

# Key Considerations for Participating Landowners

West  
Coast  
Region

## Sale or Transfer of Enrolled Property

If a property owner sells or gives away lands enrolled in the SHA, NOAA Fisheries will honor the agreement and associated permit, provided the new owner agrees to become a party to the original SHA and permit.

## Expiration of the Safe Harbor Agreement & Early Withdrawal

Landowners may withdraw from the agreement at any time. If the agreement expires, the regulatory assurances tied to the “Enhancement of Survival Permit” expire. In either case, the landowner is no longer protected from the “take” prohibitions of the ESA that are allowed under the permit. However, the SHA can be renewed as long as all parties mutually agree.

## Steps for Enrolling

If you are a private landowner in Dry Creek and are interested in enrolling in the Dry Creek Programmatic Safe Harbor Agreement, you can take the following steps:

1. Work with Sonoma County Water Agency staff to discuss and review conceptual designs for Dry Creek enhancement projects on your property;
2. Participate in the Dry Creek Habitat Enhancement Project;
3. Develop or review your farm plan and best management practices with the Sonoma County Water Agency and NOAA Fisheries;
4. Enter into a “Cooperative Agreement” that includes the terms and conditions of the Safe Harbor Agreement;
5. Receive a “Certificate of Inclusion” issued for an enrolled property, providing the landowner protection from any incidental “take” of protected fish that occurs during the lawful course of viticulture operations, so long as the agreed upon baseline habitat conditions are maintained.

## Learn More about Salmon & Steelhead Recovery...

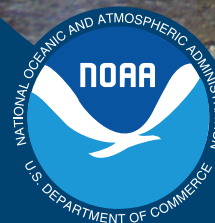
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# A Landowner's guide to Dry Creek Habitat Enhancement “Safe Harbor” Agreement



**NOAA**  
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# Dry Creek Valley Programmatic Safe Harbor Agreement

## Overview

**A** Safe Harbor Agreement is a voluntary cooperative conservation agreement between private landowners and NOAA Fisheries or the U.S. Fish and Wildlife Service to support the recovery of species protected under the federal Endangered Species Act (ESA). As participants in the voluntary program, landowners receive assurances for ESA compliance in the form of “incidental take authorization” for their activities that are consistent with the agreement and support recovery of listed salmon and steelhead. These assurances are in place for the duration of the agreement. A Safe Harbor Agreement is now in place in northern California’s Dry Creek watershed. This guide serves as a resource for landowners who may be interested in participating.

Private landowners can take action to recover endangered coho salmon, as well as threatened Chinook salmon and steelhead in Dry Creek. They can do so by implementing habitat enhancement projects on their property as part of the Dry Creek Programmatic Safe Harbor Agreement (SHA). Under an ESA consultation with NOAA Fisheries on dam operations in the Russian River, the Sonoma County Water Agency (SCWA) and the U.S. Army Corps of Engineers (Corps) are required to enhance six miles of habitat in Dry Creek by working with landowners. One mile of habitat is now restored, and the SCWA is seeking to restore five additional miles. Landowners who are interested in participating are invited to enroll in the SHA. Participation is optional for private landowners. For landowners who decide to participate, they agree to allow the SCWA to conduct, maintain, and monitor habitat enhancement work on their property.

## Benefits to Protected Species

**N**OAA Fisheries is responsible for conserving and recovering salmon and steelhead. Endangered Central California Coast coho salmon, found in the Russian River Basin, for example, is identified by NOAA Fisheries as one of eight species nationally that are at most risk of extinction. The Dry Creek Habitat Enhancement Project and the SHA are key to the recovery of this and other species, and private landowners play a critical role. By participating, landowners help enhance vital habitat, elevating the baseline habitat conditions for ESA-listed fish. This agreement gives the species the time and space they need to restore the populations to healthy, thriving numbers.

## Benefits to Participating Landowners

**B**y entering into a SHA, property owners receive assurances that land use restrictions will not be required even if the voluntary actions taken under the agreement attract ESA-listed species onto enrolled properties or increase the numbers and distribution of those species already present on the properties. The assurances are provided by NOAA Fisheries through an “Enhancement of Survival Permit” issued to the SCWA under the authority of section 10(a)(1)(A) of the ESA. This permit authorizes incidental take of species that may result from routine viticulture operations undertaken by the landowner under the SHA, which could include returning the property to the baseline conditions at the end of the agreement. The permit also specifies that NOAA Fisheries will not require any additional or different management activities by participants without their consent.

Viticulture operations, as described in a farm plan, will be covered in individual cooperative agreements for participating landowners. These normal, lawful activities include things such as the production, cultivation, growing, replanting, irrigation, harvesting, and preparation for market; delivery to storage or market; and delivery to carriers for transport to market. Other routine activities may include, but may not be limited to, hosting events, property upkeep, removal of trash or storm debris, invasive plant removal, and erosion control. However, the suite of covered management activities would be determined by, and specific to, the individual landowner and enrolled property. The “enrolled property” is the area for which the assurances in the agreement apply, and may include the entire farm, select parcels, or portions of parcels adjacent to Dry Creek, as defined by the landowner.

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This gives the species the time and space they need to recover  
their populations to healthy, thriving numbers.**