

## FEE TITLE DONEE RECOMMENDATION NORTH FORK MOKELUMNE RIVER PLANNING UNIT

### EXECUTIVE SUMMARY

The Stewardship Council was created to oversee PG&E's Land Conservation Commitment, as set forth in the Settlement and Stipulation,<sup>1</sup> to protect over 140,000 acres of land and to preserve and enhance, on an overall basis, the following six beneficial public values (BPVs): protection of the natural habitat of fish, wildlife, and plants; preservation of open space; outdoor recreation by the general public; sustainable forestry; agricultural uses; and, historic values. 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 North Fork Mokelumne River Planning Unit, located in Amador County and Calaveras County, consists of 51 parcels encompassing approximately 3,464 acres of land, of which 2,608 acres have been identified as available for donation in fee. The Stewardship Council received and evaluated land stewardship proposals (LSPs) from five organizations interested in receiving a donation of fee title in this planning unit. Based on an evaluation of the proposals, follow-up discussions with the organizations, and consultation with the Watershed Planning Committee (Planning Committee), the Stewardship Council has developed the following recommendation which was endorsed by the Planning Committee:

**Bureau of Land Management (BLM)** to receive fee title to approximately 837 acres available for donation within 13 parcels (Parcel # 983, 963, 964, 965, 966, 967, 968, 972, 995, 1009, 1005, 1007, 1008) subject to compliance with all the requirements of the Land Conservation Commitment.

**California Department of Forestry and Fire Protection (CAL FIRE)** to receive fee title to approximately 1,070 acres available for donation within 9 parcels (Parcel # 974, 975, 976, 977, 978, 979, 980, 981, 982) subject to compliance with all the requirements of the Land Conservation Commitment.

**US Forest Service (USFS)** to receive fee title to approximately 358 acres available for donation within 3 parcels (Parcel # 959, 960, 961) subject to all the requirements of the Land Conservation Commitment.

Pursuant to this recommendation, a total of approximately 2,250 acres of the 2,608 acres are being recommended for donation. The remaining acreage would be retained by PG&E, with the possible exception of approximately 50 acres near Lake Tabeaud that may be recommended for donation to the San Joaquin County Office of Education at a later date.

If this recommendation is adopted by the Stewardship Council Board (Board), Stewardship Council staff will work with the prospective donee on the development of a management and funding agreement, as applicable, and a Land Conservation and Conveyance Plan (LCCP). The

---

<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").

proposed management and funding agreement and proposed LCCP would then be presented to the Board for consideration and approval at a future date.

## I. INTRODUCTION AND BACKGROUND

### *a. Description of Planning Unit*

The North Fork Mokelumne River Planning Unit consists of approximately 3,464 acres of land currently owned by PG&E and located in Amador and Calaveras counties (see attached map). The planning unit is comprised of 51 legal parcels scattered along a 30 mile segment of river. Elevations for lands within this planning unit range from 700 feet to 4,200 feet and the terrain within the planning unit is generally steep and hilly, which limits road access to many parcels.

The Upper Mokelumne River watershed is an important water supply source for five counties as well as many agencies and other users. BLM, the USFS, and Sierra Pacific Industries are the largest landowners in the vicinity of the planning unit. The northern parcels within this planning unit are surrounded by the Eldorado National Forest to the north and Stanislaus National Forest to the south.

The Mokelumne River and various tributaries provide primarily coldwater stream habitat, including high quality trout habitat. The Salt Springs deer herd winters in the northern portion of this planning unit. USFS spotted owl Protected Activity Centers (PACs) are located adjacent to this planning unit, primarily on the northern side of the planning unit.

The planning unit provides opportunities for fishing as well as boating opportunities on four whitewater runs. Additionally, a portion of the Coast to Crest Trail, a proposed trail extending from the Pacific Ocean to the crest of the Sierra Nevada, is anticipated to follow the North Fork Mokelumne River.

The planning unit contains a total of 1,424 timbered acres within eight Timber Management Units (TMUs). These TMUs are managed under several prescriptions, including Multiple-Use, Sustainable Timber Management, Salvage, and Salvage/Stand Improvement. Prime timberland is located along Tiger Creek and Panther Creek.

The North Fork Mokelumne River Planning Unit is located within the traditional territory of the Northern Sierra Miwok. The northern parcels, including Panther Creek and Tiger Creek parcels, are surrounded by the USFS-designated Mokelumne Archeological District. Several areas in the Mokelumne River drainage, particularly in the vicinity of Tiger Creek Reservoir, continue to be important for Miwok gatherings.

The only authorized agricultural use of lands within the planning unit is one grazing license for goats on 300 acres of land near the Lake Tabeaud and the Electra Powerhouse. The section of Volume II of the Land Conservation Plan (LCP) describing the North Fork Mokelumne Planning Unit, including the beneficial public values (BPVs) and the management objectives that were previously approved by the Stewardship Council board for this planning unit, is attached.

### *b. Donee Evaluation Process*

The Stewardship Council received statements of qualifications (SOQs) from 11 organizations interested in acquiring fee title to lands available for donation within this planning unit. A list of organizations that submitted SOQs is attached. Of these organizations, the following six organizations were invited to submit land stewardship proposals (LSPs):

- Amador County
- BLM
- Calaveras County
- CAL FIRE
- San Joaquin County Office of Education (SJCOE)
- USFS (Eldorado National Forest)

All of these organizations submitted LSPs except Calaveras County. In evaluating the LSPs, the following factors were considered:

- An evaluation of the potential donees' programmatic, financial, and legal capacity to maintain the property interest so as to preserve and/or enhance the beneficial public values of the planning unit;
- Anticipated funding needs of the potential donees;
- The management objectives for the North Fork Mokelumne River Planning Unit as set forth in Volume II of the Land Conservation Plan;
- Public comments received regarding the desired qualifications of potential donees and the future stewardship of the planning unit;
- The requirements of the Settlement and Stipulation; and,
- Other relevant policies, procedures, and goals adopted by the Stewardship Council.

## II. EVALUATION

BLM, CAL FIRE and the USFS are being recommended to receive a donation of fee title to lands within the North Fork Mokelumne River Planning Unit as summarized below:

**Bureau of Land Management (Mother Lode Field Office)** to receive fee title to approximately 837 acres available for donation within 13 parcels.

**California Department of Forestry and Fire Protection (CAL FIRE)** to receive fee title to approximately 1,070 acres available for donation within nine parcels.

**US Forest Service (USFS)** to receive fee title to approximately 358 acres available for donation within three parcels (Parcel # 959, 960, and 961).

### *a. Donee Organizational Capacity*

BLM, CAL FIRE and the USFS possess the organizational capacity and experience to own and manage fee title to the properties recommended for donation, as summarized below.

#### **Bureau of Land Management**

- BLM manages over 267 million acres of public lands. The mission of BLM is to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.
- A variety of policies and mandates direct BLM to manage public lands for multiple uses and benefits and for the sustained yield of renewable resources. The Sierra Resource

Management Plan (2008) provides management direction for the public lands within the North Fork Mokelumne River watershed. The plan presents management direction for a variety of resources including, but not limited to: water resources, soil resources, vegetative communities, fish and wildlife, wild land fire ecology and management, cultural resources, and visual resources.

- BLM currently works with several groups and entities within the Upper Mokelumne River watershed to achieve weed abatement, reduce fuels, and provide recreational opportunities on the river.

### **California Department of Forest and Fire Protection**

- CAL FIRE manages approximately 70,000 acres of Demonstration State Forests across California including the 164 acre Mount Zion Demonstration State Forest in Amador County. The eight Demonstration State Forests are managed and used to support research and demonstration projects on forest management, public recreation opportunities, fish and wildlife habitat, and watershed protection.
- At each of the Demonstration State Forests, CAL FIRE works in cooperation with a variety of entities to implement research, fuels management, and fire protection activities. In the Upper Mokelumne River, CAL FIRE currently works with Eldorado National Forest, PG&E, and Amador Fire Safe Council to implement several fuel reduction and fire management projects.

### **US Forest Service**

- The USFS is a federal agency within the US Department of Agriculture that manages 193 million acres of public lands, including the El Dorado National Forest. The mission of the USFS is “to sustain the health, diversity, and productivity of the nation’s forests and grasslands to meet the needs of present and future generations.”
- The USFS Eldorado National Forest manages the 600,000 acre Eldorado National Forest in accordance with various federal laws, policies, and regulations. The Eldorado Forest Land and Resource Management Plan guides the management of the cultural, historic, and biological resources within the National Forest.

#### ***b. Donee Financial Capacity***

The Stewardship Council’s review of potential fee title donees’ financial capacity consisted of an evaluation of each organization’s annual operating budget and financial statements, and consideration of the current and projected management and enhancement costs and funding in relation to the organization’s financial capacity. Based on this review, staff concluded that BLM, CAL FIRE, and USFS would have the financial ability to manage the lands being recommended for donation and to preserve and/or enhance the BPVs associated with these lands.

#### ***c. Management Objectives***

Volume II of the Land Conservation Plan established certain management objectives for the North Fork Mokelumne River Planning Unit (see Volume II Planning Unit Report with attachments). BLM, CAL FIRE and the USFS Eldorado National Forest are seeking fee title to lands within the North Fork Mokelumne River Planning Unit to achieve a variety of proposed

management activities described below. These proposed activities appear to be consistent with these management objectives.

### **Bureau of Land Management**

BLM proposes the following baseline and enhanced management activities, which align with several applicable management objectives and recommended potential measures identified in Volume II of the LCP:

- Evaluate lands for noxious weeds, cultural resources, as well as fish, plant, and wildlife habitat values.
- Identify and pursue high priority fuels reduction projects in partnership with local and regional partners. Prioritized projects would be identified for BLM budgetary funding.
- Maintain lands adjacent to the Mokelumne River in open space to meet Visual Resource Management goals and protect the Visual values on parcels adjacent to the Mokelumne River for National Wild and Scenic River consideration.
- Advance recreational opportunities within the Mokelumne River watershed. Specifically, support efforts to develop the Mokelumne Coast to Crest Trail. Several PG&E parcels provide a key link between public lands along the anticipated trail route. BLM estimates that approximately 1.5 miles of trail could be constructed on parcels identified to be acquired from PG&E.

### **California Department of Forest and Fire Protection**

CAL FIRE has expressed interest in acquiring fee title for the establishment of a new Demonstration State Forest to be incorporated into their existing Demonstration State Forest program which supports monitoring, adaptive management and research on best forest management practices. Development and management of a Demonstration State Forest would achieve several of the recommended potential measures identified under the sustainable forestry objective for the planning unit and align with the overall management objectives identified under the sustainable forestry BPV. Additionally, Demonstration State Forests are managed for a variety of recreation and habitat management objectives compatible with the BPVs. CAL FIRE proposes to achieve the following objectives:

- Establish a Demonstration State Forest that would encompass all the lands donated to them within the North Fork Mokelumne River Planning Unit.
- Develop a program of sustainable forestry research focused on demonstrating and implementing best management practices focused on watershed protection, increasing timber inventories and standing biomass, as well as silviculture methods that maintain a closed canopy forest.

- Develop a comprehensive, multi-resource management plan and a sustained yield plan. The management plan would include biological resources including water quality and watershed function, as well as recreation and cultural values.
- Develop a program of ecosystem monitoring and adaptive management.
- Implement habitat protection and restoration in the context of a working forest landscape.
- Pursuit of educational and recreational activities. These activities could potentially include a rustic campground, tours and hikes, displays, self-guided tours and/or science camps similar to activities implemented on other Demonstration State Forests. Activities would be intended to take advantage of the features of a working forest to demonstrate the effects of different types of management on forest structure.
- Develop a program to protect cultural and historic resources.

## **US Forest Service**

The USFS proposes to manage donated lands consistent with existing access, uses and management direction on the surrounding National Forest lands, including the Mokelumne Archeological District and proposed Wild and Scenic River designation. The USFS has indicated that the Forest Land and Resource Management Plan (Forest Plan) would be amended to incorporate the conveyed parcels and that specific management directions, standards and guidelines would be developed consistent with the Stewardship Council's BPVs. Specific management objectives identified in the USFS proposal include:

- Complete a Management Plan for the area within two years. The management plan would be included as an amendment to the Forest Plan and would include an analysis of the existing natural resource conditions and desired conditions, as well as identify management actions and opportunities to achieve desired conditions. Management guidelines would reflect results of wildlife and plant surveys as well as a noxious weed risk assessment.
- Manage parcels adjacent to the Mokelumne River to preserve the river's free flowing condition, protect "remarkable values" identified under the designation and provide opportunities for recreation as consistent with the proposed Wild and Scenic River Designation.
- Analyze the feasibility of non-motorized trail use on parcels as appropriate to support the establishment of the Mokelumne Coast to Crest Trail (MCCT).
- Complete a cultural resource inventory within the first year. A Cultural Resources Management Plan would be developed based upon the results of the inventory and in conjunction with affected tribes to ensure the protection and conservation of cultural

*d. Funding*

Consistent with the Stewardship Council's Land Conservation Funding Policy, the Stewardship Council may elect to fund certain costs related to the transfer of fee title, satisfaction of property tax neutrality requirements and/or costs of enhancements to the beneficial public values on watershed lands. Any costs to be funded by the Stewardship Council would be identified in a management and funding agreement to be developed by the Stewardship Council in coordination with the prospective donee.

*e. Requirements of the Settlement Agreement and Stipulation*

The Stewardship Council's recommendation that the BLM, CAL FIRE and USFS receive fee title to certain lands available for donation within this planning unit is subject to compliance with all the requirements of the Land Conservation Commitment. Several of these requirements are highlighted below.

The BLM, CAL FIRE and USFS appear to have sufficient organizational and financial capacity to own and manage the lands proposed for donation for the preservation and/or enhancement of the beneficial public values, a finding required by Section 12(a)(3) of the Stipulation.

The USFS is precluded by existing policy from accepting a conservation easement on lands it acquires. Therefore, a conservation covenant has been proposed by the USFS in lieu of a conservation easement, to provide satisfactory assurance that lands conveyed would be managed consistent with the purpose of the Land Conservation Commitment as required by Section 12(d)(2) of the Stipulation. It has been proposed by the Stewardship Council that the covenant be held by the Sierra Nevada Conservancy.

The recommendation to donate lands to the USFS and BLM would also be contingent upon a determination that conveyance of these parcels would not result in an expansion of FERC license conditioning authority under the Federal Power Act, in compliance with Stipulation Section 12(b)(4).

Furthermore, the Stewardship Council would work with PG&E, Amador County and Calaveras County to ensure the land conveyance achieves property tax neutrality.

PG&E does not hold any existing leases for economic uses on parcels recommended for donation to BLM, CAL FIRE, or the USFS. Informal use and maintenance of trails on PG&E properties by Roaring Camp, a family camp and gold mining operation, has been identified on parcels recommended to be donated to BLM. This use is not considered a formal use, since the previous license expired, but continues to be a permitted use by PG&E. BLM has identified a willingness to incorporate these uses on the parcels within an existing lease they hold with Roaring Camp for similar uses on adjacent property.

PG&E manages one grazing license on 300 acres within the North Fork Mokelumne River Planning Unit, located between Lake Tabeaud and the Electra Powerhouse. This existing license is expected to be honored by PG&E (or a new landowner in the event of a land donation) through license renewal or other arrangement consistent with the protection of the BPVs and other

applicable laws and will not be prohibited under the conservation easement on lands to be retained by PG&E. The conservation easement will also include an express reservation of rights for continued operation and maintenance of hydroelectric facilities and associated water delivery facilities, including project replacements and improvements required to meet existing and future water delivery requirements for power generation and consumptive water use by existing users, any compliance with any FERC license, FERC license renewal, or other regulatory requirements. On lands to be conveyed, the grant deed will reserve to PG&E similar rights for operation and maintenance of hydroelectric facilities and associated water delivery facilities.

*f. Conservation Partners*

The permanent protection of the North Fork Mokelumne River Planning Unit, and the future preservation and enhancement of the BPVs, may involve, and benefit from, the participation of land conservation partners. For purposes of this recommendation, land conservation partners are defined as organizations other than the prospective fee title donee or conservation easement holder that become involved in future activities on the donated lands that contribute to the preservation and enhancement of the BPVs. Land conservation partners may be identified in the land stewardship proposals submitted by organizations interested in a fee title donation, or during or after the development of the Land Conservation and Conveyance Plan (LCCP). Such organizations and activities may be eligible for Stewardship Council funding, depending on the type of organization, proposed activities, availability of funds, and other factors.

Staff would work with the prospective organizations recommended for donation of fee title and conservation easements in this planning unit and evaluate opportunities for land conservation partners. The results of this effort will be reflected in the management and funding agreements and LCCP.

### III. PUBLIC COMMENTS

The Stewardship Council has implemented a public outreach program to engage stakeholders and solicit public input on the development and implementation of the land conservation plan. A summary of key public outreach activities and public comments received on the North Fork Mokelumne River Planning Unit during the development of Volumes I and II of the Land Conservation Plan and at a public workshop held on October 7, 2009 is attached. Additional public comments received concerning this recommendation will be provided to the Board for consideration.

### IV. NEXT STEPS

If this recommendation is adopted by the Stewardship Council board of directors, staff will invite the prospective donees to negotiate specific terms of the transaction with PG&E and will work with the prospective donees to develop management and funding agreements, if applicable. The development of management and funding agreements will be coordinated with the development of a Land Conservation and Conveyance Plan.

Adoption of the LCCP by the Stewardship Council board of directors would be the final step in the Stewardship Council's process for selecting donees. The proposed LCCP would be made available for public review and comment before it is approved by the Stewardship Council board.



## ATTACHMENTS AND REFERENCE MATERIAL

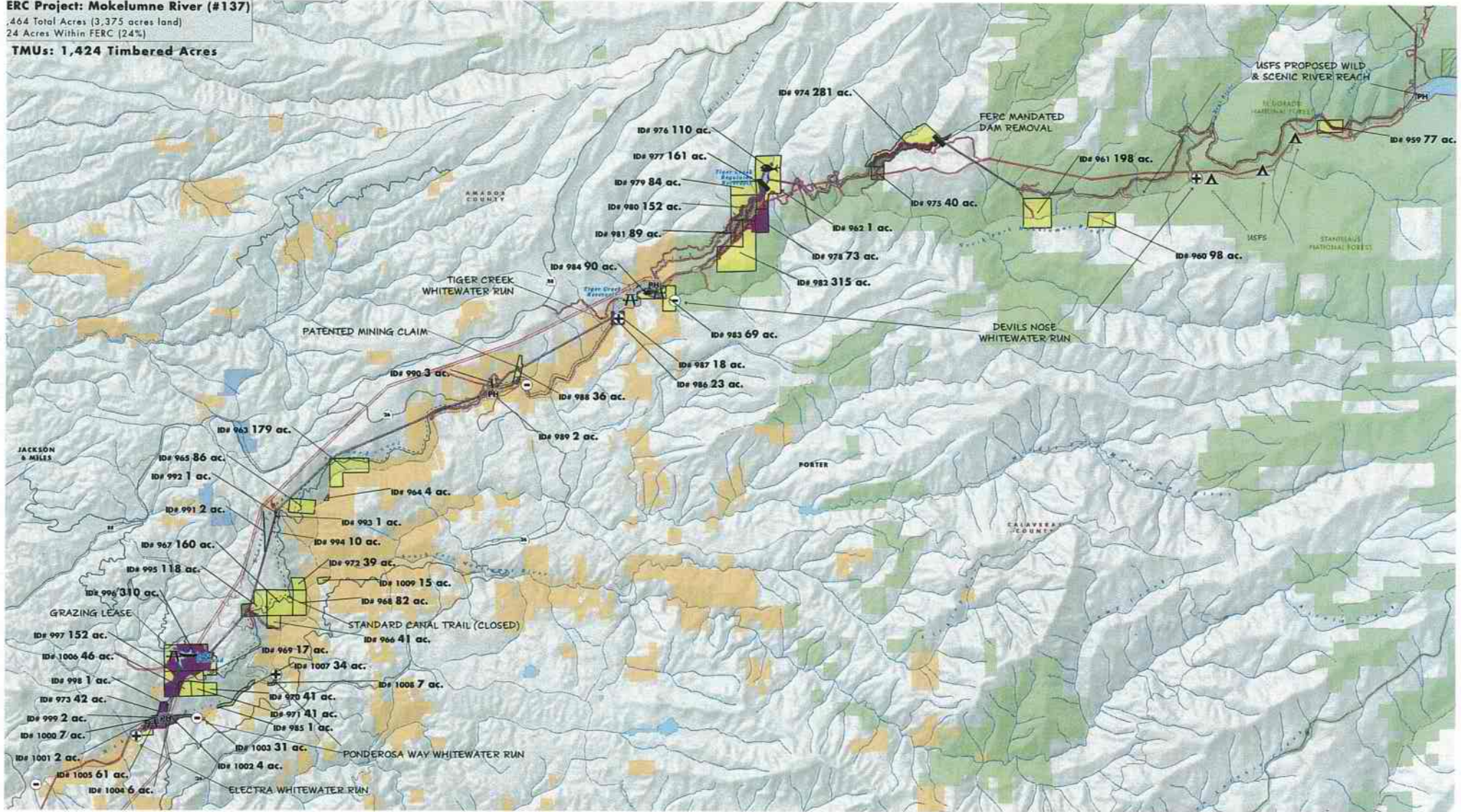
- North Fork Mokelumne River Planning Unit Maps
- LCP Volume II Planning Unit Report for North Fork Mokelumne River Planning Unit
- List of Registered Organizations That Submitted SOQs for Lands Available in the North Fork Mokelumne River Planning Unit.
- Summary of Key Public Outreach Activities and Public Comments Associated with the North Fork Mokelumne River Planning Unit

**ERC Project: Mokelumne River (#137)**

464 Total Acres (3,375 acres land)

24 Acres Within FERC (24%)

**TMUs: 1,424 Timbered Acres**





# NORTH FORK MOKELUMNE RIVER PLANNING UNIT

## Upper Mokelumne River Watershed

### Existing Conditions & Uses

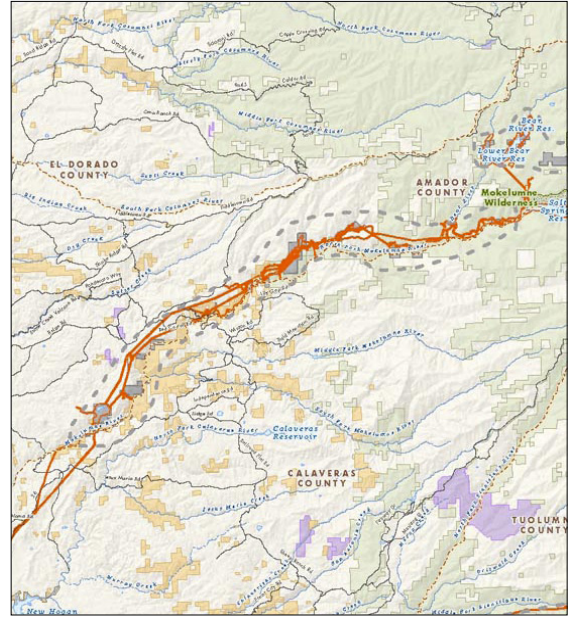
#### Overview

- Provides scenic river views, whitewater boating access, and popular trout fishing
- 3,438 acres in Amador and Calaveras Counties bordering an important archeological district
- 2,614 acres outside the FERC boundary; 824 acres inside
- Part of the Mokelumne River Project (FERC #137); New License issued October 2001

Located at an approximate elevation range of 700 to 4,200 feet, the North Fork Mokelumne River Planning Unit is made up of many parcels scattered along a 30-mile segment of the North Fork Mokelumne River and mainstem Mokelumne River. The planning unit also includes portions of East and West Panther Creeks, Tiger Creek, Tiger Creek Reservoir, Tiger Creek Regulator Reservoir, and Lake Tabeaud (see Figure UM-5). The Upper Mokelumne River Watershed provides water supply for five counties as well as many agencies and other users.<sup>1</sup>



Tiger Creek Afterbay Dam



North Fork Mokelumne River Planning Unit  
Amador & Calaveras Counties

Planning unit lands also contain PG&E facilities such as dams, canals, power lines, and several powerhouses. There is an old mine within the planning unit, the condition of which is unknown. Highways 88, 29, and 49 are the main access routes to this planning unit with smaller local roads providing public access to rivers, lakes, and reservoirs. The topography along the Mokelumne River is very steep, making access to several parcels difficult.

The BLM, USFS, and Sierra Pacific Industries are the main adjacent landowners. The northern parcels within this planning unit are surrounded by the Eldorado National Forest to the north and Stanislaus National Forest to the south. The Salt Springs Game Refuge, managed by DFG, is also located near the Mokelumne River.

#### Fish, Plant, and Wildlife Habitat

The Mokelumne River and various tributaries provide primarily coldwater stream habitat, although warmwater habitat occurs in the river near the powerhouse at the southwestern end of the planning unit. Tiger Creek contains high quality trout habitat and has a high potential for natural trout production. Tributary streams in



# North Fork Mokelumne River Existing Conditions

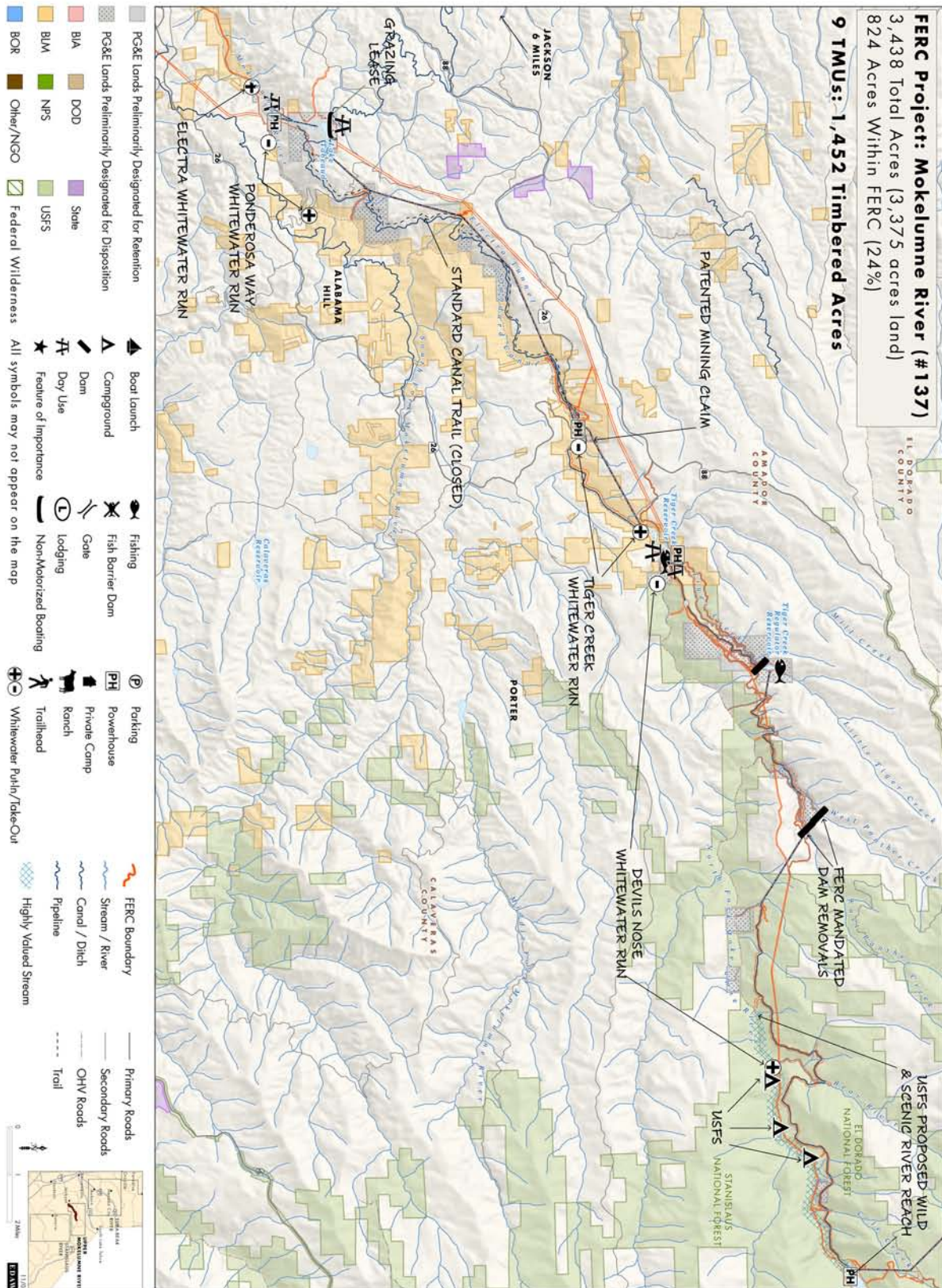


Figure UM-5

# NORTH FORK MOKELUMNE RIVER PLANNING UNIT

## Upper Mokelumne River Watershed

the area support self-sustaining populations of brown, rainbow, and brook trout. Breaching of diversion dams on East and West Panther Creeks was mandated by FERC to provide for fish passage and sediment transport. No anadromous, State or Federally threatened or endangered fish species are known to occur in the planning unit; however kokanee salmon migrate upstream from Pardee Reservoir to project waters below Electra Afterbay Dam and are assumed to spawn downstream of the powerhouse.

The planning unit also provides valuable terrestrial habitat. The Salt Springs deer herd winter in the northern portion of this planning unit. Seasonal deer migration routes also cross this planning unit, and PG&E has established more than 40 over- and under-crossings to allow unimpeded movement of deer.

The northern parcels within this planning unit also contain several miles of highly valued riparian habitat. Potentially suitable habitat for special status species, including valley elderberry longhorn beetle, western pond turtle, and foothill yellow-legged frog among others, is located in this planning unit.<sup>2</sup> USFS spotted owl Protected Activity Centers (PACs) are located adjacent to this planning unit, primarily by Tiger Creek and along the North Fork Mokelumne River parcels on the northern side of the planning unit.

### Open Space

The planning unit provides open space and viewshed values for boaters, anglers, and several day use areas situated along the North Fork Mokelumne River. The North Fork Mokelumne River, below Salt Spring Reservoir, has also been recommended for Wild and Scenic River status by the USFS. As part of the May 2007 final Sierra Proposed Resource Management Plan, the BLM has also recommended 20 miles of the North Fork/Main Mokelumne River from the Highway 49 Bridge to Tiger Creek Afterbay to Congress as suitable for wild and scenic river designation (wild, scenic, and recreational).

### Outdoor Recreation

The planning unit provides opportunities for both land- and water-based recreation and is particularly popular for fishing. Day use facilities on the north side of Lake Tabeaud provide opportunities for picnicking, fishing, and non-powered boating. Electra and Tiger Creek Reservoir (also known as Tiger Creek Afterbay) also contain day use facilities for picnicking and fishing. The DFG annually stocks Tiger Creek Reservoir and Lake Tabeaud with rainbow trout. Camping facilities are not available in the planning unit; however, the USFS provides three campgrounds adjacent to the planning unit. North Fork Mokelumne River, below Salt Spring Reservoir, provides opportunities to boat on four whitewater runs.

As shown in Figure UM-5, the Standard Canal Trail historically ran along the Standard Canal alignment; however, this trail has been closed to the public. Additionally, the Coast to Crest Trail, a significant project that will span from the Pacific Ocean to the crest of the Sierra Nevada, is planned to generally follow the Mokelumne Aqueduct and the North Fork Mokelumne River. The exact alignment of the trail in the planning unit area, however, is undetermined.

### Forest Resources

Prime timberland is located along Tiger Creek and Panther Creek, which has ongoing timber



Lake Tabeaud



# NORTH FORK MOKELUMNE RIVER PLANNING UNIT

## Upper Mokelumne River Watershed



Tiger Creek Regulator Reservoir

harvests by PG&E with future harvests planned. This planning unit contains nine dispersed Timber Management Units (TMUs) for a total of 1,452 timbered acres. The TMUs located by Panther Creek, Tiger Creek Regulator Reservoir, and the northeastern parcels north of the Mokelumne River are managed under a Multiple-Use prescription, meaning that protection and uses of other resources and facilities may preclude sustained timber management as the highest and best use of portions of the TMU. The northeastern parcels south of the Mokelumne River are managed under a Sustainable Timber Management prescription, meaning that sustained timber production is regarded as the highest and best use of the land while also placing an emphasis on protecting water quality, wildlife and fisheries habitat, soils, carbon sequestration, and cultural resources.

The northeastern-most parcel along the Mokelumne River and parcels by Tiger Creek Reservoir and West Point Tunnel are currently under a Salvage prescription, meaning that the lands are primarily managed for uses other than sustained timber production, but may require management to mitigate for emergency forest and watershed health issues, such as insect attacks. The parcels by Lake Tabeaud and Electra are currently being managed under a Salvage/Stand Improvement prescription, meaning that the lands are primarily managed for uses other than sustained timber production, but may require entry to reduce fuel loads, remove hazard trees,

and improve aesthetics. Several scattered parcels just downstream of West Point Tunnel have no timber management prescription.

Fire danger is a major concern in the North Fork Mokelumne River area. The Power Fire occurred just north of this planning unit in 2004, burning 16,800 acres in total. This fire affected the lands along East Panther Creek and resulted in substantial amounts of sediment entering the creek. Fire danger is also a major concern in the Lake Tabeaud area.

### Agricultural Uses

There is one 300-acre grazing lease in this planning unit, located by Lake Tabeaud. In addition, there are adjacent USFS grazing allotments (Shotgun and Lower Blue) on the northern end and BLM grazing allotments on the southern end of the planning unit.

### Historic Resources

The North Fork Mokelumne River Planning Unit is within the traditional territory of the Northern Sierra Miwok, which extends from the Sierra foothills and mountains as far north as the Consumnes River, and includes the drainages of the Mokelumne and Calaveras Rivers. The northern parcels, including Panther Creek and Tiger Creek parcels, are surrounded by the USFS-designated Mokelumne Archeological District.<sup>3</sup>



Sheep paddock above Lake Tabeaud

# NORTH FORK MOKELUMNE RIVER PLANNING UNIT

## Upper Mokelumne River Watershed

The northeastern most area within the planning unit contains archeological resources that have been fenced off to prevent further resource damage. Several areas in the Mokelumne River drainage, particularly in the vicinity of Tiger Creek Reservoir, continue to be important for Miwok gatherings.

The North Fork Mokelumne River has been used for water supply and hydropower production since the late 1800s. Several PG&E hydroelectric facilities and other infrastructure in the planning unit represent the importance of the area's history in power and water development. The Butte Ditch canal was constructed in 1855 and survives as the first major water resource structure on the Mokelumne River near the present-day Tiger Creek Reservoir.

### Stewardship Council Recommendations

The Stewardship Council recommends that the land and land uses at the North Fork Mokelumne River Planning Unit be preserved and enhanced by focusing on enhancing valuable forestry and habitat resources, protecting cultural resources and enhancing the recreation experience. In presenting the Recommended Concept provided here, our objective is to protect habitat and cultural resources, as well as to enhance sustainable forestry, agricultural uses, and recreation opportunities. We recommend this effort be conducted in close coordination with PG&E.

**Objective: Preserve and enhance biological, cultural, and agricultural resources while enhancing public access, the recreation experience, and sustainable forestry management.**



Riparian habitat at Panther Creek

As shown on Table UM-3, the Stewardship Council has identified a number of preservation and/or enhancement measures that may contribute to the conservation management program for the North Fork Mokelumne River Planning Unit. 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 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.



View from the Tiger Creek whitewater take-out



# NORTH FORK MOKELUMNE RIVER PLANNING UNIT

## Upper Mokelumne River Watershed

### Fish, Plant, and Wildlife Habitat

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

In addition to forest habitats, the planning unit provides extensive aquatic and riparian habitat along the North Fork Mokelumne River and several creeks and tributaries. In order 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 resources (particularly outside the FERC boundary where little information is currently available). 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 addressing noxious weeds.

The Stewardship Council also recommends restriction of OHV use from Tiger Creek to protect habitat values from inappropriate recreation use, as well as supporting efforts by other entities to enhance aquatic habitat and water quality. We encourage close coordination with USFS, Upper Mokelumne River Watershed Authority, Mokelumne Ecological Resource Committee, and other resource-focused organizations working in the area. Habitat preservation and enhancement measures should be consistent with FERC license requirements



Picnic site & mixed oak pine woodland



Electra whitewater put-in

and all planning should be considered in conjunction with fuels, forest, and rangeland management plans.

### Open Space

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

This concept would preserve open space by limiting construction to only minor additions of recreation facilities, as well as through permanent conservation easements. Conservation easements would describe and 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 public access, education, and enhance the recreation experience.**

Day use, fishing, boating, and whitewater boating opportunities and facilities are



# NORTH FORK MOKELUMNE RIVER PLANNING UNIT

## Upper Mokelumne River Watershed

present in the North Fork Mokelumne River Planning Unit. As shown in Figure UM-6, the Stewardship Council looks to enhance these opportunities by recommending facility enhancements and additions as well as supporting future trail development efforts. We recommend enhancements focused on additional restroom, trail and signage facilities, increased opportunities for youth education and recreation, as well as improved day use facilities and fishing access. The Stewardship Council also recommends supporting any future efforts to restore the Standard Canal Trail or establish the Coast to Crest Trail (if it crosses the planning unit). To enhance user safety, the Stewardship Council recommends identifying unauthorized uses and developing strategies to address these uses.



Electra Powerhouse discharge

### Sustainable Forestry

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

The North Fork Mokelumne River Planning Unit contains fragmented forest stands which are managed across a spectrum from intense management and harvesting to no management at all. The planning unit is within a fire-prone area, as demonstrated by a recent large fire. The Stewardship Council recommends that future care and management of the land include developing a long-term vision for forest management in the area, addressing silvicultural practices, holistic watershed management, fuels management, and management of plantations. Additionally, the Stewardship Council recommends assessing the potential to develop a demonstration forest to promote sustainable forestry research and management. The fuels and forest management plans should be developed in conjunction with rangeland, noxious weed and wildlife and habitat management plans. We expect that all of these plans would be developed in coordination with

adjacent landowners and USFS management and practices as appropriate.

### Agricultural Uses

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

In addition to the existing grazing lease, there may be potential to provide additional grazing opportunities within the planning unit in conjunction with adjacent allotments. The Stewardship Council looks to preserve this resource and important economic use as part of the long-term management of the North Fork Mokelumne River Planning Unit. To support this effort, we anticipate a baseline conditions report will be required to describe current agricultural, physical, and overall biological conditions of the area, and determine the feasibility of providing grazing within the planning unit in coordination with adjacent USFS and BLM allotments. From this, specific determinations can be made to identify and manage grazing practices in balance with other uses and values of the property.

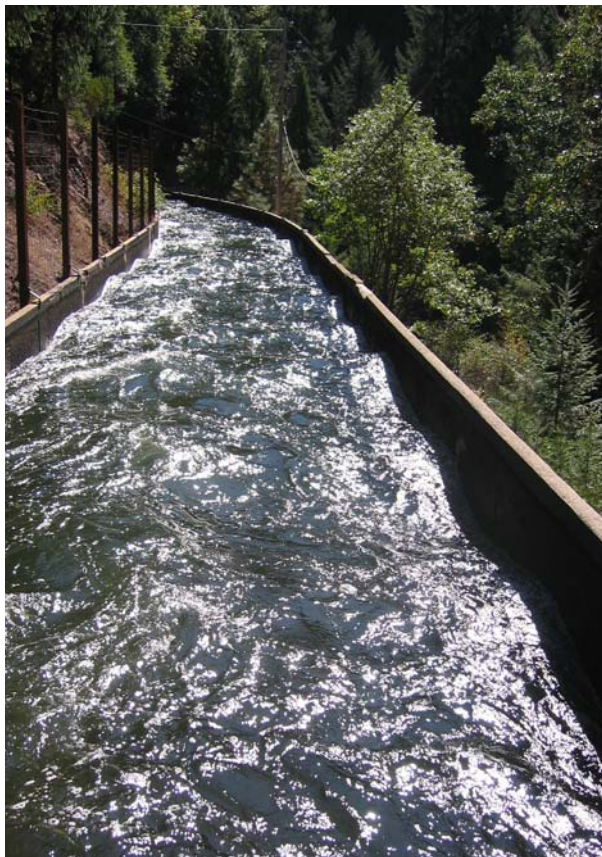
# NORTH FORK MOKELUMNE RIVER PLANNING UNIT

## Upper Mokelumne River Watershed

### 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.**

The North Fork Mokelumne River Planning Unit contains historic and prehistoric resources, as well as traditional Native American gathering sites. 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 in the planning unit (particularly outside the FERC cultural resource study area where less information is available), that appropriate management plans be developed and implemented, and that opportunities to support public education regarding cultural resources be considered. The Stewardship Council specifically recommends that lands adjacent to the USFS



Canal by Tiger Creek Regulator Reservoir

Mokelumne Archeological District be managed to complement management of the district. 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 FERC license required Heritage Resources Management Plan (HRMP).

### Endnotes

<sup>1</sup> The Bear River Reservoirs are a water supply source for Alameda, Contra Costa, San Joaquin, Amador, and Calaveras Counties, Jackson Irrigation District, Amador Water Agency, North San Joaquin Water Conservation District, Woodbridge Irrigation District, East Bay Municipal Utility District, and senior appropriators.

<sup>2</sup> Potential habitat for American peregrine falcon and Pacific fisher and two special status plant species, the Pleasant Valley mariposa lily and Stebbins's lomatium are found within one mile of the planning unit.

<sup>3</sup> The Mokelumne Archeological District was designated in 1988 and includes 12,200 acres of Federally managed land and over 125 recorded archeological sites.



# **North Fork Mokelumne River Planning Unit**

## **Registered Organizations that Submitted Statements of Qualifications for Lands Available for Donation**

Amador County  
Amador County RCD  
Calaveras County  
California Department of Forestry and Fire Protection  
California State Parks OHV Recreation Division  
Central Sierra Resource Conservation & Development, Inc.  
Environmental Education Council of Marin  
Regents of the University of California  
San Joaquin County Office of Education  
US Forest Service – Eldorado National Forest  
US Bureau of Land Management

# SUMMARY OF KEY PUBLIC OUTREACH ACTIVITIES AND PUBLIC COMMENTS ASSOCIATED WITH THE NORTH FORK MOKELUMNE RIVER PLANNING UNIT

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

The Draft Land Conservation Plan (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, 37 comments from the public were submitted concerning the North Fork Mokelumne River Planning Unit. Comments were received via email, the Stewardship Council website, and hardcopy letters. The comments were reviewed and responded to individually, and the text in the Draft LCP was revised as appropriate.

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

- Support for the development of a recreation trail around Lake Tabeaud, as long as it does not impact water quality.
- Support for the land available for donation to transfer either to USFS or BLM in order to enhance public access to North Fork Mokelumne River.
- Support for the lands available for donation to be transferred to Amador County, if lands are desired by the county
- Support for the National Wild & Scenic River Protection that is being proposed for 22.2 miles of the North Fork Mokelumne River by the BLM.
- Support for the Mokelumne Coast to Crest Trail, which may be routed through several parcels that have been preliminary designated for donation. The conservation easement on these parcels should allow the development of this public trail.
- Support for restricting OHV use at Tiger Creek.
- Support for the development of a Fuels Management Plan for the Lake Tabeaud area in coordination with adjacent property owners.
- Support for increased signage and patrol of Lake Tabeaud to prevent misuse of the area
- Support for commercial logging and agricultural to continue as historically done to support the local economy.
- Concern that the development of public trails will result in increased trespassing and vandalism of adjacent property.
- Concern that the donation of isolated parcels in the canyon, which have no public access, will impact Roaring Camp, a gold panning and adventure tour business based in the canyon.
- Concern that open space measures may restrict the addition or expansion of recreation facilities.

- Concern that the conservation easement will affect fire reduction or firefighting efforts.
- Concern about the possible curtailment of OHV access, especially on existing trails and roads.
- Concern that existing businesses will not be allowed to update or expand, if needed.
- Concern that existing historical roads and trails should be acknowledged and honored.

## **PUBLIC INFORMATION MEETING FOR THE UPPER MOKELUMNE**

A public information meeting for the North Fork Mokelumne River and Lower Bear Area planning units was hosted by the Stewardship Council on October 7, 2009 in Jackson, California. A total of 36 people attended and participated in the meeting, representing a wide variety of interests, including local, state, and federal governments; community organizations; and local businesses. The primary purpose of this meeting was to provide an overview of the land conservation process, provide an opportunity for the public to ask questions, and solicit public input on the development of the Land Conservation and Conveyance Plans (LCCP) to preserve and enhance the North Fork Mokelumne River and Lower Bear Area planning units.

Meeting participants were provided an opportunity to discuss and comment on proposed measures for the Lower Bear Area and North Fork Mokelumne River planning units identified by staff as potential priorities for Stewardship Council funding, as well as to identify desired qualifications of future fee title and conservation easement donees. Comments provided emphasized the following:

### **Potential Priority Proposed Measures**

- Forest, fire, and fuels management
- Recreation enhancements at high recreational use areas, including Electra Day Use Area and Tiger Creek
- Coordinate management with adjacent land holders, existing regional natural resource management plans, and local groups, such as the Ecological Resource Committee
- Develop management plans that addresses parcel specific issues
- Assess historical and current recreational uses
- Identify historical sites that may be accessed for educational purposes
- Involve the Native American community
- Implement biological resource measures
- Improve trail access, including restoration of the Standard Canal Trail
- Inventory natural and cultural resources to protect open space
- Enhance youth & family educational programming opportunities
- Manage trespass and other illegal uses

### **Qualifications of Donees**

- Demonstrated success with managing land and preserving and enhancing the BPVs
- A mission that includes protection, preservation, and sustainability of BPVs

- An ability to balance economic opportunities with BPVs
- Inclusive of diverse interests
- Success in achieving partnerships, collaborations, and conducting management activities in coordination with regional initiatives, adjacent landowners, and local communities.
- Ability to ensure/prioritize public access.
- Long-standing organization that has financial and organizational capacity
- Experience with and understanding of local communities/culture (sensitive to local uses)
- Accessible (has a presence in community)
- Ability to manage land similar to PG&E
- Promotes leave-no-trace ethics