

June 27, 2014
Special Meeting
Item #1a
Conway Ranch
Conservation
Easement
TONY DUBLINO
PRESENTATION

The background of the slide is a landscape painting. It depicts a wide valley with a river or stream winding through it. In the distance, there are mountains under a blue sky. The foreground shows a field with some trees and a small structure. The overall style is that of a classic landscape painting.

Conway Ranch Conservation Easement

June 27, 2014

Mono County Board of Supervisors
Special Meeting

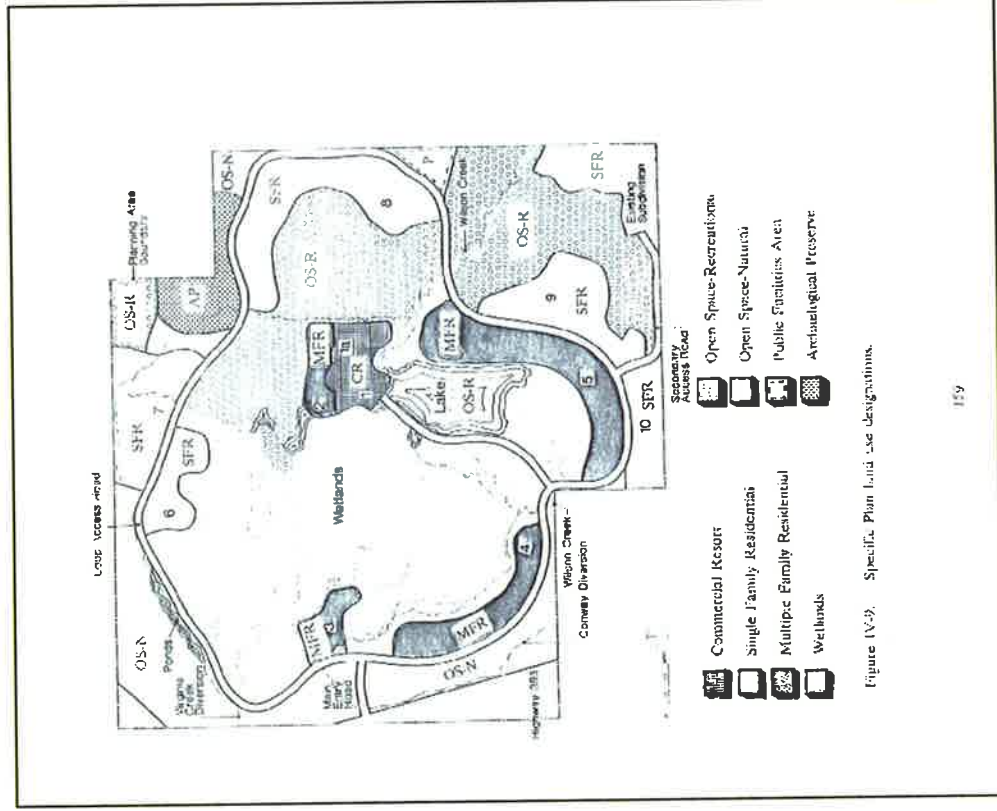


Conway Ranch Conservation Easement

- Conway Ranch Specific Plan
- Trust for Public Land
- County Acquisition with Grant Funds
- Management since 1998
- Caltrans MOU
- Drafting the Easement
- Public Outreach and Response
- Process from Here

Conway Ranch Specific Plan

- Approved in 1990
- 250 Townhouses
- 178 SFR
- 100 MFR
- 100 hotel rooms
- 50 cottages
- Restaurant, Bar,
Conference Space
- 18 hole Golf Course
- 30 acre Lake
- 2 miles of new streams



Trust for Public Land

- 1997—TPL acquires option on Conway Ranch from landowner
- 1997—2000 TPL works with County to organize grant funding so County can purchase property
- Once County secures funding, TPL exercises option, purchases property and transfers to County.
- TPL no longer involved in Conway Ranch



County Acquisition and Grants

- NFWF, State Parks, Caltrans
- Funding complexities—different grant cycles, different properties, different agencies, different restrictions



Reasons for County Acquisition

- Open Space Preservation
- Fish Rearing
- Wetlands Mitigation Banking
- Habitat maintenance and enhancement for waterfowl, deer, mountain lion
- Public Access

County Management

- BLM MOU
- Sheep Grazing Lease
- Irrigation Specialist Contract
- Aquaculture Agreement
- 1600 Permit with CA DFW

County Management

o Aquaculture Agreement excerpts:

B. Due to the critical importance of water to fish rearing, IAG shall be entitled to priority usage of the Property's appurtenant water rights, relative to any other persons or activities that the County may allow on the Property during the term of this Agreement (other than the County itself). IAG's use of the water for aquaculture activities shall be substantially nonconsumptive consistent with aquaculture needs.

E. IAG shall not grade, pave, or erect any permanent buildings or structures, or otherwise permanently improve or alter the Property from its original physical conditions at the commencement of this Agreement, including but not limited to installing night-time lighting on the Property, without the Director's prior written consent and after first obtaining any necessary permits or other approvals from the County.

County Management

o Sheep Grazing Lease

1. Grant of Leasehold Interest: Lessor does hereby lease to Lessee and Lessee does hereby hire from Lessor the Property to be used for sheep grazing and related purposes subject to all of the terms, covenants and provisions hereunder.

2. Term: The term of this Lease shall commence on November 15, 2012 and shall cease and terminate on November 15, 2017.

3. Rent: As ~~rented~~ for the use of the Property, Lessee hereby promises and agrees to pay the Lessor the sum of Seventeen Thousand Dollars (\$17,000.00) for the first year of this Lease. A first installment of \$8,500 will be due on May 15, 2012, and when the second installment of \$8,500 will be due by November 15, 2013. Rent shall be paid by check or money order payable to ~~the Lessor~~.

v. Lessee shall comply with any directive given to it by Lessor made in response to an action taken or designation made by an agency of the United States. In that event, Lessee may request Lessor to reduce the rent to be paid by the Lessee for its use of the Property.



Caltrans MOU

- MOU—release of the 75 acres with a conservation easement on remainder of property, but not on the 75 acres.
- NFWF and State Parks would retain their granting interest in the 75 acres
- Selection of ESLT as Easement holder
- First and second Caltrans MOU extensions

Drafting The Easement

- Everything but the 75 acre Aquaculture Area
- NFWF and State Parks grants still apply, and are not affected by Caltrans buyout.
- Aquaculture would be outside of the Easement, and out of Caltrans grant oversight, but not outside of the NFWF and State Parks Grants.

County Concerns

- Balancing aquaculture needs with the conservation goals and grants of the Conway Ranch
- Meeting the needs of all County constituents
- Review of existing groundwater studies to gain a sense of available safe yield of groundwater in the area.
- Commitment to the CEQA process for future development.

The Need for Aquaculture

- Mono County Fisheries Commission
- Angling tourism and local economy
- Importance of trophy trout program
- Reduction in CA DFG stocking
- Where else?
 - A County-owned property with a 16cfs water right and historic aquaculture activities.
 - Since acquisition, property considered to be a site for future aquaculture activities.

Initial Public Outreach

- Input from stakeholders without aquaculture interests express a need for limits on the aquaculture activities
- Input from Aquaculture Experts, Fisheries Commission, to help determine a conceptual project scope that could be referenced in the easement.

Public Outreach and Response

- Concerns from local residents and comments from NFWF to expand the scope of the Conservation Easement to **include** the 75 acre Aquaculture Area in the Easement.
- The Draft Easement is expanded to include the 75 acre Aquaculture Area, **greatly expanding** the scope of the Easement, the related limits on future activity, the related long-term management and cost of the Easement.

Public Outreach and Response

- In light of the comments received, the perpetuity of the document, and the desire to be transparent, it becomes obvious that **all** conceivable future activities should be included, regardless of their current potential. (i.e., Mattly)

Public Outreach and Response

- “Aquaculture Terms” are developed to put maximum limits on aquaculture development activity within the 75 acre Aquaculture Area.
- Mono Basin RPAC
 - Several months of meetings and subcommittee meetings relating to Conway Ranch.
 - The RPAC achieves a difficult consensus on specific recommendations on the “Aquaculture Terms.”

Public Outreach and Response

- Mono Basin RPAC recommendations are considered in the Draft Language.
- Building envelope
- Square footage limit
- Design guidelines
- Building Heights
- Night lighting
- Impervious surface square footage limit
- Solar energy square footage limit
- Groundwater impacts on local communities
- Monitoring Plans
- Reclamation Plan

Agency comments

- Granting Agencies
 - Caltrans
 - State Parks
 - NFWF
 - Granting Agencies Caltrans, State Parks tentatively accept Draft language. Initial NFWF response OK, but formal review still pending.
- CA DFW
- US FWS
 - Wildlife Agencies want to see additional protections for Bighorn Sheep and Sage Grouse
- LADWP
 - Concerns about the Easement's potential to influence their water right via 'return ditch'



Public Comments

- Concerns over groundwater extraction from residents in Mono City and Conway Ranch.
- Numerous responses bringing up issues surrounding aquaculture on Mattly Ranch
- Numerous responses from groups and individuals supporting aquaculture on Conway Ranch.
- Request for 3rd MOU Extension, granted by Caltrans



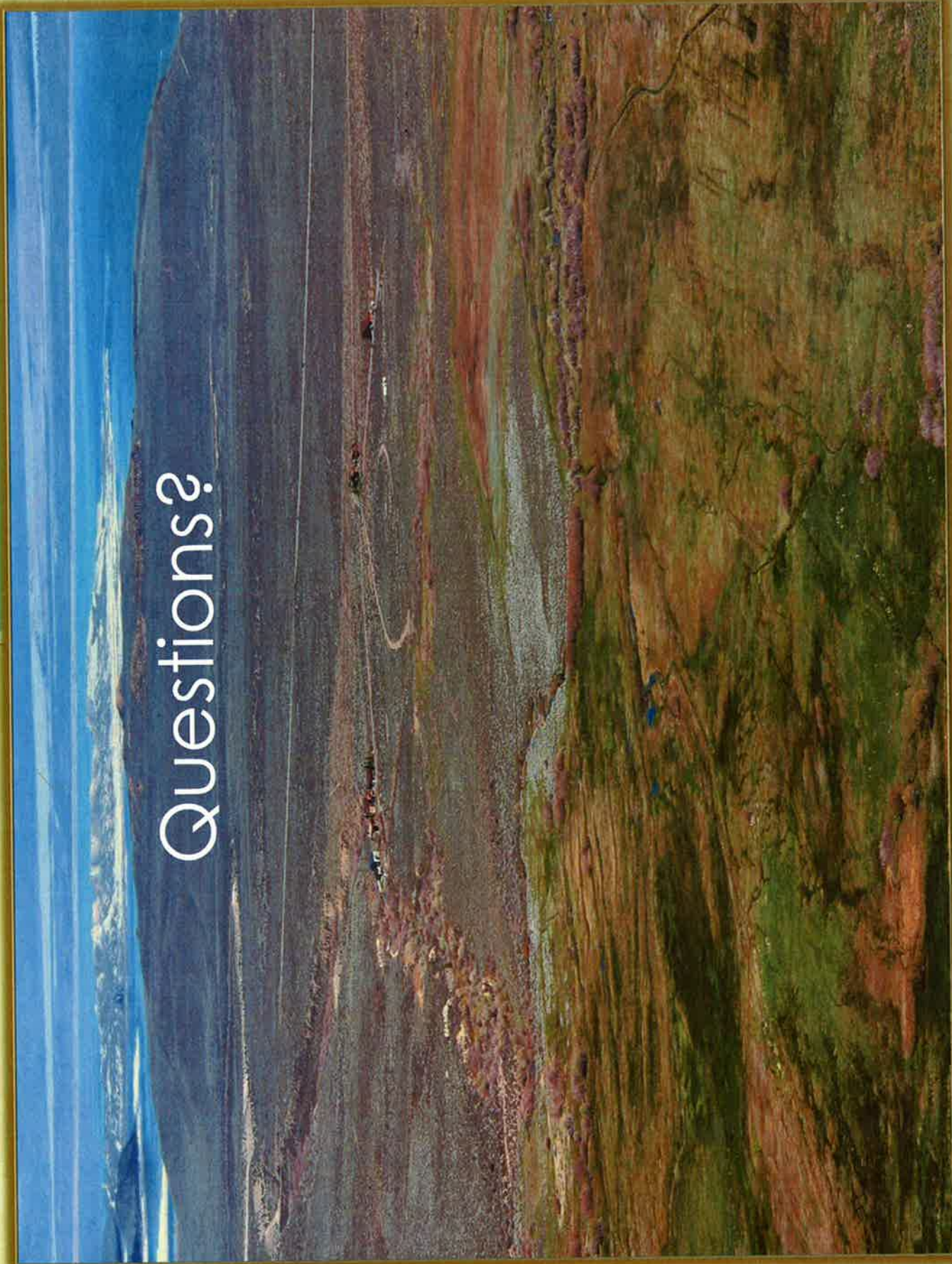
Direction Needed on Remaining Issues

- Aquatic Species Recovery
- Groundwater Pumping
- Community Involvement
- CEQA
- Noise and Impervious Heights
- Alternative Energy Generation

Process from Here

- Final Draft Language Developed and Distributed
- Approval by Board of Supervisors
 - CEQA
 - Categorical Exemption 15317: Open Space Contracts or Easements
 - Will be filed upon adoption by Board of Supervisors
 - All future projects will be analyzed under CEQA
- Approval by ESLT Board
- Approval by Granting Agencies
- Recording of Easement

Questions?



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Conway Ranch

Conservation

Easement

EASTERN SIERRA

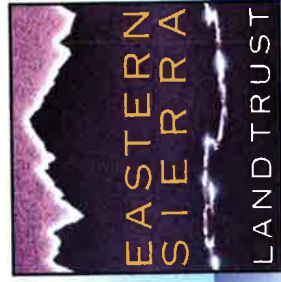
LAND TRUST

PRESENTATIONS



CONWAY RANCH CONSERVATION EASEMENT

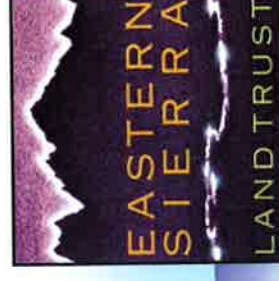
*~ FREQUENTLY
ASKED
QUESTIONS ~*



What is a conservation easement?

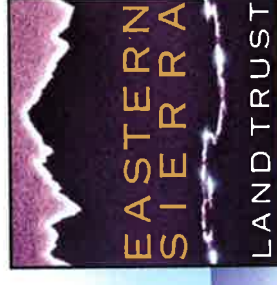


- Binding legal agreement between a willing landowner and a land trust to protect lands with significant public benefits.
- Permanent, stays with the land forever.
- Identifies the land trust as responsible for monitoring and easement enforcement.



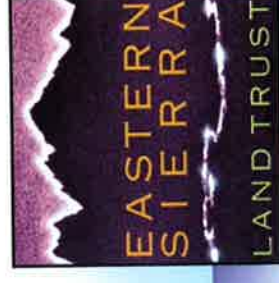
Frequently Asked Questions about Conservation Easements

1. What does a CE do?
 - Protects important conservation values found on the property for future generations
 - Restricts uses that could impair those conservation values
 - Sets up process for monitoring of property
 - Sets up enforcement procedures



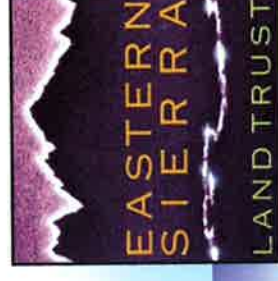
FAQs about CEs

2. How does a conservation easement work?
 - The landowner and land trust collaborate on an easement agreement that restricts certain uses and allows other uses.
 - The landowner continues to own and manage the land.
 - The land trust regularly monitors the property, at least once per year, to ensure the terms of the CE are being followed.



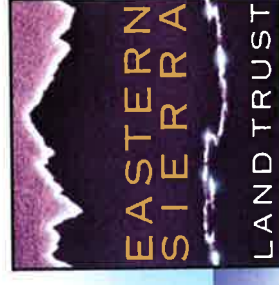
FAQs about CEs

3. How does ESLT ensure compliance with the CE?
 - Through good communication and regular monitoring most problems can be avoided.
 - ESLT works to avoid and resolve violations but will legally defend the CE through judicial processes.
 - ESLT is enrolled in conservation defense insurance to assist with legally defending our CEs.



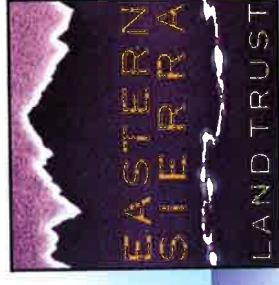
FAQs about CEs

4. How long does a CE last and can it be changed?
 - A CE is designed to last forever.
 - ESLT has an amendment policy that only allows changes that increase the protections or correct administrative errors.



FAQs about CEs

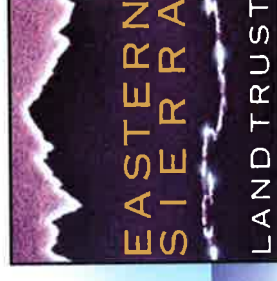
5. What happens if the land trust ceases to exist?
 - The CE includes language describing a process for transferring the CE to another organization or agency.



FAQs about CEs

6. What is ESLT's role in the proposed Conway Ranch CE?

- ESLT will protect the conservation values found on the property, as described in the existing grant restrictions, through enforcing the terms of the CE: habitat, wetlands, scenic views, historic resources, and public access.
- ESLT will regularly monitor the property to ensure conservation values are intact.

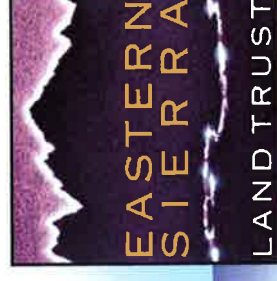


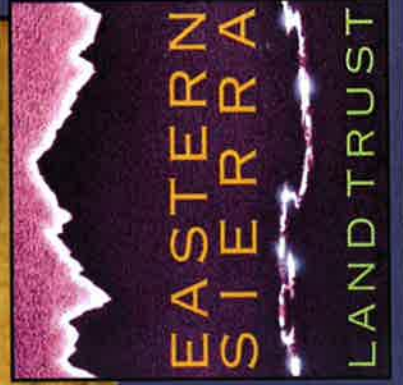
FAQs about CEs

7. What is ESLT's role in the proposed Conway Ranch CE?

-ESLT will not manage the property or any projects taking place on the property. The County will manage any fish rearing, livestock grazing, or other activities on the property.

-ESLT will meet with Mono County once a year to ensure that management plans for the property are consistent with the terms of the CE.

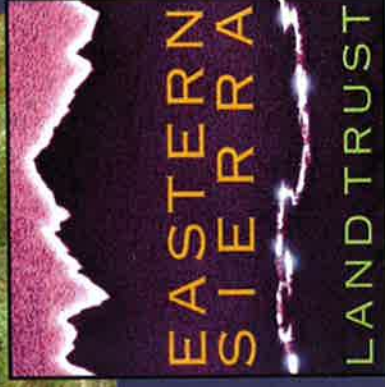




176 Home Street, Bishop

(760) 873 - 4554

www.eslt.org

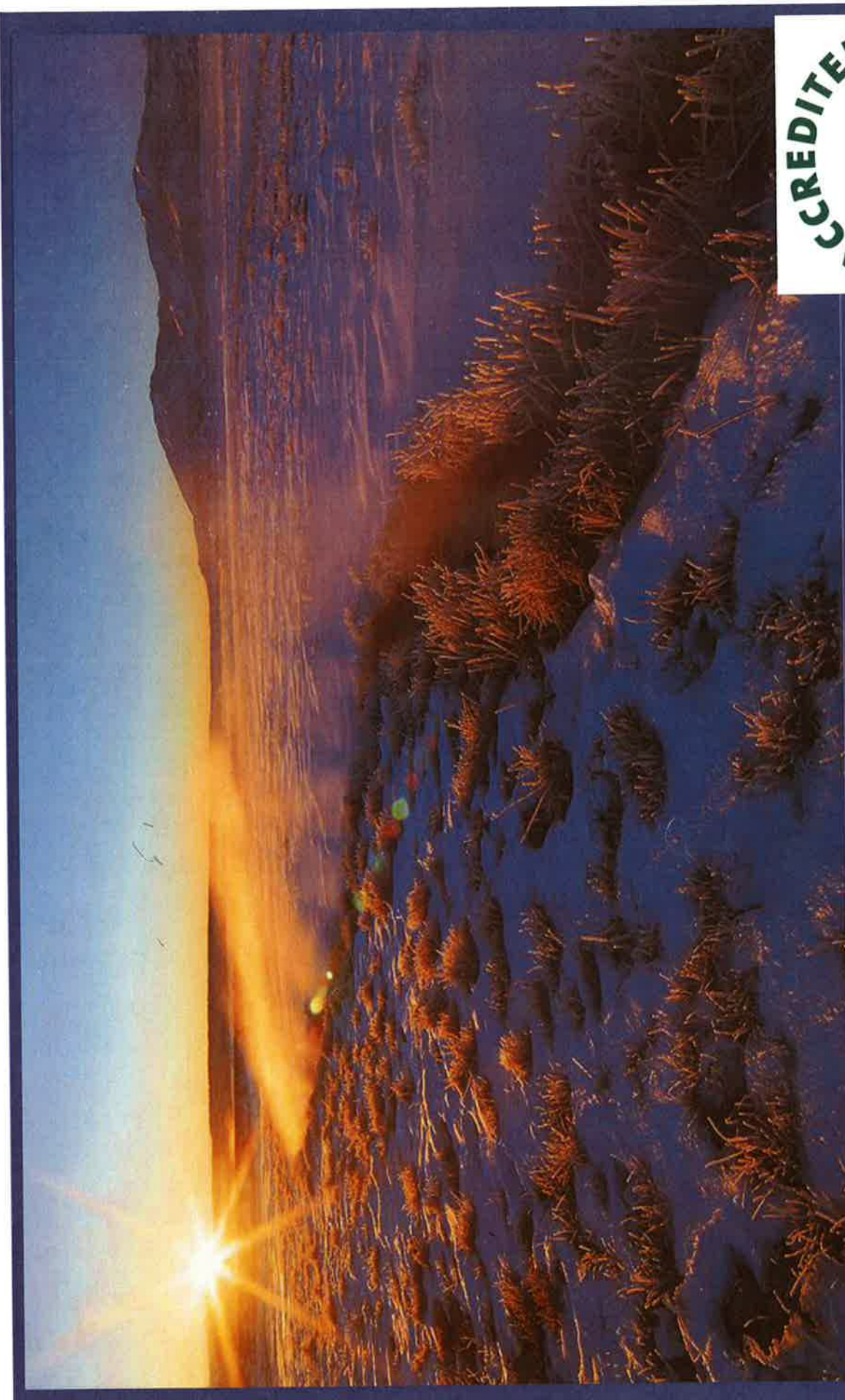


- ✓ ***Founded in 2001***
- ✓ ***501(c)3 charitable organization***
- ✓ ***NOT a governmental entity***



✓ Accredited in 2011 to National Standard of Excellence

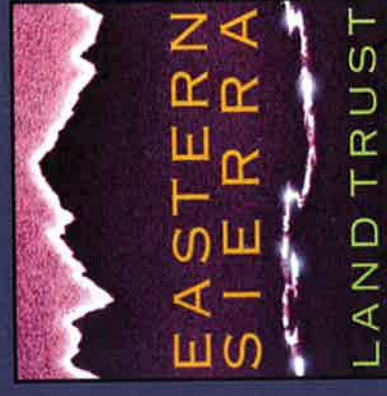
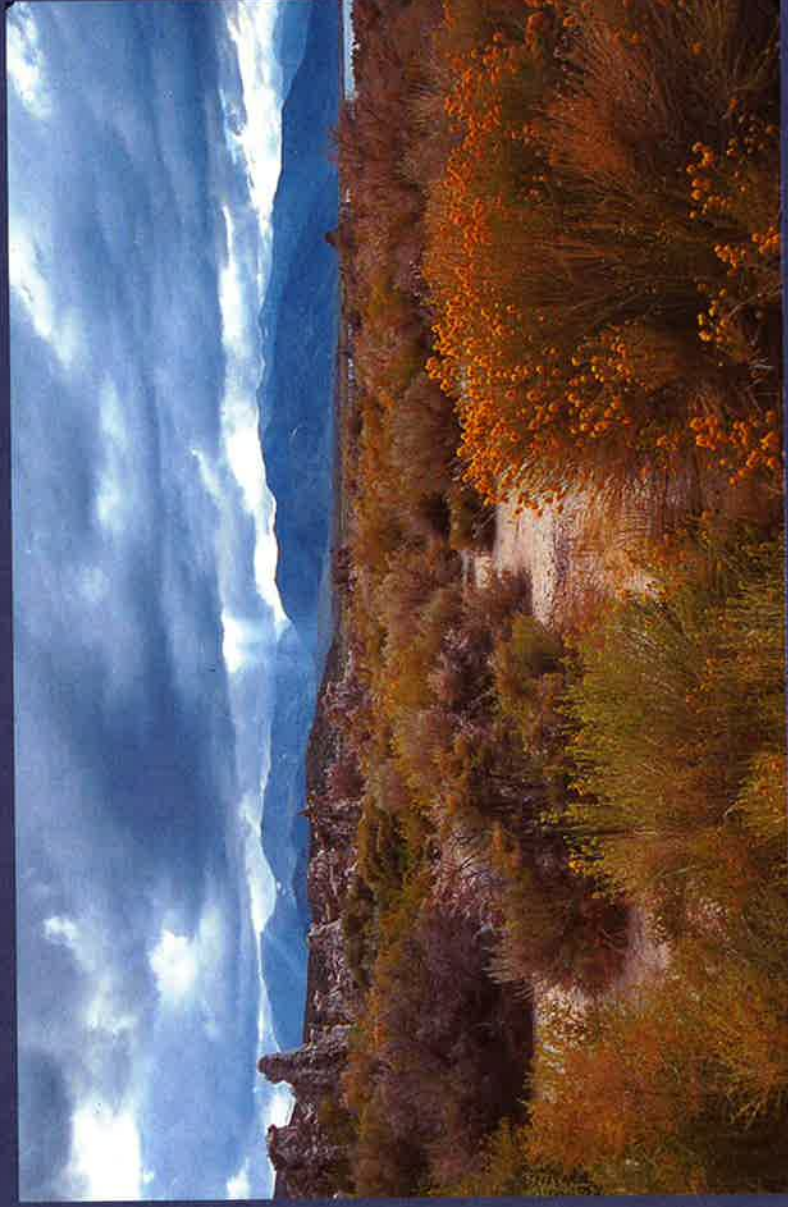
✓ Only 14% of all land trusts



What is a Land Trust?

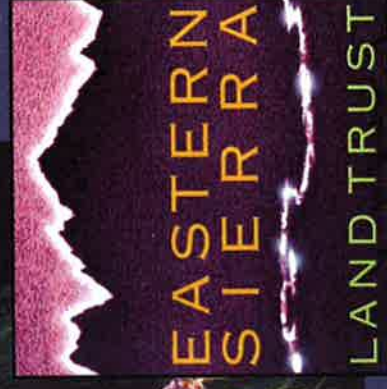
Works with willing landowners and the community to conserve land by accepting donations of land, purchasing land, negotiating private & voluntary conservation easements on land, and stewarding conserved land in perpetuity.

- 1,700 nation-wide
- 100,000 volunteers
- 5 million members
- 37 million acres

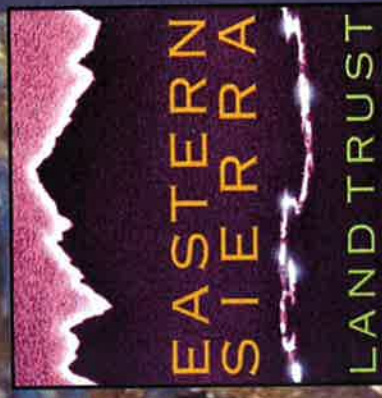


What is a Conservation Easement?

A legal tool for willing landowners to use
for permanent land conservation



Eastern Sierra Land Trust
works with willing landowners to
preserve vital lands in the Eastern
Sierra region for their scenic,
agricultural, natural, recreational,
historical, and watershed values.

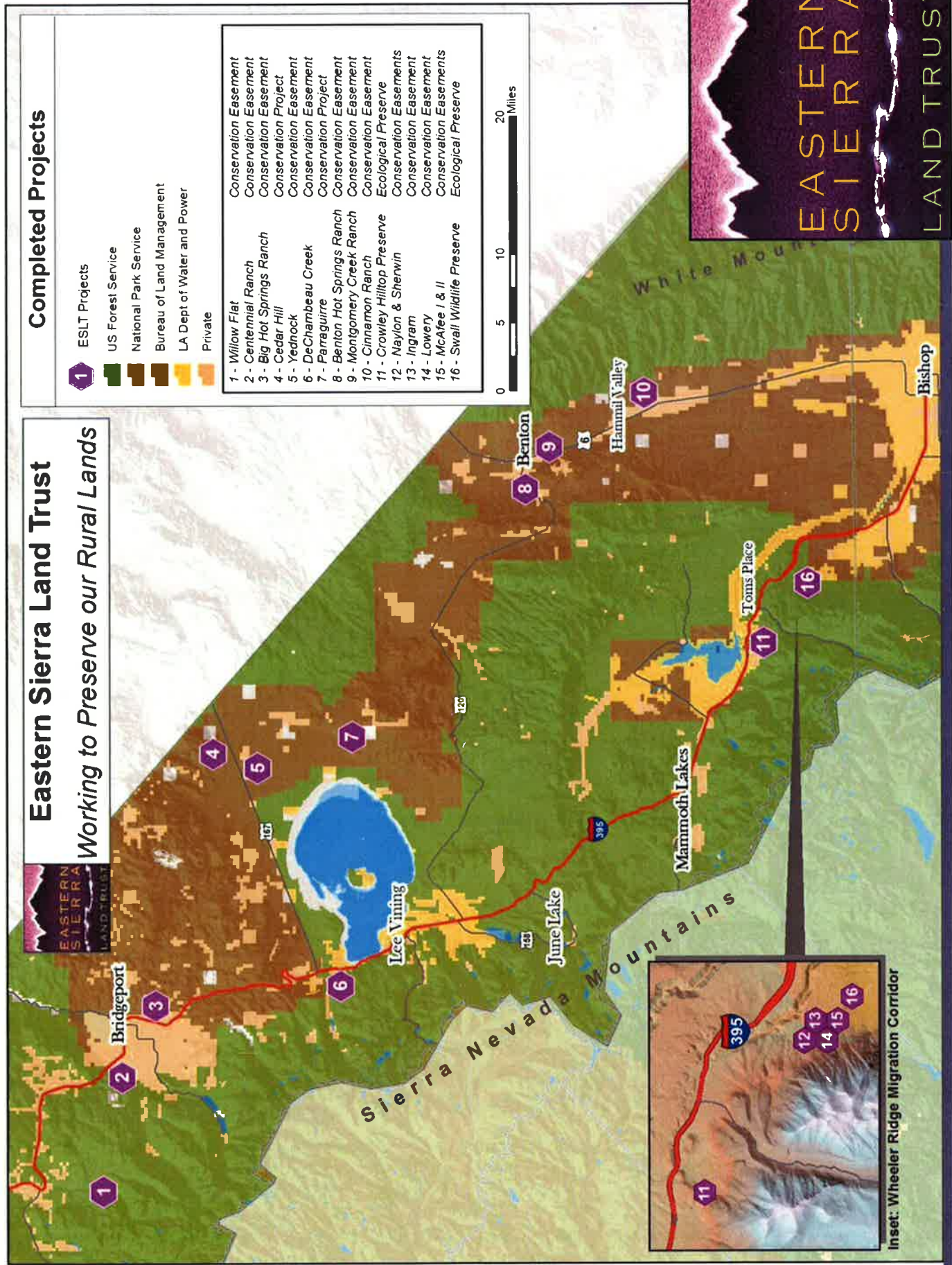


- ✓ We work to help families preserve their working farms and ranches in the face of economic pressures.
- ✓ We work to help landowners protect our region's critical habitats.
- ✓ We work to offer residents and visitors the opportunity to connect with our treasured lands.



Eastern Sierra Land Trust

Working to Preserve our Rural Lands



Completed Projects

- 1 - ESLT Projects
- US Forest Service
- National Park Service
- Bureau of Land Management
- LA Dept of Water and Power
- Private

- 1 - Willow Flat Conservation Easement
- 2 - Centennial Ranch Conservation Easement
- 3 - Big Hot Springs Ranch Conservation Easement
- 4 - Cedar Hill Conservation Project
- 5 - Yednock Conservation Easement
- 6 - DeChambeau Creek Conservation Easement
- 7 - Parraquarre Conservation Project
- 8 - Benton Hot Springs Ranch Conservation Easement
- 9 - Montgomery Creek Ranch Conservation Easement
- 10 - Cinnamon Ranch Conservation Easement
- 11 - Crowley Hilltop Preserve Ecological Preserve
- 12 - Naylon & Sherwin Conservation Easement
- 13 - Ingram Conservation Easement
- 14 - Lowery Conservation Easement
- 15 - McAtee I & II Conservation Easements
- 16 - Swall Wildlife Preserve Ecological Preserve



Inset: Wheeler Ridge Migration Corridor



Board of Directors are Volunteers

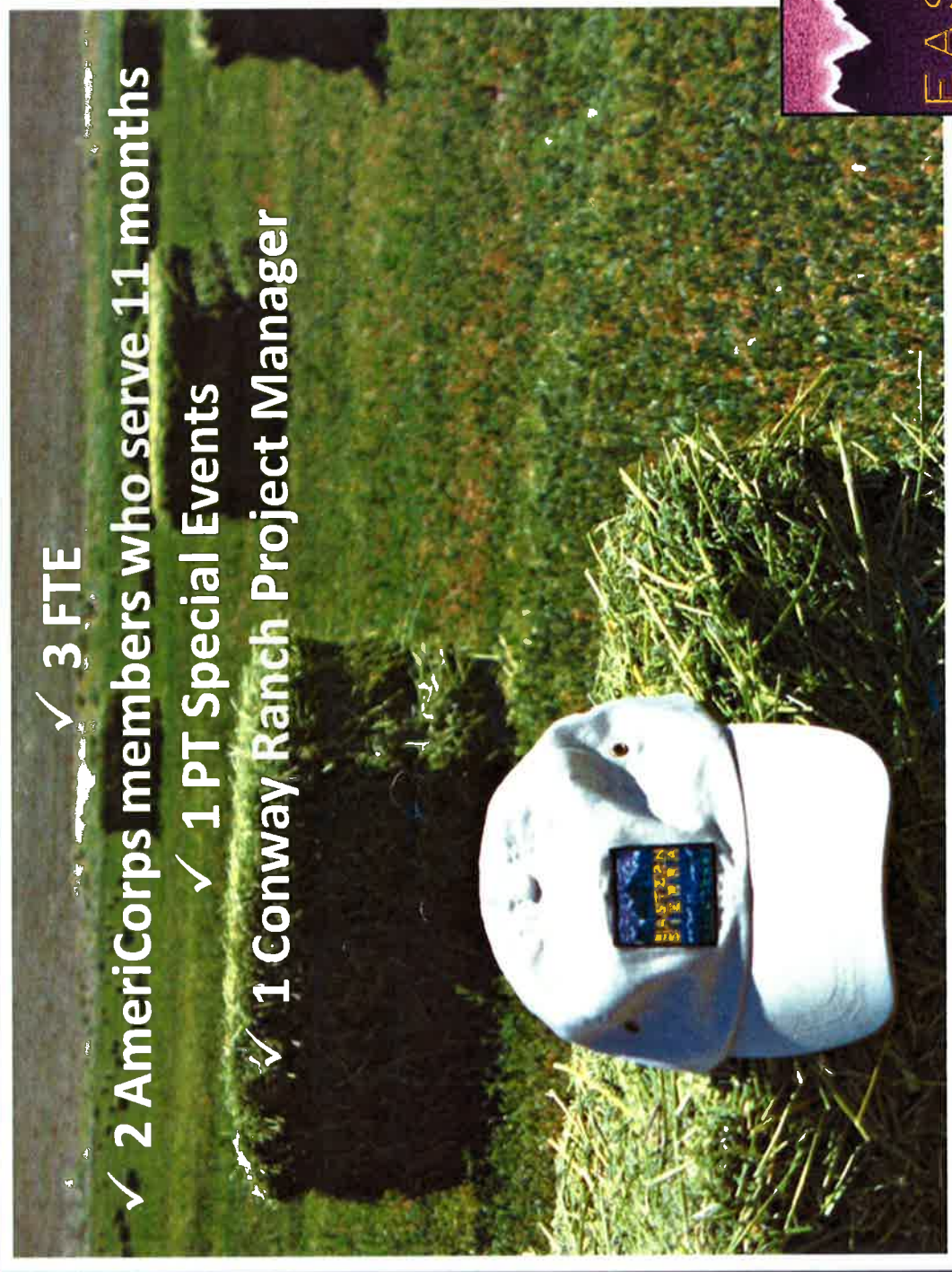
- ✓ **Retired IBM executive**
- ✓ **Sitting City of Redlands City Council member**
- ✓ **Retired County Counsel for Inyo County**
- ✓ **Retired District Attorney for Alpine County**
- ✓ **Past chairman of the Federation of Fly Fishers**
- ✓ **3rd generation Bridgeport Valley rancher**
- ✓ **Founder, past owner & manager of City of LA Marathon**

- ✓ **Advisory Board with 22 members**
- ✓ **Lands Committee that includes: 3 attorneys, a rangeland consultant, retired Special Project Coordinator for Inyo National Forrest, retired hydrologist, retired USFS and easement landowner and owner of Benton Hot Springs.**

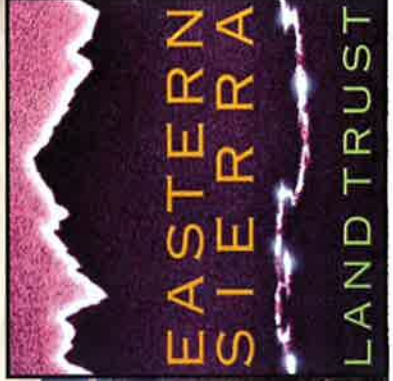
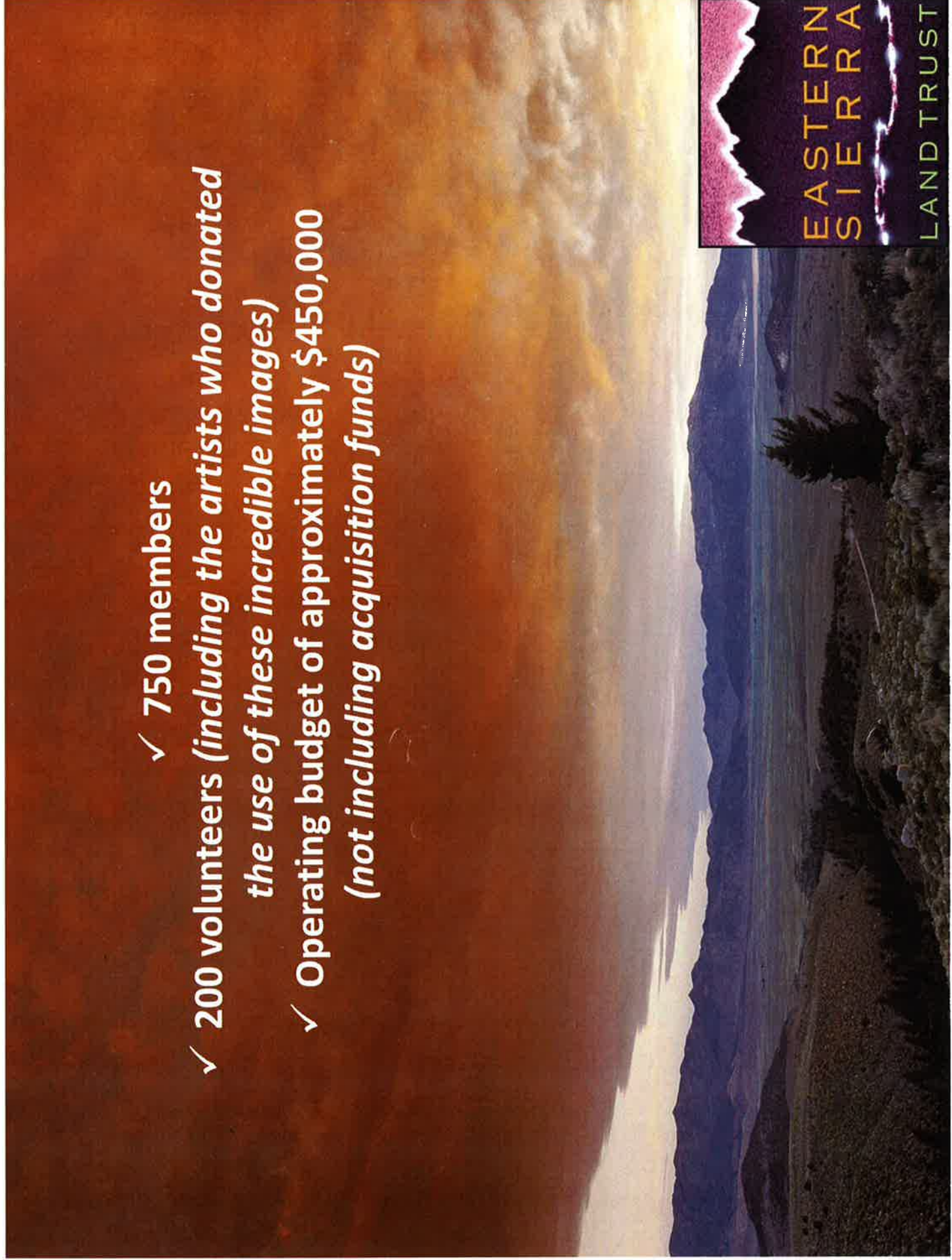


**EASTERN
SIERRA**
LAND TRUST

- ✓ 3 FTE
- ✓ 2 AmeriCorps members who serve 11 months
 - ✓ 1 PT Special Events
 - ✓ 1 Conway Ranch Project Manager



- ✓ 750 members
- ✓ 200 volunteers (*including the artists who donated the use of these incredible images*)
- ✓ Operating budget of approximately \$450,000 (*not including acquisition funds*)



- ✓ 7,885 acres permanently preserved in Mono County
- ✓ Over \$6 million in grants

