

Response to Columbia Cascade ISRP Preliminary Review of Project 29044
‘Protecting Habitat on Private Lands in the Methow Watershed’

Sponsor: Methow Conservancy (MC)

Subbasin: Methow

FY03 Request: \$1,153,100

5 YR Estimate: \$3,459,300

Short Description: Protect and provide long-term stewardship of habitat on private lands in the Methow Watershed through the use of perpetual conservation easements.

ISRP Preliminary Recommendations and Comments and Project Sponsor Response

Comment: *‘The proponents need to also consider the value of protection of terrestrial resources to BPA’s mitigation for loss of wildlife habitat. Indication of wildlife habitat units (determined by the HEP procedures) protected would strengthen the proposal.’*

Response: The project sponsor (MC) concurs with the ISRP’s analysis. Acquisition, termed and prioritized by HEP wildlife mitigation units, can and should be implemented, although there are no BPA wildlife habitat mitigation units available in the region. The MC believes that this model and analysis should be part of all acquisitions (state and federal) and a that a standardized process and terminology be adopted and included in the pre-application materials. Many sponsors would need to budget the resource and time elements that this prioritization procedure requires, in advance of grant submittal.

Perhaps, this data could be made available from a participating agency.

The MC has done similar analysis and mapping using the GIS data layers available from many state and federal agencies, such as the Washington Department of Fish and Wildlife’s Priority Habitat and Species Data, the Washington Department of Natural Resources’ Heritage Plant and High Quality Ecosystem Data, the Washington GAP Landcover Data, and the National Wetlands Inventory. Defining this existing data in the terms of HEP wildlife mitigation units is currently underway in response to the ISRP recommendation.

The Confederated Salish and Kootenai Tribes’ Habitat Acquisition and Restoration Plan (199110600) is excellent. The project sponsor proposes to adopt a similar methodology including the ‘Guidelines for Wildlife Habitat Acquisition’ and the ‘Acquisition Ranking Criteria’ procedures. Timelines for selection of acquisition targets termed in HEP wildlife mitigation units and supported by the above procedures are being developed by the MC’s Lands Committee

Comment: *‘Monitoring for biological resources is weak. Effectiveness monitoring is planned, but the proponents need to assure that the overall benefits of the cumulative effects of this project and others are monitored.’*

Response: The monitoring component of this project shall meet the recommendations and needs of the ISRP. The Natural Resources Inventory survey site and data collection and the Aquatic and Terrestrial Monitoring protocols will be implemented where appropriate.

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A Habitat Unit approach can be utilized. Tier 2 and Tier 3 monitoring are probably outside the scope of the MC, although Tier 1 is planned. The MC has a contractual monitoring requirement to review and document baseline data onsite annually, including photo-points and any changes in the terrestrial and aquatic resources. The MC has professional staff qualified and trained to perform these duties. Monitoring protocols that assist other agencies in Tier 2 or Tier 3 analysis will be implemented, if possible. The MC finances this long-term monitoring component through an established stewardship endowment fund. This restricted endowment has been funded by the organization through private donations from landowners and currently averages in excess of \$4000 per parcel in easement. The MC, with input from the National Land Trust Alliance (LTA), has determined that a commitment of \$8000 per parcel is appropriate and is fundraising to meet this goal. Please note that these are averages, some properties have complexities that require more than the average, some lower, determined by MC staff evaluations and using criteria developed by the LTA. Funding of stewardship endowments contractually as part of the easement acquisition process has been complicated by the need to keep the 'donative' aspect of easements for the federal tax benefits and by agencies' grant limitations, nonetheless the MC will continue to require that every easement they hold has adequate stewardship funding to the level referenced above.

Comment: *What are the long-term O&M requirements of this project?*

Response: Analysis of the long-term stewardship and monitoring cost of conservation easements has been done by the National Land Trust Alliance (LTA), the Nature Conservancy and the Trust for Public lands. Data indicates that the annual stewardship costs nationwide average or \$400 per parcel or \$8000 per easement invested at the 5% historically anticipated return. The MC is committed to a carefully maintained and adequately funded stewardship endowment, has the internal procedures and is meeting this goal.

Legal defense of conservation easements are a consideration also. While defense of easement elements are rare, funds must be established to pay for legal defense if necessary. Currently, recommendations are to have a separate legal defense fund, endowed to a level of \$60,000 (LTA). The MC has made a commitment to adequately funding this element.

Comment: *Will easements eventually be 'owned' by a government agency?*

Response: These conservation easements are not expected to be held by a government agency. While conservation easements, through a process required in the easement document termed 'Succession', can have another 'qualified' organization (including federal, state, county, or municipal governments) hold the conveyed rights, this is not anticipated. The MC's Stewardship Endowment funds, coupled with their Organizational Endowment funds make succession unlikely or probably unnecessary. One of the most

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compelling considerations of landowners in deciding to enter into a conservation easement and protecting their land in perpetuity is the element of local control. The MC intends to honor this concern by assuring that organizationally we can provide the funding for long-term relationships with landowner.

Comment: *What is the relationship of this project to the Nature Conservancy, if any?*

Response: The MC has no formal relationship with the Nature Conservancy. Our acquisition efforts are in the development of less-than-fee simple (some donative aspect and less than full fair market value) conservation easements. Fee-simple acquisition plays almost no role in our protection efforts. In our community and others throughout the West, there is a growing resistance by local government and the public to fee-simple acquisition plus the complexity of owning and managing property for perpetuity have focused our efforts to these voluntary, locally held agreements.