During this time, the Stewardship Council held ten public meetings to publicize the availability of the Draft LCP and to encourage public comment. During public review of Volumes I and II of the LCP, public comments were submitted concerning the McArthur Swamp Planning Unit. Comments were received via email, the website, and hardcopy letters. The comments were reviewed, and responded to individually; and the text in the Draft LCP was revised as appropriate. In comparison to other planning units, the McArthur Swamp unit has received only minimal public comment.

Public comments emphasized the following concerns regarding future management of the property:

- Concern that the existing grazing leases should be allowed to continue into the future.
- Concern that the future management plan takes into account all of the BPVs present at the site.
- Concern enhancements made to the property do not detract from the quality of the site.

### II. PILOT PROJECT ORIENTATION MEETING

On December 19, 2007 the Stewardship Council hosted a Pilot Project Orientation Meeting for the McArthur Swamp Planning Unit in Redding. The purpose of this meeting was to provide an update on the Stewardship Council LCP and review the pilot process. At this meeting the importance of collaboration was emphasized and dominated the meeting agenda and comments. The meeting participants also had an opportunity to ask questions regarding the process. The notes from this meeting were summarized and posted on the Stewardship Council website for public review.

Public concerns at this meeting included:

- There will be difficulty in finding funding to implement any proposal.
- How do we ensure that all stakeholders are included in the process?
- How will stakeholders be kept up to date on the process and how will they be allowed to participate?
- Will all documents involved with the process be available to all stakeholders?

### III. PUBLIC PLANNING WORKSHOP

A public planning workshop on the McArthur Swamp pilot project was hosted by the Stewardship Council on September 11, 2008, in McArthur, California. Attendees at the

workshop represented a wide variety of interests including local, state, federal, and tribal governments; community organizations; and local businesses. The primary purpose of this workshop was to solicit input from the public on the development of a LCCP to preserve and enhance McArthur Swamp.

During the meeting, a break-out session was held in which the workshop attendees were randomly divided into two groups consisting of 12-15 people. Discussions were guided by staff and focused on two topics: important qualifications of future land owners and conservation easements holders, and importance/priority of the potential measures recommended for McArthur Swamp. Notes from each group were recorded on flip-charts and key discussion points were reported back to the larger group at the end of the workshop by a community member. Public input provided at this meeting regarding the two topics are summarized below.

The future landowners and conservation easement holders should have the following qualifications:

- Must be accountable to the local community
- Demonstrate the ability and experience to manage all BPVs
- Long-standing organization with established financial and organizational capacity
- Demonstrate best practices with regard to BPVs
- Ability to work collaboratively and be inclusive of the public (transparent and open public process)
- Familiarity with geographic region and understand McArthur Swamp history and place in community
- Have long-term plans to manage the property in perpetuity

The following potential measures to preserve/enhance BPVs were identified and prioritized:

- Expansion of grazing / agriculture should be considered
- Removal of noxious weeds
- Support for a variety of uses should be considered
- New measures should honor existing economic uses
- Youth investment and public education opportunities

#### IV. ADDITIONAL PUBLIC COMMENTS

The Stewardship Council has also received unsolicited public comments from individuals and organizations regarding the selection of donees for the McArthur Swamp Planning Unit. The concerns expressed are similar to those expressed during public workshops and review of Volume I and II of the LCP.