

THE
**ANDERSON
VALLEY
LAND
TRUST**
INCORPORATED



P.O. BOX ONE
YORKVILLE, CA 95494

TELEPHONE/FACSIMILE:
707 / 894 / 4272

DEDICATED TO THE VOLUNTARY PRESERVATION
OF THE LAND AND ITS ABUNDANT
NATURAL RESOURCES FOR THE BENEFIT
OF GENERATIONS TO COME.

GOOD DIRT

The Newsletter of The Anderson Valley Land Trust
Fall 1992

SCHARFFENBERGER CELLARS DONATES FIRST EASEMENT PROTECTING INDIAN CREEK

The Anderson Valley Land Trust is pleased to announce that we have received the very generous donation of a conservation easement from Scharffenberger Cellars, Inc. This is a precedent setting easement -- not only because it is the first in Anderson Valley -- because it provides especially strong protection for the riparian floodplain of Indian Creek by donating the use of the water rights of the creek and the floodplain to the land trust exclusively for conservation purposes. The AVLT is dedicating these water rights to instream flow for fish and to riparian habitat restoration. The Scharffenberger easement represents a breakthrough in water resource conservation and a model that we hope will be widely used throughout California's affected watersheds.

Join us **Saturday, November 14, at 10:30 AM** at the Boonville Hotel to hear **Joan Vilms** speak on using conservation easements to protect riparian and salmon habitat and other significant natural resources, such as forest and agricultural land. Joan is a national authority on land trusts and land saving transactions. In addition to serving as a founding Board member of the national Land Trust Alliance, she helped launch both the Napa and Sonoma Land Trusts, well as the successful drive for the Sonoma County Agricultural Preservation And Open Space District. Joan lives in Santa Rosa and currently works as a land use planning consultant.

Anderson Valley Land Trust president, Connie Best, will also be there to describe the details of the Scharffenberger Cellars/Indian Creek easement, as well as other easements in progress.

This is another in our series of free educational workshops on private land protection options. Questions are invited! Coffee and snacks will be served, so take a break from your Saturday chores to learn more about the environmental and financial benefits of conservation easements.

Indian Creek is one of the four Class I watercourses that join to form the Navarro River. Indian Creek's famous steelhead and coho salmon fishery has been severely degraded through increased sediment flow and water usage over the last thirty years. Both longtime and recently arrived residents share the concern that it may be too late to reverse the damage done. Therefore the Anderson Valley Land Trust is joining with interested landowners to do something to reverse the trend and begin the process of restoration of Indian Creek. We hope with the completion of this first easement other Indian Creek neighbors will be inspired to take the initiative to protect and restore the sections of the creek that they possess.

The goal of the Scharffenberger easement is to provide protection to the portion of Indian Creek they own by restricting all

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development in the stream terrace adjacent to the creek. In addition, recognizing that the protection of the riparian habitat and instream fish habitat will best be accomplished through restricting water use from Indian Creek, Scharffen-berger granted to the land trust all uses of the riparian water rights and the water rights for the adjacent stream terrace. The well that was drilled in the floodplain will be capped after having its pump pulled and power disconnected. Any water use by the land trust in the protected area will be strictly for restoration of riparian and instream habitat. Having set aside this area for protection, a restoration plan and baseline monitoring station will be created to help reestablish the redwood riparian habitat, stabilize the bluffs over the creek, reinforce the stream channel, and foster instream conditions most suitable to salmon spawning and rearing.

With this easement, Scharffenberger Cellars took the most direct action riparian landowners can to help the fishery in the Navarro watershed and that is to leave as much water in the river and its tributaries as possible. This, combined with the restoration of riparian vegetation to stabilize the streambed and rebuild the cooling canopy cover of trees, are the foundations of a renewed salmon resource in Anderson Valley. Through the combined private, voluntary efforts of riparian landowners, we can accomplish more than what any one of us can individually -- and leave a lasting legacy to future generations.

We would like to extend our thanks to John Scharffenberger for his generous commitment to the protection of Indian Creek. We hope the donation of this easement is a "watershed" event, serving as a model of private initiative for other conservation-minded Indian Creek landowners.

Please contact us if you are interested in supporting the protection and enhancement of our water resources in Anderson Valley, either through creating conservation easements for your property or through volunteering your time to assist in implementing easements and stream restoration plans. The Anderson Valley Land Trust is committed to taking a leading role in working with landowners who want to implement riparian restoration programs on Indian, Rancheria and Anderson Creeks, as well as the Navarro itself.

LAND TRUST ALLIANCE OF MENDOCINO COUNTY FORMED BY LOCAL LAND TRUSTS

The Anderson Valley Land Trust has joined with the other local land trusts in Mendocino, Comptche and Gualala to form a county-wide umbrella organization, the Land Trust Alliance of Mendocino County. While each local land trust will maintain its own identity and projects, as well as its own corporate status, the Land Trust Alliance will serve as a coordinating body to share resources among the member land trusts, as well as provide public education and other land trust services to county residents where a local land trust is not active. The Land Trust Alliance will also seek to build cooperative relationships with governmental agencies, foundations, and private individuals that will benefit the work of the local land trusts in their own communities.

If you or your friends have land on the Mendocino coast you wish to protect for future generations, call our fellow land conservation specialists at:

The Mendocino Land Trust/Grail Dawson:	937-0656
The Comptche Land Conservancy/Judy Garratt:	937-4084
The Redwood Coast Land Conservancy/Ray Van de Water:	884-3239

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COMMON QUESTIONS ABOUT CONSERVATION EASEMENTS

Conservation easements are new to Mendocino County so we'd like to provide some brief answers to some of the more frequently asked questions about these easements. If you would like more information, ask for our Landowner Fact Sheet, "Conservation Easements: Questions and Answers".

What is a "conservation easement"?

A conservation easement is a practical way for private landowners to protect environmentally significant land while retaining their ownership. A conservation easement is a legal restriction that a landowner places on his or her property to define and limit the type of development that may take place there. Conservation easements permanently protect land for its ecological value, wildlife habitat, watershed quality, agriculture, silviculture, scenic enjoyment, historic or archaeological values, public recreation and low-density residential development. These are important public benefits that landowners can secure through their own private initiative. Generally conservation easements are donated to a non-profit conservation organization, such as the Anderson Valley Land Trust, which then carries the responsibility to inspect the land periodically and enforce the the restrictions in perpetuity.

How does a conservation easement affect my private property rights?

To understand the easement concept, think of owning land as holding a bundle of property rights. A landowner may sell or give away the whole bundle, or just one or two of those rights. Commonly these may include, for instance, the right to mine or quarry, the timber harvest rights, or water rights. A conservation easement is based on this same principle of separating out one or more ownership rights and selling or giving those rights to a third party. The underlying property and all the retained rights are unaffected. The property can be mortgaged, transferred or sold just as it normally would, whether it is has a power-line right-of-way or a conservation easement on it.

Each conservation easement is drafted individually, tailored to fit the natural characteristics of the land, the personal vision of the landowner for the property's future use, and the goals of the conservation organization. The specific rights that a property owner is restricting or retaining are spelled out in each easement document. Typically, with conservation easements certain development rights such as construction, subdivision, timber harvesting or mining, are restricted to some degree so as to limit impacts on the land that may harm the conservation values that have been identified for protection. The Anderson Valley Land Trust receives these rights on the basis that they will not exercise them but rather will ensure they are not exercised through time so as to preserve the character of the land.

The land remains in private ownership and is still utilized in all the ways that have not been specifically restricted and are appropriate within the scope of the easement agreement: agriculture, silviculture, limited residential development, recreation, etc., all can continue and, indeed, may flourish freed from underlying speculative development pressures thanks to the conservation easement restrictions.

Do conservation easements give public access to my land?

No. Not unless you specify access for recreational or educational purposes in your easement.

Are there financial benefits to donating a conservation easement?

Yes, there may be significant income, estate and property tax benefits available to donor of conservation easements to land trusts that are 501(c)(3) charities, like the Anderson Valley Land Trust. Contact us for more details.

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JOIN THE ANDERSON VALLEY LAND TRUST

"Dedicated to the Voluntary Preservation of the Land and its Abundant Natural Resources for the Benefit of Generations to Come"

Yes! I want to contribute to the preservation of the natural heritage of our valley by supporting the Anderson Valley Land Trust.

I want to learn more about the Anderson Valley Land Trust and private land conservation. Please send me additional information.

I want to volunteer my time to work with the Anderson Valley Land Trust.

Name: _____ Phone: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Membership Category:

- | | |
|--|--|
| <input type="checkbox"/> Individual (\$15) | <input type="checkbox"/> Sustainer (\$100) |
| <input type="checkbox"/> Family (\$25) | <input type="checkbox"/> Sponsor (\$500) |
| <input type="checkbox"/> Supporter (\$50) | <input type="checkbox"/> Charter (\$1000) |

Thank you!

Please mail this form and your tax-deductible contribution to:

The Anderson Valley Land Trust, Inc., P.O. Box One, Yorkville CA 95494