Appendix 1

S. 29, a bill to establish the Sacramento-San Joaquin Delta National Heritage Area (Feinstein, 2011)

DRAFT

112TH CONGRESS
1ST SESSION

S. 29

To establish the Sacramento-San Joaquin Delta National Heritage Area.

IN THE SENATE OF THE UNITED STATES

JANUARY 25 (legislative day, JANUARY 5), 2011

Mr. REID for Mrs. FEINSTEIN (for herself and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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A BILL

To establish the Sacramento-San Joaquin Delta National Heritage Area.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Sacramento-San Joaquin Delta National Heritage Area Establishment Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) HERITAGE AREA.—The term ''Heritage Area'' means the Sacramento-San Joaquin Delta Heritage Area established by section 3(a).

(2) HERITAGE AREA MANAGEMENT PLAN.—The term ''Heritage Area management plan'' means the plan developed and adopted by the management entity under this Act.

(3) MANAGEMENT ENTITY.—The term ''management entity'' means the management entity for the Heritage Area designated by section 3(d).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) STATE.—The term ''State'' means the State of California.

SEC. 3. SACRAMENTO-SAN JOAQUIN DELTA HERITAGE AREA.

(a) ESTABLISHMENT.—There is established the ''Sacramento-San Joaquin Delta Heritage Area'' in the State.

(b) BOUNDARIES.—The boundaries of the Heritage Area shall be in the counties of Contra Costa, Sacramento, San Joaquin, Solano, and Yolo in the State of California, as generally depicted on the map entitled ''Sacramento-San Joaquin Delta National Heritage Area Proposed Boundary'', numbered T27/105,030, and dated September 2010.

(c) AVAILABILITY OF MAP.—The map described in subsection (b) shall be on file and available for public in-

spection in the appropriate offices of the National Park Service and the Delta Protection Commission.

(d) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Delta Protection Commission established by section 29735 of the California Public Resources Code.

(e) ADMINISTRATION.—

(1) AUTHORITIES.—For purposes of carrying out the Heritage Area management plan, the Secretary, acting through the management entity, may use amounts made available under this Act to—

(A) make grants to the State or a political subdivision of the State, nonprofit organizations, and other persons;

(B) enter into cooperative agreements with, or provide technical assistance to, the State or a political subdivision of the State, nonprofit organizations, and other interested parties;

(C) hire and compensate staff, which shall include individuals with expertise in natural, cultural, and historical resources protection, and heritage programming;

(D) obtain money or services from any source including any that are provided under any other Federal law or program;

(E) contract for goods or services; and

(F) undertake to be a catalyst for any other activity that furthers the Heritage Area and is consistent with the approved Heritage Area management plan.

(2) DUTIES.—The management entity shall—

(A) in accordance with subsection (f), prepare and submit a Heritage Area management plan to the Secretary;

(B) assist units of local government, regional planning organizations, and nonprofit organizations in carrying out the approved Heritage Area management plan by—

(i) carrying out programs and projects that recognize, protect, and enhance important resource values in the Heritage Area;

(ii) establishing and maintaining interpretive exhibits and programs in the Heritage Area;

(iii) developing recreational and educational opportunities in the Heritage Area;

(iv) increasing public awareness of, and appreciation for, natural, historical, scenic, and cultural resources of the Heritage Area;

(v) protecting and restoring historic sites and buildings in the Heritage Area that are consistent with Heritage Area themes;

(vi) ensuring that clear, consistent, and appropriate signs identifying points of public access, and sites of interest are posted throughout the Heritage Area; and

(vii) promoting a wide range of partnerships among governments, organizations, and individuals to further the Heritage Area;

(C) consider the interests of diverse units of government, businesses, organizations, and individuals in the Heritage Area in the preparation and implementation of the Heritage Area management plan;

(D) conduct meetings open to the public at least semiannually regarding the development and implementation of the Heritage Area management plan;

(E) for any year that Federal funds have been received under this Act—

(i) submit an annual report to the Secretary that describes the activities, expenses, and income of the management entity (including grants to any other entities during the year that the report is made);

(ii) make available to the Secretary for audit all records relating to the expenditure of the funds and any matching funds;

(iii) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the organizations receiving the funds make available to the Secretary for audit all records concerning the expenditure of the funds; and

(F) encourage by appropriate means economic viability that is consistent with the Heritage Area.

(3) PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.—The management entity shall not use Federal funds made available under this Act to acquire real property or any interest in real property.

(4) COST-SHARING REQUIREMENT.—The Federal share of the cost of any activity carried out using any assistance made available under this Act shall be 50 percent.

(f) HERITAGE AREA MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the management entity shall submit to the Secretary for approval a proposed Heritage Area management plan.

(2) REQUIREMENTS.—The Heritage Area management plan shall—

(A) incorporate an integrated and cooperative approach to agricultural resources and activities, flood protection facilities, and other public infrastructure;

(B) emphasizes the importance of the resources described in subparagraph (A);

(C) take into consideration State and local plans;

(D) include—

(i) an inventory of—

(I) the resources located in the core area described in subsection (b); and

(II) any other property in the core area that—

(aa) is related to the themes of the Heritage Area; and

(bb) should be preserved, restored, managed, or maintained because of the significance of the property;

(ii) comprehensive policies, strategies and recommendations for conservation, funding, management, and development of the Heritage Area;

(iii) a description of actions that governments, private organizations, and individuals have agreed to take to protect the natural, historical and cultural resources of the Heritage Area;

(iv) a program of implementation for the Heritage Area management plan by the management entity that includes a description of—

(I) actions to facilitate ongoing collaboration among partners to promote plans for resource protection, restoration, and construction; and

(II) specific commitments for implementation that have been made by the management entity or any government, organization, or individual for the first 5 years of operation;

(v) the identification of sources of funding for carrying out the Heritage Area management plan;

(vi) analysis and recommendations for means by which local, State, and Federal programs, including the role of the National Park Service in the Heritage Area, may best be coordinated to carry out this Act; and

(vii) an interpretive plan for the Heritage Area; and

(E) recommend policies and strategies for resource management that consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental and interagency co-

operative agreements to protect the natural, historical, cultural, educational, scenic, and recreational resources of the Heritage Area.

(3) RESTRICTIONS.—The Heritage Area management plan submitted under this subsection shall—

(A) ensure participation by appropriate Federal, State, tribal, and local agencies, including the Delta Stewardship Council, special districts, natural and historical resource protection and agricultural organizations, educational institutions, businesses, recreational organizations, community residents, and private property owners; and

(B) not be approved until the Secretary has received certification from the Delta Protection Commission that the Delta Stewardship Council has reviewed the Heritage Area management plan for consistency with the plan adopted by the Delta Stewardship Council pursuant to State law.

(4) DEADLINE.—If a proposed Heritage Area management plan is not submitted to the Secretary by the date that is 3 years after the date of enactment of this Act, the management entity shall be in-

eligible to receive additional funding under this Act until the date that the Secretary receives and approves the Heritage Area management plan.

(5) APPROVAL OR DISAPPROVAL OF HERITAGE AREA MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of receipt of the Heritage Area management plan under paragraph (1), the Secretary, in consultation with the State, shall approve or disapprove the Heritage Area management plan.

(B) CRITERIA FOR APPROVAL.—In determining whether to approve the Heritage Area management plan, the Secretary shall consider whether—

(i) the management entity is representative of the diverse interests of the Heritage Area, including governments, natural and historic resource protection organizations, educational institutions, businesses, and recreational organizations;

(ii) the management entity has afforded adequate opportunity, including public hearings, for public and govern-

mental involvement in the preparation of the Heritage Area management plan; and

(iii) the resource protection and interpretation strategies contained in the Heritage Area management plan, if implemented, would adequately protect the natural, historical, and cultural resources of the Heritage Area.

(C) ACTION FOLLOWING DISAPPROVAL.—If the Secretary disapproves the Heritage Area management plan under subparagraph (A), the Secretary shall—

(i) advise the management entity in writing of the reasons for the disapproval;

(ii) make recommendations for revisions to the Heritage Area management plan; and

(iii) not later than 180 days after the receipt of any proposed revision of the Heritage Area management plan from the management entity, approve or disapprove the proposed revision.

(D) AMENDMENTS.—

(i) IN GENERAL.—The Secretary shall approve or disapprove each amendment to

the Heritage Area management plan that the Secretary determines make a substantial change to the Heritage Area management plan.

(ii) USE OF FUNDS.—The management entity shall not use Federal funds authorized by this Act to carry out any amendments to the Heritage Area management plan until the Secretary has approved the amendments.

(g) RELATIONSHIP TO OTHER FEDERAL AGENCIES.—

(1) IN GENERAL.—Nothing in this Act affects the authority of a Federal agency to provide technical or financial assistance under any other law.

(2) CONSULTATION AND COORDINATION.—The head of any Federal agency planning to conduct activities that may have an impact on the Heritage Area is encouraged to consult and coordinate the activities with the Secretary and the management entity to the maximum extent practicable.

(3) OTHER FEDERAL AGENCIES.—Nothing in this Act—

(A) modifies, alters, or amends any law or regulation authorizing a Federal agency to

manage Federal land under the jurisdiction of the Federal agency;

(B) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of the Heritage Area; or

(C) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.

(h) PRIVATE PROPERTY AND REGULATORY PROTECTIONS.—

(1) IN GENERAL.—Subject to paragraph (2), nothing in this Act—

(A) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the Heritage Area;

(B) requires any property owner to permit public access (including access by Federal, State, or local agencies) to the property of the property owner, or to modify public access or use of property of the property owner under any other Federal, State, or local law;

(C) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State or local agency, or conveys any land use or other regulatory authority to the management entity;

(D) authorizes or implies the reservation or appropriation of water or water rights;

(E) diminishes the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within the Heritage Area; or

(F) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

(2) OPT OUT.—An owner of private property within the Heritage Area may opt out of participating in any plan, project, program, or activity carried out within the Heritage Area under this Act, if the property owner provides written notice to the management entity.

(i) EVALUATION; REPORT.—

(1) IN GENERAL.—Not later than 3 years before the date on which authority for Federal funding

terminates for the Heritage Area, the Secretary shall—

(A) conduct an evaluation of the accomplishments of the Heritage Area; and

(B) prepare a report in accordance with paragraph (3).

(2) EVALUATION.—An evaluation conducted under paragraph (1)(A) shall—

(A) assess the progress of the management entity with respect to—

(i) accomplishing the purposes of this Act for the Heritage Area; and

(ii) achieving the goals and objectives of the approved Heritage Area management plan;

(B) analyze the Federal, State, local, and private investments in the Heritage Area to determine the leverage and impact of the investments; and

(C) review the management structure, partnership relationships, and funding of the Heritage Area for purposes of identifying the critical components for sustainability of the Heritage Area.

(3) REPORT.—

(A) IN GENERAL.—Based on the evaluation conducted under paragraph (1)(A), the Secretary shall prepare a report that includes recommendations for the future role of the National Park Service, if any, with respect to the Heritage Area.

(B) REQUIRED ANALYSIS.—If the report prepared under subparagraph (A) recommends that Federal funding for the Heritage Area be reauthorized, the report shall include an analysis of—

(i) ways in which Federal funding for the Heritage Area may be reduced or eliminated; and

(ii) the appropriate time period necessary to achieve the recommended reduction or elimination.

(C) SUBMISSION TO CONGRESS.—On completion of the report, the Secretary shall submit the report to—

(i) the Committee on Energy and Natural Resources of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(j) EFFECT OF DESIGNATION.—Nothing in this Act—

(1) precludes the management entity from using Federal funds made available under other laws for the purposes for which those funds were authorized; or

(2) affects any water rights or contracts.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $10,000,000, of which not more than $1,000,000 may be made available for any fiscal year.

(b) COST-SHARING REQUIREMENT.—The Federal share of the total cost of any activity under this Act shall be determined by the Secretary, but shall be not more than 50 percent.

(c) NON-FEDERAL SHARE.—The non-Federal share of the total cost of any activity under this Act may be in the form of in-kind contributions of goods or services.

SEC. 5. TERMINATION OF AUTHORITY.

(a) IN GENERAL.—If a proposed Heritage Area management plan has not been submitted to the Secretary by the date that is 5 years after the date of enactment of this Act, the Heritage Area designation shall be rescinded.

(b) FUNDING AUTHORITY.—The authority of the Secretary to provide assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

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Appendix 2

H.R. 486, a bill to establish the Sacramento-San Joaquin Delta National Heritage Area (Garamendi, 2011)

DRAFT

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112TH CONGRESS
1ST SESSION

H. R. 486

To establish the Sacramento-San Joaquin Delta National Heritage Area.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2011

Mr. GARAMENDI (for himself, Ms. MATSUI, Mr. MCNERNEY, Mr. GEORGE MILLER of California, and Mr. THOMPSON of California) introduced the following bill; which was referred to the Committee on Natural Resources

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A BILL

To establish the Sacramento-San Joaquin Delta National Heritage Area.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Sacramento-San Joaquin Delta National Heritage Area Establishment Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) HERITAGE AREA.—The term ''Heritage Area'' means the Sacramento-San Joaquin Delta Heritage Area established by section 3(a).

(2) HERITAGE AREA MANAGEMENT PLAN.—The term ''Heritage Area management plan'' means the plan developed and adopted by the management entity under this Act.

(3) MANAGEMENT ENTITY.—The term ''management entity'' means the management entity for the Heritage Area designated by section 3(d).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) STATE.—The term ''State'' means the State of California.

SEC. 3. SACRAMENTO-SAN JOAQUIN DELTA HERITAGE AREA.

(a) ESTABLISHMENT.—There is established the ''Sacramento-San Joaquin Delta Heritage Area'' in the State.

(b) BOUNDARIES.—The boundaries of the Heritage Area shall be in the counties of Contra Costa, Sacramento, San Joaquin, Solano, and Yolo in the State of California, as generally depicted on the map entitled ''Sacramento-San Joaquin Delta National Heritage Area Proposed Boundary'', numbered T27/105,030, and dated September 2010.

(c) AVAILABILITY OF MAP.—The map described in subsection (b) shall be on file and available for public in-

spection in the appropriate offices of the National Park Service and the Delta Protection Commission.

(d) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Delta Protection Commission established by section 29735 of the California Public Resources Code.

(e) ADMINISTRATION.—

(1) AUTHORITIES.—For purposes of carrying out the Heritage Area management plan, the Secretary, acting through the management entity, may use amounts made available under this Act to—

(A) make grants to the State or a political subdivision of the State, nonprofit organizations, and other persons;

(B) enter into cooperative agreements with, or provide technical assistance to, the State or a political subdivision of the State, nonprofit organizations, and other interested parties;

(C) hire and compensate staff, which shall include individuals with expertise in natural, cultural, and historical resources protection, and heritage programming;

(D) obtain money or services from any source including any that are provided under any other Federal law or program;

(E) contract for goods or services; and

(F) undertake to be a catalyst for any other activity that furthers the Heritage Area and is consistent with the approved Heritage Area management plan.

(2) DUTIES.—The management entity shall—

(A) in accordance with subsection (f), prepare and submit a Heritage Area management plan to the Secretary;

(B) assist units of local government, regional planning organizations, and nonprofit organizations in carrying out the approved Heritage Area management plan by—

(i) carrying out programs and projects that recognize, protect, and enhance important resource values in the Heritage Area;

(ii) establishing and maintaining interpretive exhibits and programs in the Heritage Area;

(iii) developing recreational and educational opportunities in the Heritage Area;

(iv) increasing public awareness of, and appreciation for, natural, historical, scenic, and cultural resources of the Heritage Area;

(v) protecting and restoring historic sites and buildings in the Heritage Area that are consistent with Heritage Area themes;

(vi) ensuring that clear, consistent, and appropriate signs identifying points of public access, and sites of interest are posted throughout the Heritage Area; and

(vii) promoting a wide range of partnerships among governments, organizations, and individuals to further the Heritage Area;

(C) consider the interests of diverse units of government, businesses, organizations, and individuals in the Heritage Area in the preparation and implementation of the Heritage Area management plan;

(D) conduct meetings open to the public at least semiannually regarding the development and implementation of the Heritage Area management plan;

(E) for any year that Federal funds have been received under this Act—

(i) submit an annual report to the Secretary that describes the activities, expenses, and income of the management entity (including grants to any other entities during the year that the report is made);

(ii) make available to the Secretary for audit all records relating to the expenditure of the funds and any matching funds;

(iii) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the organizations receiving the funds make available to the Secretary for audit all records concerning the expenditure of the funds; and

(F) encourage by appropriate means economic viability that is consistent with the Heritage Area.

(3) PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.—The management entity shall not use Federal funds made available under this Act to acquire real property or any interest in real property.

(4) COST-SHARING REQUIREMENT.—The Federal share of the cost of any activity carried out using any assistance made available under this Act shall be 50 percent.

(f) HERITAGE AREA MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the management entity shall submit to the Secretary for approval a proposed Heritage Area management plan.

(2) REQUIREMENTS.—The Heritage Area management plan shall—

(A) incorporate an integrated and cooperative approach to agricultural resources and activities, flood protection facilities, and other public infrastructure;

(B) emphasizes the importance of the resources described in subparagraph (A);

(C) take into consideration State and local plans;

(D) include—

(i) an inventory of—

(I) the resources located in the core area described in subsection (b); and

(II) any other property in the core area that—

(aa) is related to the themes of the Heritage Area; and

(bb) should be preserved, restored, managed, or maintained because of the significance of the property;

(ii) comprehensive policies, strategies and recommendations for conservation, funding, management, and development of the Heritage Area;

(iii) a description of actions that governments, private organizations, and individuals have agreed to take to protect the natural, historical and cultural resources of the Heritage Area;

(iv) a program of implementation for the Heritage Area management plan by the management entity that includes a description of—

(I) actions to facilitate ongoing collaboration among partners to promote plans for resource protection, restoration, and construction; and

(II) specific commitments for implementation that have been made by the management entity or any government, organization, or individual for the first 5 years of operation;

(v) the identification of sources of funding for carrying out the Heritage Area management plan;

(vi) analysis and recommendations for means by which local, State, and Federal programs, including the role of the National Park Service in the Heritage Area, may best be coordinated to carry out this Act; and

(vii) an interpretive plan for the Heritage Area; and

(E) recommend policies and strategies for resource management that consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental and interagency co-

operative agreements to protect the natural, historical, cultural, educational, scenic, and recreational resources of the Heritage Area.

(3) RESTRICTIONS.—The Heritage Area management plan submitted under this subsection shall—

(A) ensure participation by appropriate Federal, State, tribal, and local agencies, including the Delta Stewardship Council, special districts, natural and historical resource protection and agricultural organizations, educational institutions, businesses, recreational organizations, community residents, and private property owners; and

(B) not be approved until the Secretary has received certification from the Delta Protection Commission that the Delta Stewardship Council has reviewed the Heritage Area management plan for consistency with the plan adopted by the Delta Stewardship Council pursuant to State law.

(4) DEADLINE.—If a proposed Heritage Area management plan is not submitted to the Secretary by the date that is 3 years after the date of enactment of this Act, the management entity shall be in-

eligible to receive additional funding under this Act until the date that the Secretary receives and approves the Heritage Area management plan.

(5) APPROVAL OR DISAPPROVAL OF HERITAGE AREA MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of receipt of the Heritage Area management plan under paragraph (1), the Secretary, in consultation with the State, shall approve or disapprove the Heritage Area management plan.

(B) CRITERIA FOR APPROVAL.—In determining whether to approve the Heritage Area management plan, the Secretary shall consider whether—

(i) the management entity is representative of the diverse interests of the Heritage Area, including governments, natural and historic resource protection organizations, educational institutions, businesses, and recreational organizations;

(ii) the management entity has afforded adequate opportunity, including public hearings, for public and govern-

mental involvement in the preparation of the Heritage Area management plan; and

(iii) the resource protection and interpretation strategies contained in the Heritage Area management plan, if implemented, would adequately protect the natural, historical, and cultural resources of the Heritage Area.

(C) ACTION FOLLOWING DISAPPROVAL.—If the Secretary disapproves the Heritage Area management plan under subparagraph (A), the Secretary shall—

(i) advise the management entity in writing of the reasons for the disapproval;

(ii) make recommendations for revisions to the Heritage Area management plan; and

(iii) not later than 180 days after the receipt of any proposed revision of the Heritage Area management plan from the management entity, approve or disapprove the proposed revision.

(D) AMENDMENTS.—

(i) IN GENERAL.—The Secretary shall approve or disapprove each amendment to

the Heritage Area management plan that the Secretary determines make a substantial change to the Heritage Area management plan.

(ii) USE OF FUNDS.—The management entity shall not use Federal funds authorized by this Act to carry out any amendments to the Heritage Area management plan until the Secretary has approved the amendments.

(g) RELATIONSHIP TO OTHER FEDERAL AGENCIES.—

(1) IN GENERAL.—Nothing in this Act affects the authority of a Federal agency to provide technical or financial assistance under any other law.

(2) CONSULTATION AND COORDINATION.—The head of any Federal agency planning to conduct activities that may have an impact on the Heritage Area is encouraged to consult and coordinate the activities with the Secretary and the management entity to the maximum extent practicable.

(3) OTHER FEDERAL AGENCIES.—Nothing in this Act—

(A) modifies, alters, or amends any law or regulation authorizing a Federal agency to

manage Federal land under the jurisdiction of the Federal agency;

(B) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of the Heritage Area; or

(C) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.

(h) PRIVATE PROPERTY AND REGULATORY PROTECTIONS.—

(1) IN GENERAL.—Subject to paragraph (2), nothing in this Act—

(A) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the Heritage Area;

(B) requires any property owner to permit public access (including access by Federal, State, or local agencies) to the property of the property owner, or to modify public access or use of property of the property owner under any other Federal, State, or local law;

(C) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State or local agency, or conveys any land use or other regulatory authority to the management entity;

(D) authorizes or implies the reservation or appropriation of water or water rights;

(E) diminishes the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within the Heritage Area; or

(F) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

(2) OPT OUT.—An owner of private property within the Heritage Area may opt out of participating in any plan, project, program, or activity carried out within the Heritage Area under this Act, if the property owner provides written notice to the management entity.

(i) EVALUATION; REPORT.—

(1) IN GENERAL.—Not later than 3 years before the date on which authority for Federal funding

terminates for the Heritage Area, the Secretary shall—

(A) conduct an evaluation of the accomplishments of the Heritage Area; and

(B) prepare a report in accordance with paragraph (3).

(2) EVALUATION.—An evaluation conducted under paragraph (1)(A) shall—

(A) assess the progress of the management entity with respect to—

(i) accomplishing the purposes of this Act for the Heritage Area; and

(ii) achieving the goals and objectives of the approved Heritage Area management plan;

(B) analyze the Federal, State, local, and private investments in the Heritage Area to determine the leverage and impact of the investments; and

(C) review the management structure, partnership relationships, and funding of the Heritage Area for purposes of identifying the critical components for sustainability of the Heritage Area.

(3) REPORT.—

(A) IN GENERAL.—Based on the evaluation conducted under paragraph (1)(A), the Secretary shall prepare a report that includes recommendations for the future role of the National Park Service, if any, with respect to the Heritage Area.

(B) REQUIRED ANALYSIS.—If the report prepared under subparagraph (A) recommends that Federal funding for the Heritage Area be reauthorized, the report shall include an analysis of—

(i) ways in which Federal funding for the Heritage Area may be reduced or eliminated; and

(ii) the appropriate time period necessary to achieve the recommended reduction or elimination.

(C) SUBMISSION TO CONGRESS.—On completion of the report, the Secretary shall submit the report to—

(i) the Committee on Energy and Natural Resources of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(j) EFFECT OF DESIGNATION.—Nothing in this Act—

(1) precludes the management entity from using Federal funds made available under other laws for the purposes for which those funds were authorized; or

(2) affects any water rights or contracts.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $10,000,000, of which not more than $1,000,000 may be made available for any fiscal year.

(b) COST-SHARING REQUIREMENT.—The Federal share of the total cost of any activity under this Act shall be determined by the Secretary, but shall be not more than 50 percent.

(c) NON-FEDERAL SHARE.—The non-Federal share of the total cost of any activity under this Act may be in the form of in-kind contributions of goods or services.

SEC. 5. TERMINATION OF AUTHORITY.

(a) IN GENERAL.—If a proposed Heritage Area management plan has not been submitted to the Secretary by the date that is 5 years after the date of enactment of this Act, the Heritage Area designation shall be rescinded.

(b) FUNDING AUTHORITY.—The authority of the Secretary to provide assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

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Appendix 3
Interviews with Representatives of Other NHAs

May 2, 2008

Phone interviews were conducted with representatives from four different NHAs to ask about basic questions about NHAs and the effects the designation has had on the community.

Silos and Smokestacks (Iowa)
Don Short, director

1) How has the area benefited from NHA designation?

- A number of ways
- As it is a federal designation by congress, there is a lot of clout
- Increased capabilities to leverage funds
- An increase in visitation to the region which has helped economically
- More tax revenues
- Set up a network of partner sites to tell the story of agriculture
- 106 partner sites, small and large
- Resources became available to smaller sites, which otherwise were not available
- Signage attracts travelers to rest areas, where information kiosks direct persons to partner sites

2) How have decisions been made on how to focus efforts stemming from NHA designation?

- Received designation in 1996, a long time with limited resources
- Began with 4-5 people in Waterloo, Iowa as the region was very dependent on manufacturing and economic revitalization was necessary
- Other people became involved, and it jumped to a 7 county, to a 17 county effort and upon designation it became a 37 county area.
- Huge signage effort
- A lot of public effort was included in the feasibility study
- Interpretive plan developed which led to the writing of a management plan

3) Have there been any local people opposed to getting the designation?

- Not that I know of
- Some opposition as people do not understand NHAs and assumed there were property right issues. But no NHAs have eminent domain. In order to acquire property they would have to go through the market like anyone else would. Silos and smokestacks do not own any real estate (Including our own office building), nor do we plan to.

4) Have there been any strings attached with the designation? Any federal control/restrictions?

- Anytime federal funds are used, we must follow rules of NPS (e.g., NEPA, section 106 for historic preservation). However these are just regulations for spending federal money, would apply for any federal money, regardless of NHA designation.

5) Have there been any negative consequences of getting the designation?

- Just dealing with people's misconceptions of the program as many people did not understand it.
- Overall the reception has been very positive.

Delaware and Lehigh National Heritage Corridor (Pennsylvania)
Allen Sachse, director

1) How has the area benefited from NHA designation?

- Access to NPS funding
- Recognition of significant resources, local agencies recognize importance of resources
- Branded as park service partner

2) How have decisions been made on how to focus efforts stemming from NHA designation?

- Management plan + local partners
- Management plan outlines the timeframe for taking certain actions
- Partners were sought out, whoever was within the timeframe to compile initiatives
- If partners had projects and local match grants were available, that moved to priority

3) Have there been any local people opposed to getting the designation?

- No, don't remember any organized or individual opposition
- There was significant local support

4) Have there been any strings attached with the designation? Any federal control/restrictions?

- No new federal controls
- With federal money, there are certain things you can or cannot do
- No power was given to the management entity to supersede local decisions
- Communities did not have to be involved in the NHA if they were not interested
- Management entity could not purchase or own land ourselves. Any properties or things like signage were owned by partners
- Management entity began as federal commission, but switched to nonprofit in order to have more access to grant funding
- Out of all NPS designations, NHAs carry the lease restrictions. For example, with wild and scenic rivers NPS commits more strongly.

5) Have there been any negative consequences of getting the designation?

- Haven't seen any in almost 20 years.

- Has only seen the opposite. The NHA keeps getting more recognition and support.

Yuma Crossing National Heritage Area
Charles Flynn, director

1) How has the area benefited from NHA designation?

- 3 projects:
  - 110 acre site that was old city landfill was reclaimed and restored into a park with river access
  - 1400 acre wetland restoration project called Yuma east wetlands with 16 landowners and 28 stakeholders. People that did not get along previously began to cooperate. Initially people were suspicious of federal government. However, it was made clear that this was a cooperative, voluntary venture which brought people into the loop who had initially been hesitant. So far there have been obvious signs of success. A private foundation also got interested and asked the management entity to expand their geographical scope of wetland restoration to an area where there was a lot of immigration activity/violence. They got an award from an international economic development council.
  - City downtown revitalization strategy. 20 acres of land along the riverfront. Some of the land was in boundary of a national historic landmark. In order to ensure development retains historic character, all parties voluntarily agreed to keep with historic guidelines. This had marketing appeal for the developer. A $32 million Hilton garden center is under construction which hooks to 6 miles of biking trails as well as 5 miles of hiking trails in East wetlands. This should help further tourism numbers.

2) How have decisions been made on how to focus efforts stemming from NHA designation?

- Usually where willing partners existed as partners gravitated towards projects and helped shape and guide it. Indian tribe was a strong partner.

3) Have there been any local people opposed to getting the designation?

- No, There was fear about 5 years ago regarding NHAs. But people began to see it as voluntary. Farm Bureau got on board who are now strong advocates.

4) Have there been any strings attached with the designation? Any federal control/restrictions?

- None – zero. It is the opposite. The only way to get the designation is to make it clear that you won't use federal money for obtaining land. Go through the planning process and as long as the money is being used to advance the plan, it is incredibly flexible.
- In fact there is an example where the NHA was more attractive than a federal alternative that was proposed. Fish and wildlife service tried to impose a critical habitat area in the same region. This was viewed by community members as a very restrictive project with minimum benefits in the end. The NHA presented a way to better improve

habitat without federal government control. The management entity is a private, nonprofit, community based organization.

5) Have there been any negative consequences of getting the designation?

- No. All about partnerships, collaborations. Only have about $200,000-$300,000 in federal funds per year so it is necessary to leverage further funds.

Illinois and Michigan Canal National Heritage Corridor

Ana Koval, President and CEO of Canal Corridor Association

1) How has the area benefited from NHA designation?

- Brought everyone together and helped talk across government lines
- Huge effect on how people do business, build partnerships
- Sufficient improvements have been made to the area since receiving the designation in 1984 in regards to tourism increases, natural and cultural preservation, and more. Goals have been sufficiently met. There are more historic buildings and cultural institutions, and more trails. Though there is always more that could be done, it just depends on money.

2) How have decisions been made on how to focus efforts stemming from NHA designation?

- In the reauthorization process, put together a new management plan which developed visions. Lots of groups were involved and a lot of projects were proposed. Had to decide and tried to spread it over a wide geographic range. Public ends up voting specifically on which projects should be pursued.

3) Have there been any local people opposed to getting the designation?

- Nothing in terms of private property, no local land use authority/restrictions
- Initially there was some hesitation from industry. The area is part of the rust belt and there are a lot of steel mills. There was concern about restricting businesses. Founder worked hard to get business leaders on board and educate them about what it means.
- Once designated, no opposition. When getting reauthorized, no opposition as people saw value in working together.

4) Have there been any strings attached with the designation? Any federal control/restrictions?

- No. Funds have been provided and seed money towards sponsoring projects that fulfill the goals of the legislation (heritage tourism, historic preservation, natural area preservation, economic development). Not allowed to buy land/property.

5) Have there been any negative consequences of getting the designation?

Have a lot of community support which we worked hard to gain.

<u>Appendix 4</u>
Right-to-Farm Ordinances

DRAFT

Chapter 820-2 - GENERAL

Sections:

820-2.002 - Short title.
820-2.004 - Findings.
820-2.006 - Definitions.
820-2.008 - Nonapplicability.

820-2.002 - Short title.

This division shall be known and may be cited as the Right To Farm Ordinance.

(Ord. 97-38 § 2).

820-2.004 - Findings.

(1) It is the declared policy of this county to enhance and encourage agricultural operations within the county. It is the further intent of this county to provide to its residents proper notification of the county's recognition and support, through this division, of the right to farm. (County General Plan, Section 8-7).

(2) Where non-agricultural land uses extend into agricultural areas or exist side by side, agricultural operations frequently can be the subjects of nuisance complaints. As a result, agricultural operators may be forced to cease or curtail their operations. Such actions discourage investments in farm improvements, to the detriment of adjacent agricultural uses and the economic viability of the county's agricultural industry as a whole. It is the purpose and intent of this division to prevent the loss to the county of its agricultural resources by clarifying the circumstances under which agricultural operations may be considered a nuisance.

(3) An additional purpose of the ordinance codified in this division is to promote a good-neighbor policy by requiring notification of purchasers and users of property adjacent to or near agricultural operations of the inherent potential problems associated with such purchase or residential use. Such concerns may include, but are not limited to, the noise, odors, dust, chemicals, smoke, and hours of operation that may accompany agricultural operations. It is intended that, through mandatory disclosures, purchasers and users will better understand the impact of living near agricultural operations and be prepared to accept attendant conditions as the natural result of living in or near rural areas.

(4) The ordinance codified in this division is intended to carry out and advance the county's agricultural resources goals, policies, and implementation measures as set forth in the conservation element of the county general plan.

(Ord. 97-38 § 2).

820-2.006 - Definitions.

As used in this division, unless the context otherwise requires, the following words and phrases shall have the meanings given in this section:

(1) "Agricultural land" means all that real property within the unincorporated area of the county currently used for agricultural operations, zoned for agricultural use, designated for agricultural purposes by the county general plan, or upon which agricultural operations may in the future be established, including publicly-owned land designated for park, recreation, open space, watershed, or other public purposes.

(2) "Agricultural operation" means and includes the present and future application and use of agricultural technology (including the application of agricultural chemicals) for, but not limited to, the cultivation and tillage of the soil; dairying; the production, irrigation, frost protection, cultivation, growing, harvesting, and processing of any agricultural commodity, including viticulture, horticulture, timber or apiculture; the raising of livestock, fur-bearing animals, fish or poultry; and any commercial agricultural practices performed incident to or in conjunction with such operations, including preparation for market, delivery to storage or to market, or delivery to carriers for transportation to market.

(3) "Agricultural processing operation" means and includes the canning or freezing of agricultural products, the processing of dairy products, the production and bottling of wine, the processing of meat and egg products, the drying of fruits and grains, the packing and cooling of fruits and vegetables, and the

storage or warehousing of any agricultural products, and shall include processing for wholesale or retail markets of agricultural products.

(4) "Continuous operation" means at least thirty days of agricultural processing operations per year.

(5) "Proper and accepted customs and standards" means compliance with all applicable state and federal statutes and regulations governing agricultural operations or agricultural processing operations with respect to the condition or effect alleged to be a nuisance.

(Ord. 97-38 § 2).

820-2.008 - Nonapplicability.

This division is not to be construed as in any way modifying, invalidating, or abridging federal law or regulation, or state law as set out in the California Civil Code, Health and Safety Code, Fish and Game Code, Food and Agricultural Code, Division 7 of the Water Code, or any other applicable provision of federal or state law relative to nuisances; instead, it is only to be utilized in the interpretation and enforcement of the provisions of this code and county regulations.

(Ord. 97-38 § 2).

14.05.300 Notification.

a. Within one year of the date of adoption of the ordinance codified in this chapter, the Director shall cause notice to be mailed to owners of all property designated for agricultural use in the General Plan as well as adjacent to such property, located within the unincorporated area of Sacramento County, advising the owners that the Board of Supervisors has adopted a "Right-to-Farm Ordinance." The Board of Supervisors may elect to mail copies of this notice every three to five years with the annual tax bill as funds are available for such distribution. The notice may be in the form of a brochure, flyer, or some similar condensed document which outlines the general provisions of the ordinance and includes, substantially, the following statement:

"The Board of Supervisors of Sacramento County, on July 10, 1990, adopted a Right-to-Farm Ordinance. The purpose of this ordinance is to insure that established agricultural operations which are operated in a manner consistent with proper and accepted customs and standards be allowed to continue. Residents of property which are adjacent to land which is zoned for agricultural use or which is designated on the Sacramento County General Plan for agricultural use may be subject to inconveniences or discomfort from the pursuit of agricultural operations including but not limited to cultivation, plowing, spraying, fertilizing, pruning, and harvesting which occasionally generates dust, smoke, noise and odor; from the noise, odors, and other features attributed to the keeping of farm animals; and from the conduct of farming activities during typical working hours, as well as late in the evening, early in the morning, or 24-hours a day during certain times and seasons of the year. The Sacramento County Board of Supervisors has designated areas within its boundaries for agricultural uses and has adopted policies supporting continued agricultural production. Residents within these areas and on adjacent property should be prepared to accept such inconvenience and recognize that these uses will occur. If, however, an agricultural operation is being conducted in a manner which does not appear to be consistent with accepted agricultural practices, any person may file a complaint with the office of the Agricultural Commissioner, located at 4137 Branch Center Road, Sacramento, California."

b. For the purpose of mailing such notice the Director may utilize addresses from postal service zip code lists which include all property designated for agricultural use on the General Plan and property adjacent to property so designated. Failure to receive such notice shall not relieve any property owner or resident from any of the terms of this chapter. (SCC 0802 § 2, 1990.)

6-9004 - RIGHT TO FARM NOTICE.

(a) To provide all property owners with constructive notice of San Joaquin County's right-to-farm policy, the ordinance codified in this chapter shall be recorded with the Clerk-Recorder of the County. The Clerk-Recorder's Office shall keep a copy of the right-to-farm ordinance prominently displayed in the Clerk-Recorder's Office.

(b) For all discretionary approvals of parcel maps or subdivision maps involving agricultural land, or real property located adjacent to agricultural land, the San Joaquin County Community Development Department shall include as a condition of approval that the final recorded map shall contain the following statement: "All persons purchasing lots within the boundaries of this approved map should be prepared to accept the inconveniences or discomforts associated with agricultural operations or activities, such as noise, odors, insects, dust or fumes. San Joaquin County has determined that such inconveniences or discomforts shall not be considered to be a nuisance."

(c) The San Joaquin County Community Development Department shall provide all applicants for building permits for new residential construction or mobile home placement with a "right-to-farm notice" in substantially the form provided in Subsection (e) of this section.

(d) The Treasurer-Tax Collector of the County shall mail a copy of the "right-to-farm notice" in substantially the form provided in Subsection (e) of this section to all owners of real property in San Joaquin County with the annual secured 2004-2005 tax bill and every year thereafter, so long as such notice does not increase the Treasurer-Tax Collector's administrative costs.

(e) The "right-to-farm notice" shall contain, and be substantially in the form of, the following:

SAN JOAQUIN COUNTY RIGHT-TO-FARM
NOTICE

The County of San Joaquin recognizes and supports the right to farm agricultural lands in a manner consistent with accepted customs, practices, and standards. Residents of property on or near agricultural land should be prepared to accept the inconveniences or discomforts associated with agricultural operations or activities, including but not limited to noise, odors, insects, fumes, dust, the operation of machinery of any kind during any twenty-four (24) hour period (including aircraft), the application by spraying or otherwise of chemical fertilizers, soil amendments, seeds, herbicides, and pesticides, the storage of livestock feed and other agricultural commodities, and the storage, application and disposal of manure. San Joaquin County has determined that inconveniences or discomforts associated with such agricultural operations or activities shall not be considered to be a nuisance. San Joaquin County has established a grievance committee to assist in the resolution of any disputes which might arise between residents of this County regarding agricultural operations or activities. If you have questions concerning this policy or the grievance committee, please contact the San Joaquin County Agricultural Commissioner at [contact telephone number to be inserted].

(f) The San Joaquin County Community Development Department shall be responsible for the printing and related cost of the "right-to-farm notice" set forth in Subsection (e) of this section and shall supply the Treasurer-Tax Collector and the Clerk-Recorder with notices as needed.

(Ord. 4217 § 1 (part), 2004)

CHAPTER 2.2

AGRICULTURAL LANDS AND OPERATIONS

§ 2.2-10. Definitions
§ 2.2-20. Findings and policy
§ 2.2-30. Nuisance
§ 2.2-40. Notice to purchasers of real property
§ 2.2-50. Installation of signs
§ 2.2-60. Agricultural grievance committee
§ 2.2-70. Severability

Sec. 2.2-10. Definitions

Unless the context otherwise requires, the following definitions in this section govern the construction of this chapter in order for more effective interpretation and enforcement.

Agricultural lands. Agricultural lands are those land areas of the county specifically classed and zoned as exclusive agricultural (A) districts, limited agricultural (A-L) districts, park (P) districts, watershed and conservation (W) districts, and marsh preservation (MP) districts, as those districts are defined in Chapter 28 of this Code and such other land actually used for agricultural operations.

Agricultural operations. Agricultural operations means and includes, but is not limited to, cultivation and tillage of the soil; burning of agricultural waste products; lawful and proper use of agricultural chemicals including, but not limited to, the application of pesticides and fertilizers; and production, irrigation, pruning, growing, harvesting and processing of any agricultural commodity, including horticulture, timber, apiculture, the raising of livestock, fish, poultry; and commercial practices performed as incident to or in conjunction with such agricultural operation, including preparation for market, delivery to storage or market, or to carriers or transportation to market.

(Ord. No. 1270 §1; Ord. No. 1378, §1)

Sec. 2.2-20. Findings and policy

It is the declared policy of this county to conserve and protect both intensive and extensive agricultural land, and encourage agricultural operations within the county, and to specifically protect those lands for exclusive agriculture use or uses which do not interfere with agricultural operations. Where nonagricultural uses, especially residential development, extends into agricultural areas or exist side by side, agricultural operations have often become the subject of nuisance complaints. As a result, agricultural operations are sometimes forced to cease or curtail operations and many others are discouraged from making investments in farm improvements, to the detriment of adjacent agricultural uses and economic

viability of the county's agricultural industry as a whole. It is the purpose and intent of this section to reduce the loss to the county of its agricultural resources by limiting the circumstances under which agricultural operations may be considered a nuisance. This section is not to be construed as in any way modifying or abridging state law as set out in the California Civil Code, Health and Safety Code, Fish and Game Code, Food and Agricultural Code, or Division 7 of the Water Code relative to nuisances; but, rather, is only to be utilized in the interpretation and enforcement of the provisions of this Code and county regulations.

The further purpose of this Code is to promote a good neighbor policy between agriculturalists and residents by advising purchasers and residents of property adjacent to or near agricultural operations of the inherent potential problems associated with such purchase or residence, including, but not limited to, the sounds, odors, dust, and chemicals that may accompany agricultural operations so that such purchasers and residents will understand the inconveniences that accompany living side by side to agriculture, and be prepared to accept such problems as the natural result of living in or near rural areas.

(Ord. No. 1270, §1; Ord. No. 1378, §1)

Sec. 2.20-30. Nuisance

No preexisting or future agricultural operation or any of its appurtenances conducted or maintained for commercial purposes and in a manner consistent with proper and accepted customs and standards on agricultural land shall become or be a nuisance, private or public, due to any changed condition of adjacent land uses in or about the locality thereof; provided, that the provisions of this section shall not apply whenever a nuisance results from the negligent or improper operation of any such agricultural operation or its appurtenances, or if the agricultural activity or appurtenance obstructs the free passage or use in the customary manner of any navigable lake, river, stream, canal or basin, or any public park, square, street or highway.

(Ord. No. 1270, §1; Ord. No. 1378, §1)

Sec. 2.2-40. Notice to purchasers of real property

Notice concerning this chapter may be given to purchasers of real property in the County of Solano by including the following notice with any preliminary title report and any grant deed, quitclaim deed, or land sale contract returned to the grantee by the Recorder after recording:

> **Notice to Purchaser of Real Property**
> Solano County is an agricultural county with many areas zoned for agricultural operations. The presence of farms and ranches yields significant aesthetic and economic benefits to the residents of

the County. Thus, the County's agriculture must be protected, including in areas where it is near residential development. To do this, Solano County has enacted Chapter 2.2 of its County Code, which provides that properly conducted agricultural operations will not be deemed a nuisance.

The ordinance further requires the County to give notice of the Ordinance and its provisions to buyers of real property located in Solano County. Accordingly, you are hereby notified that if the property you are purchasing is located close to agricultural lands or operations, you may be subject to inconvenience or discomfort from the following agricultural operations: cultivation and tillage of the soil; burning of agricultural waste products; lawful and proper use of agricultural chemicals including, but not limited to, the application of pesticides and fertilizers; and production, irrigation, pruning, growing, harvesting, and processing of any agricultural commodity, including horticulture, timber, apiculture, the raising of livestock, fish, poultry, and commercial practices performed as incident to or in conjunction with such agricultural operation, including preparation for market, delivery to storage or market, or to carriers or transportation to market. These operations may generate dust, smoke, noise and odor.

If you live near an agricultural area, you should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in a county with a strong rural character and a healthy agriculture sector.

To assist in resolving problems between residential and agricultural land use, an Agricultural Grievance Committee has been created in Solano County to arbitrate and mediate disputes concerning agricultural operations. For information concerning where agricultural operations are located in relation to your property, you may contact the Solano County Department of Environmental Management, 675 Texas Street, Suite 5500, Fairfield. For questions concerning the specific kinds of agricultural operations in your area, including their use of fertilizers and pesticides, and information on the

Agricultural Grievance Committee, you should contact the Solano County Agricultural Commissioner, 501 Texas Street, Fairfield.

This notice is given for informational purposes only and nothing in the Ordinance or this Notice should be deemed to prevent you from complaining to any appropriate agency or taking any other available remedy concerning any unlawful or improper agricultural practice.

(Ord. No. 1270, §1; Ord. No. 1378, §1; Ord. No. 1630, §1)

Sec. 2.2-50. Installation of signs

The county may install or permit the installation of signs at the entry of or within established farming areas zoned as "agricultural land" to notify and explain to purchasers that some of the land in this area is being used for agricultural purposes and that the producers' interests are protected by law. The prospective purchaser of such land or a residence is advised to check local agencies as to any regulation or requirements which may affect agricultural property and of inherent potential problems associated with a purchase of such property or a residence in areas zoned as an "agricultural land" and of the likely effects of such agricultural operations.

(Ord. No. 1270, §1; Ord. No. 1378, §1)

Sec. 2.2-60. Agricultural grievance committee

There is hereby established the Solano County Agricultural Grievance Committee which shall arbitrate and mediate disputes involving agricultural land and issue opinions on whether agricultural operations constitute nuisance. The committee shall have five regular and five alternate members serving three-year terms appointed by a majority vote of the board of supervisors. Two regular and two alternate members familiar with agricultural practices shall be appointed from persons recommended by the board of directors of the Solano County Farm Bureau, who shall be persons receiving not less than a majority of their income from farming. One regular and one alternate member familiar with rural residential living, and one regular and one alternate member familiar with urban living shall be appointed, who shall be county residents. One regular and one alternate public member recommended by the other four members of the committee shall be appointed to represent the general public. Four members shall constitute a quorum. Alternates shall replace only their associate regular member when absent. The members shall draw lots to determine the expiration date of the term of each member so that three terms of regular and associate alternate members expire on December 31, 1987, and two terms of regular and associate alternate members shall expire on December 31, 1986. The committee shall select a chairman who shall preside over meetings. The

agricultural commissioner shall be the secretary, who shall call meetings when the need arises or as determined by the chairman, and shall maintain minutes of each meeting. A farm advisor from the University of California Cooperative Extension Service, Solano County, may serve as technical advisor to the committee. Any interested party may apply to the committee for mediation and arbitration involving disputes over agricultural operations or for an opinion whether agricultural operations constitute a nuisance by contacting the agricultural commissioner.

(Ord. No. 1270, §1; Ord. No. 1378, §1)

Sec. 2.2-70. Severability

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of the chapter.

(Ord. No. 1270, §1; Ord. 1378, §1)

Chapter 6

AGRICULTURE

Sections:

Article 1. Right to Farm: Dispute Resolution: Notice to Purchasers of Nearby Properties

10-6.101 Definitions.
10-6.102 Property operated farm not a nuisance.
10-6.103 Construction with other laws.
10-6.104 Resolution of disputes.

Article 2. Agricultural Nuisances

10-6.201 Purpose and Findings.
10-6.202 Definitions.
10-6.203 Effect on other laws.
10-6.204 Administration and enforcement.
10-6.205 Nuisance Abatement.
10-6.206 Form of Notice to Abate.
10-6.207 Service Procedures.
10-6.208 Appeals: Agricultural Nuisance Appeals Board.
10-6.209 Appeals.
10-6.210 Appeals: Notice.
10-6.211 Appeals: Recommendations.
10-6.212 Appeals: Decision.
10-6.213 Appeals: Removal.
10-6.214 Summary Abatement.
10-6.215 Right of entry of certain persons.
10-6.216 Abatement costs.
10-6.217 Collection of costs.
10-6.218 Notice of abatement lien.

Article 3. Organic Certification

10-6.301 Purpose and Findings.
10-6.302 Definitions.
10-6.303 Program Authority and Fees.
10-6.304 Eligibility.
10-6.305 Certification Criteria.
10-6.306 Enforcement.

Article 1. Right to Farm: Dispute Resolution: Notice to Purchasers of Nearby Properties

Sec. 10-6.101. Definitions.

As used in this article the following terms shall have the following meanings:

(a) "Agricultural Land" means those land areas of the County specifically classed and zoned as Agricultural Preserve (A-P), Agricultural Exclusive (A-E), and Agricultural General (A-1), as those zones are defined in the Yolo County Zoning Ordinances.

(b) "Agricultural activity, operation, or facility or appurtenances thereof" means and includes, but is not limited to, the cultivation and tillage of the soil, dairying, the production, irrigation, frost protection, cultivation, growing, harvesting, and processing of any commercial agricultural commodity, including timber, viticulture, agriculture or horticulture, the raising of livestock, fur-bearing animals, fish or poultry, and any practices performed by a farmer or on a farm as incident to or in conjunction with such operations, including the application of pesticides, use of farm equipment, storage or preparation for market, delivery to storage or to market, or to carriers for transportation to market. (§ 2, Ord. 1133, eff. January 2, 1992)

Sec. 10-6.102. Property operated farm not a nuisance.

(a) No agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained on agricultural lands for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than three (3) years if it was not a nuisance at the time it began.

(b) Subsection (a) of this section shall not apply if the agricultural activity, operation, or facility, or appurtenances thereof obstructs the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin, or any public park, square, street, or highway.

(c) This section shall not invalidate any provision contained in the Health and Safety Code, Fish and Game Code, Food and Agricultural Code, or Division 7 (commencing with Section 13000) of the Water Code, if the agricultural activity, operation, or facility, or appurtenances thereof, constitute a nuisance, public or private, as specifically defined or described in any such provision.

(d) Notwithstanding any other provision of this Code, no action, alleging that an agricultural operation has interfered with private property or personal well-being, shall be maintained unless the plaintiff has sought and obtained a decision of the agricultural grievance committee provided in Section 10-6.104 of this chapter or a decision has been sought but no decision is rendered within the time limits provided in said section. This subsection shall not prevent a public agency from enforcing the provisions of other applicable laws without first resorting to the grievance procedure. (§ 2, Ord. 1133, eff. January 2, 1992)

Sec. 10-6.103. Construction with other laws.

This chapter shall take precedence over all ordinances or parts of ordinances or resolutions

or parts of resolutions in conflict herewith. (§ 2, Ord. 1133, eff. January 2, 1992)

Sec. 10-6.104. Resolution of disputes.

(a) Should any controversy arise regarding any inconveniences or discomfort occasioned by agricultural operations which cannot be settled by direct negotiation of the parties involved, either party may submit the controversy to a grievance committee as set forth below in an attempt to resolve the matter prior to the filing of any court action.

(b) Any controversy between the parties shall be submitted to the grievance committee within thirty (30) days of the later of the date of the occurrence of the particular activity giving rise to the controversy or the date a party became aware of the occurrence.

(c) The grievance committee shall consist of five (5) members appointed from the community at large by the Board of Supervisors, and serving at the pleasure of the Board of Supervisors, two (2) of whom shall be engaged in the commercial practice of agriculture, two (2) of whom shall have no financial interest in any agricultural property or operation, and one of whom shall have knowledge of and expertise in agricultural production practices. A majority of the members shall constitute a quorum of the grievance committee, and no decision shall be valid or binding unless taken upon a majority vote of the members present. The Yolo County Agricultural Commissioner shall be the Secretary who shall call meetings as the need arises and shall maintain minutes of each meeting. The committee shall adopt rules of procedure governing the conduct of its meetings. Members of the committee shall receive no compensation for carrying out these duties.

(d) The effectiveness of the grievance committee as a forum for resolution of disputes is dependent upon full discussion and complete presentation of all pertinent facts concerning the dispute in order to eliminate any misunderstandings. The parties are encouraged to cooperate in the exchange of pertinent information concerning the controversy.

(e) The controversy shall be presented to the committee by written request of one of the parties within the time limits specified. Thereafter the committee may investigate the facts of the controversy but must, within twenty-five (25) days, hold a meeting to consider the merits of the matter and within five (5) days of the meeting render a written decision to the parties. At the time of the meeting both parties shall have an opportunity to present what each considers to be pertinent facts. No party bringing a complaint to the committee for settlement or resolution may be represented by counsel unless the opposing party is also represented by counsel. The time limits provided in this subsection for action by the committee may be extended upon the written stipulation of all parties in a dispute.

(f) Any reasonable costs associated with the functioning of the grievance committee process shall be borne by the participants. The Board of Supervisors may, by resolution, prescribe fees to recover those costs. (§ 2, Ord. 1133, eff. January 2, 1992)

Article 2. Agricultural Nuisances.

Section 10-6.201. <u>Purpose and Findings</u>.

(a) Under Section 25842 of the Government Code, the Board of Supervisors may provide for the control or destruction of gophers, squirrels, vermin, other wild animals, noxious weeds, plant diseases, and insects injurious to fruit or fruit trees, vines, vegetables, or plant life. These items are considered to be Agricultural Nuisances. Section 25845 of the Government Code provides that the Board of Supervisors may establish by ordinance a procedure for the abatement of a nuisance.

(b) At present, the enforcement provisions of the Food and Agriculture Code are set forth in Chapters 6 and 7, Part 1, Division 4. These provisions call for a lien to be recorded on the subject property within 120 days in the event of non-payment. If no payment is received within 120 days of recording the district attorney is required to foreclose on the lien or the lien ceases to exist. This enforcement provision is onerous and virtually impossible to implement.

(c) The Board finds that prompt and effective control of Agricultural Nuisances is essential to protect our agricultural operations. An ordinance with reasonable enforcement provisions is essential to accomplish this. This ordinance provides for the collection of unpaid abatement costs by the Treasurer-Tax Collector with the same priority as other County taxes as provided for under Section 25845(d) of the Government Code.

Section 10-6.202. Definitions.

For the purposes of this Chapter, unless otherwise apparent from the context, certain words and phrases are defined as follows:

(a) “Abatement” shall include the eradication, destruction, or control, to the satisfaction of the Agricultural Commissioner, of the Agricultural Nuisance.

(b) “Agricultural Nuisance” include, but are not limited to, gophers, squirrels, vermin, other wild animals, noxious weeds, plant diseases, and insects injurious to fruit or fruit trees, vines, or vegetable or plant life.

(c) "County Code" means the Yolo County Code.

(d) "Person" means any natural person, firm, joint venture, joint stock company, partnership, association, club, company, corporation, business trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

(e) "Responsible Person" is the person having control of or acting as an agent for the property. The term "Responsible Person" includes but is not limited to a property owner, tenant, or a person with a legal interest in, or possession of, real property where a nuisance occurs or exists.

Section 10-6.203. Effect on other laws.

The provisions of this chapter are not the exclusive regulation of Agricultural Nuisances within the unincorporated area of the County. The provisions of this chapter shall supplement and be in addition to the other regulatory codes, statutes, and laws heretofore or hereafter enacted by the County, the State, or any other legal entity or agency having jurisdiction.

Section10-6.204. Administration and enforcement.

Except as otherwise provided in this chapter, the provisions of this chapter shall be administered and enforced by the Agricultural Commissioner. In the enforcement of the provisions of this chapter, the Agricultural Commissioner or his designees may enter upon both private and public property to determine whether an Agricultural Nuisance exists pursuant to the provisions of this chapter.

Section 10-6.205. Nuisance Abatement.

Whenever an Agricultural Nuisance is ascertained to exist by the Agricultural Commissioner, the Agricultural Commissioner shall notify the person having control of or acting as an agent for the property, to abate or remove such nuisance within thirty (30) calendar days. Upon neglect or refusal of such person to comply with such notice, the Agricultural Commissioner may abate such nuisance, and the person having control of such premise or place, shall be liable to the County of Yolo for the cost of such abatement as provided for in Section 10-6.216.

Section 10-6.206. Form of Notice to Abate.

The form of all Notices to Abate given under this Chapter shall be as follows:

(a) All notices shall be in writing;
(b) All notices shall include a description of the premises sufficient for identification;
(c) All notices shall include a statement as to what Agricultural Nuisance exists on the property and why the notice is being issued;
(d) All notices shall state that the Responsible Person has thirty (30) calendar days to abate the Agricultural Nuisance;
(e) All notices shall inform the Responsible Person of the right to appeal to the Agricultural Nuisance Appeals Board in writing within fifteen (15) days of receiving the Notice to Abate; and
(f) All notices shall include notification that should the Responsible Person fail to abate the Agriculture Nuisance, the Agricultural Commissioner or his designee shall have the right to abate such nuisance, and that the Responsible Person shall be liable to the County of Yolo for the cost of such abatement as provided for in Section 10-6.216.

Section 10-6.207. Service Procedures.

A Notice to Abate or Remedy shall be served in the following manner:

(a) Personal Service. In any case, where a Notice to Abate is issued:

(1) The Agricultural Commissioner or his designee shall attempt to locate and personally serve the Responsible Person and attempt to obtain the signature of the Responsible Person on the Notice to Abate.

(2) If the Responsible Person served refuses or fails to sign the Notice to Abate, the failure or refusal to sign shall not affect the validity of the Notice to Abate or of subsequent proceedings.

(b) Service of Notice to Abate by Mail and Posting. If the Agricultural Commissioner is unable to locate the Responsible Person after reasonable efforts, the Notice to Abate shall be mailed by certified mail, postage prepaid with return receipt to the owner of the land as shown on the last equalized County assessment roll, to the last registered legal owner of record, and any other address that is reasonably calculated to give the Responsible Person actual notice of the Notice to Abate. The Agricultural Commissioner shall also post the Notice to Abate on the subject real property within the County. Service shall be effective upon mailing or posting, whichever is later.

Section 10-6.208. Appeals: Agricultural Nuisance Appeals Board.

The Agricultural Nuisance Appeals Board shall consist of the same members as the Right To Farm Grievance Committee established in Section 10-6.104(c) of the Yolo County Code.

Section 10-6.209. Appeals.
The Responsible Person may request a hearing in writing with the Agricultural Nuisance Appeals Board within fifteen (15) calendar days of service of notice to abate or remove. A request for a hearing shall temporarily suspend the obligation to abate or remove the Agricultural Nuisance demanded in the Notice until the appeal has been heard. Such hearing shall take place as soon as practicable after the request is made. The right to an appeal shall be deemed waived if the Responsible Person fails to request an appeal within fifteen (15) calendar days of service of the Notice to Abate.

Section 10-6.210. Appeals: Notice. The

Notice of a hearing shall be mailed at least ten (10) days before the hearing by certified mail, with return receipt, to the person requesting the hearing. Notice shall also be provided to the owner of the land as shown on the last equalized County assessment roll and to the last registered and legal owner of record. If any of such notices are returned undelivered by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of such return.

Section 10-6.211. Appeals: Recommendations.

All hearings held pursuant to the provisions of this chapter shall be held before the Agricultural Nuisance Appeals Board, which shall hear all facts and testimony it deems pertinent. Such facts and testimony may include testimony on the condition of the property, or part thereof, and the circumstances concerning the Agricultural Nuisance. The Agricultural Nuisance Appeals Board shall not be limited by the technical rules of evidence. The person requesting the appeal may appear in person at the hearing, or present a written statement in time for consideration at the hearing, and deny responsibility for the Agricultural Nuisance on the land, with his or her reasons for such denial.

The Agricultural Nuisance Appeals Board may recommend to the Board of Supervisors such conditions and other actions as it deems appropriate under the circumstances to carry out the purposes of this chapter, including, but not limited to, a delay in the time for removal of the Agricultural Nuisance, if, in its opinion, the circumstances so justify. At the conclusion of the hearing, the Agricultural Nuisance Appeals Board may determine that the property, or part thereof, is an Agricultural Nuisance, and recommend that the nuisance be removed from the property and disposed of as provided for in this chapter. The Agricultural Nuisance Appeals Board may also determine the administrative costs and the cost of removal to be charged against the owner of the parcel of land on which the Agricultural Nuisance is located in accordance with Section 10-6.216. The recommendation of removal shall include a description of the property, or part thereof, the correct assessor's parcel number and the Agricultural Nuisance to be removed from the property. If a written presentation is made to the Agricultural Nuisance Appeals Board, the person providing the written presentation shall be notified in writing of the recommendation.

Section 10-6.212. Appeals: Decision.
The Board of Supervisors may adopt the recommendation of the Agricultural Nuisance Appeals Board without further notice of hearing or may set the matter for hearing at a regular Board meeting.

Should the Board of Supervisors adopt the recommendation of the Agricultural Nuisance Appeals Board, notice of the decision shall be provided to the person who requested the hearing, as well as the owner of the land as shown on the last equalized County assessment roll and to the last registered and legal owner of record.

Should the Board of Supervisors set the matter for hearing at a regular Board meeting, notice of the hearing shall be mailed to the person who requested the hearing. Notice shall also be provided the owner of the land as shown on the last equalized County assessment roll and to the last registered and legal owner of record. Notice shall be given at least ten (10) days before the hearing by certified mail, with a return receipt. If any of such notices are returned undelivered by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of such return.

Section 10-6.213. Appeals: Removal.
Unless otherwise provided for at the hearing, within fifteen (15) days after the adoption of the decision declaring the property, or parts thereof, to be an Agricultural Nuisance, the Agricultural Nuisance must be removed or remedied.

Section 10-6.214. Summary Abatement.
Consistent with California Government Code Section 25845(a), nothing in this Section is intended to prohibit the summary abatement of an Agricultural Nuisance by the Agricultural Commissioner, if the Agricultural Commissioner determines that the Agricultural Nuisance constitutes an immediate threat to public health or safety.

Appendix 5

Grant Funding Matrix

This appendix provides an overview of grant funding opportunities that are of relevance to a Delta NHA. Many of these programs offer cash grants and therefore could be potential sources of the 50% match requirement for federal funding granted with NHA designation. Specific projects which are funded through these grants include: marketing/promotion, historic preservation, education/interpretation, tourism/recreation, and more. Information outlined in the matrix is either current at the time this study was developed, or taken from the most recent funding cycle. Therefore it is important to remember specifics may change with time and not all of the organizations may continue to offer grants in the future. However this matrix can still be a valuable tool to guide a fundraising process for a Delta NHA.

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Organization	Grant program/fund	Eligible Projects	Due Date	Award Amount	Matching	Eligible Applicants	Website
American Express Foundation	American Express Foundation Fund	Historic preservation and conservation, leadership, community service and engagement	Letters of inquiries are reviewed on an ongoing basis	Varies		Certified tax exempt organizations	about.americanexpress.com/csr/
California Coastal Conservancy	California Coastal Conservancy grant	In coastal areas: trails and other public access, natural resource protection, restoration of urban waterfronts, protection of agricultural land, and resolution of land use conflicts	Ongoing	$30 million statewide	None	Government agencies, nonprofit organizations	scc.ca.gov/applying-for-grants-and-assistance/forms/
California Council for the Humanities	California Documentary Fund, California Reads' Public Library Grants, and California Story Funds	Film, video, radio, and new media projects that document the California experience; projects which bring Californians together on important topics through books; community-centered, California story based public humanities projects	Varies	From $500 to $50,000	1:1 matching of non-federal funds or in-kind services	Tax exempt organizations, organizations with tax exempt organization as a fiscal sponsor, library jurisdictions or support organizations	www.calhum.org/guidelines/guidelines_main.htm
California Cultural and Historical Endowment	California Cultural and Historical Endowment grants	Capital and planning projects which preserve structures to help tell the story and document the contributions of the people of California	Varies	$118 million has been awarded to 149 projects	Required, but specific amount may vary and can include in-kind assistance	Nonprofits, state and local government entities	www.library.ca.gov/grants/cche/
California State	California State	Volunteer efforts and	August 1,	Usually	None	Nonprofits, California state	calparks.org/programs/c

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Parks Foundation	Parks Foundation Competitive Grants	recognition, education and interpretation, natural and cultural resource protection, capacity building	November 1, February 1, May 24	range from $200-$6,000		park units and park agencies	ompetitive-grant/
California State Parks Division of Grants and Local Services	Statewide Park Program, Nature Education Facilities Program	Various park, recreation, and resources related projects	July 1	Varies	None	Cities, regional park districts, joint power authorities, counties, nonprofit organizations	www.parks.ca.gov/?page_id=1008
California Department of Transportation	Transportation Enhancements Grants	Scenic or historic highway programs (including the provision of tourist and welcome center facilities), historic preservation, rehabilitation and operation of historic transportation buildings, structures or facilities (including historic railroad facilities and canals), preservation of abandoned railway corridors (including the conversion and use thereof for pedestrian or bicycle trails), establishment of transportation museums, and more	Varies	$60 million statewide	11.47% non-federal match	Local, state, and federal agencies; nonprofit organizations (with a DOT partner)	www.dot.ca.gov/hq/TransEnhAct/TransEnact.htm
The Conservation Alliance	Conservation Alliance Grant Program	Protection of specific wildlands or waterways for their habitat and recreational values with citizen engagement	May 1 and November 1	$10,000,000 has been awarded to around 350 projects	None	Nonprofit organizations nominated by an Alliance Member	www.conservationalliance.com/grants
Giles W. and Elise G. Mead Foundation		Projects which emphasize sustainable use of natural resources	Submit letters of inquiry by March, July, October	Past grants have ranged from $15,000 to $125,000			www.gileswmeadfoundation.org/
Institute of Museum and	Numerous different grants	Ongoing museum programs, exhibitions, or activities;	Varies	Varies	Varies	Native American tribes, historical societies, libraries,	www.imls.gov/applicants/available_grants.aspx

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Library Services		research, institutional planning, collections management, purchase of equipment or services, or other activities that support efforts of museums to upgrade and integrate new technologies				professional associations, regional organizations, state or local government, museums, and more	
National Endowment for the Humanities	America's Historical and Cultural Organizations Planning and Implementation Grants	Engagement of citizens in thoughtful reflection upon culture, identity, and history	January 11	Generally do not exceed $400,000	Not required, but NEH is rarely able to provide full costs	Nonprofit organizations, state and local government agencies, and tribal governments	www.neh.gov/grants/guidelines/AHCO_ImplementationGuidelines.html
National Endowment for the Humanities	Preservation and Access Education and Training Grants	Education and training projects which help preserve and establish access to cultural heritage collections	June 30	Typically $125,000 per year for two years	Not required, but NEH is rarely able to provide full costs	Nonprofit organizations, state and local government agencies, and tribal governments	www.neh.gov/grants/guidelines/pet.html
National Historical Publications and Records Commission	Electronic Records Project	Historic archiving	June	Max of $200,000	Cost sharing is required and can include indirect expenses, in-kind contributions, non-Federal third party contributions, and earned income	State, county, city, and township governments; public and state controlled institutions of higher education; tribal governments; nonprofits; and private institutions of higher education	www.archives.gov/grants/

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National Park Foundation	Active Trails Fund	Promotion of healthy lifestyles while protecting/enhancing trail resources	April 1			National Park System units, affiliated areas, regional, service and program offices, National Heritage Areas, National Wild and Scenic Rivers, National Historic Landmarks, and National Trails	www.nationalparks.org/npf-at-work/our-programs/active-trails/
National Park Foundation	America's Best Idea Grants	Projects which seek to reach traditionally underserved groups and empower them to create strong, lasting bonds of stewardship with the National Parks				National Park System units, affiliated areas, regional, service and program offices, National Heritage Areas, National Wild and Scenic Rivers, National Historic Landmarks, and National Trails	www.nationalparks.org/npf-at-work/our-programs/best-idea-grants/
National Park Foundation	Impact Grants	Various	September 16	Up to $10,000	N/A	National Park System units, affiliated areas, regional, service and program offices, National Heritage Areas, National Wild and Scenic Rivers, National Historic Landmarks, and National Trails	www.nationalparks.org/npf-at-work/our-programs/impact-grants/
National Park Foundation	Park Stewards Programs	Opportunities for high school teachers and students to explore and become stewards of national parks				National Park System units, affiliated areas, regional, service and program offices, National Heritage Areas, National Wild and Scenic Rivers, National Historic Landmarks and National Trails	www.nationalparks.org/npf-at-work/our-programs/stewards/
National Park Service	Rivers, Trails, and Conservation Assistance Program	River conservation, open space preservation, trail and greenway planning and development	August 1st	In-kind assistance	N/A	Community groups, nonprofits, local, state and federal agencies	www.nps.gov/archive/pwro/rtca/
National Trust for Historic	National Trust Preservation	Preservation planning and educational efforts,	February 1, June 1,	$500 to $5,000	1:1 cash match	Public agencies, 501(c) (3), and other nonprofit	www.preservationnation.org/resources/find-

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Preservation	Fund	intervention funds for preservation emergencies	and October 1	(larger grants may be available)		organizations	funding/nonprofit-public-funding.html
National Trust for Historic Preservation	Johanna Favrot Fund	Preservation or recapture of an authentic sense of place	February 1	$2,500 to $10,000		Nonprofit organizations and public agencies	www.preservationnation.org/resources/find-funding/nonprofit-public-funding.html
National Trust for Historic Preservation	Cynthia Woods Mitchell Fund for Historic Interiors	Preservation, restoration, and interpretation of historic interiors	February 1	$2,500 to $10,000		Nonprofit organizations and public agencies	www.preservationnation.org/resources/find-funding/nonprofit-public-funding.html
Teichert Foundation	Teichert Foundation grants	Culture and the arts, education, environmental planning and preservation, civic improvement, and historical restoration; in areas of operation including Sacramento, San Joaquin, and Yolo counties	February and August	Grants range from $3,000 to $7,500.			www.teichert.com/grant-requirements.cfm
Tourism Cares for America	Tourism Cares Worldwide Grant Program	Conservation, preservation, restoration, or education at tourism-related sites of exceptional significance	Letter of inquiry – March, application -July	Two groups of six Worldwide Grants at $10,000		Nonprofit, tax exempt 501 (c) (3) organizations	www.tourismcares.org/grants
U.S.D.A.	Farmers Market Promotion Program	Improvement and expansion of farmer's markets, roadside stands, community-supported agriculture programs, and other direct producer to consumer market opportunities	July 1	$5,000 - $100,000.	Not required	Agricultural cooperatives, producer networks, producer associations, local governments, nonprofits, public benefit corporations, economic development corporations, regional farmers' market authorities, and Tribal governments	www.ams.usda.gov/AMSv1.0/FMPP
U.S. Environmental Protection	Environmental Education Grants	Environmental education	November	$2 to $3 million nationwide	25% match	Local education agencies, college or universities, state education or environmental	www.epa.gov/enviroed/grants.html

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Agency						agency, nonprofit organization, or noncommercial educational broadcasting entity	
Wildlife Conservation Board	Public Access Program	Development of fishing piers or floats, access roads, boat launching ramps, trails, boardwalks, interpretive facilities and lake or stream improvements	Continuous	$1 million statewide	None	Cities, counties and public districts or corporations	www.wcb.ca.gov/Access/grants.html

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Appendix 6
Letters of Support and/or Commitment

Antioch Historical Society
Bay Point Garden Club
California Delta Chambers and Visitors Bureau
California Preservation Foundation
California State Parks
Carquinez Strait Preservation Trust
Contra Costa County
Delta Peddlers Bicycle Club
Dutra Museum Foundation
Friends of the Great California Delta Trail
Isleton Brannan-Andrus Historical Society
Isleton Chamber of Commerce
Mokelumne Coast to Crest Trail Council
Office of Historic Preservation
Recreational Boaters of California
Rio Vista, City of
Sacramento County
San Joaquin County
Solano County
Suisun Resource Conservation District
UC Small Farm Program
Visit California
West Sacramento, City of

DRAFT

Antioch Historical Society
1500 West 4th Street, Antioch, CA 94509
Non-Profit #94-2457532
(925) 757-1326 Museum * (925) 757-0308 Fax

October 5, 2011

Michael Machado
PO Box 530
Walnut Grove, California 95690

Dear Mr. Machado,

On behalf of the Antioch Historical Society, I am writing to express support of a National Heritage Area (NHA) designation in the Sacramento-San Joaquin Delta, for which the Delta Protection Commission (DPC) is conducting a feasibility study. The Antioch Historical Society recognizes the NHA as a method to gain more visibility of the diverse historical and cultural resources of the Delta, which are a valuable part of the national story.

The Antioch Historical Society Museum is located in the former Riverview Union High School, situated just south and within view of the San Joaquin River. This building opened in 1911 as the first union high school in Contra Costa County, and is now on the National Register of Historical Places. Museum exhibits highlight the history of Antioch and East Contra Costa County, and include several displays relevant to Delta history on topics including wildlife, Native Americans, agriculture, canneries, and maritime history. A Delta NHA will be a way to help further public education on topics such as these, as well as help people gain an understanding of the Delta and the communities that lie within it.

Once again, the Antioch Historical Society expresses strong support for a Delta NHA and looks forward to future opportunities to be involved in NHA activities.

Sincerely,

Robert Martin
President

Bay Point Garden Club

P.O. Box 5386
Bay Point, CA 94565
(510) 610-9155

MAE CENDANA TORLAKSON
President

EVA GARCIA
Vice President

DI WYNN-BUSBY
Project Coordinator
Secretary

SARAH BELMORE
Treasurer

TRISH DAYE-ROA
Board Member

LORRAINE HARMS
Auditor

JOHN M. WILSON
Project Foreman

GLORIA MAGLEBY
Founder

September 28, 2011

The Honorable Michael Machado
Delta Protection Commission
P.O. Box 530
Walnut Grove, CA 95690

Dear Senator Machado

On behalf of the Bay Point Garden Club (BPGC), I am writing to express my strong support and commitment for a National Heritage Area (NHA) designation in the Sacramento-San Joaquin Delta. The BPGC can potentially serve as a partner for a Delta NHA by assisting the management entity with tasks such as local outreach, and utilizing our website to bring awareness to NHA activities.

The BPGC is an organization that helps instill community pride among its residents in Bay Point, an unincorporated area located in the Delta. The club organizes the Bay Point Spring Derby, an annual event celebrated on Memorial Day. It brings together the many different cultural groups that reside in the community to celebrate their proud heritage. For the past five years, it has attracted thousands of participants and visitors from other neighboring areas.

The Bay Point Spring Derby and the Delta NHA are compatible in many ways. Both projects are valuable tools to help the Delta gain visibility as a destination for recreation and tourism activities, thus assisting with both economic development and public education.

We give full support for a Delta NHA and look forward to partnering with the Delta Protection Commission to further pursue this effort.

Sincerely yours,

Mae Cendaña Torlakson

CALIFORNIA DELTA CHAMBERS

P.O. Box 1118 • Rio Vista, CA 94571 • Phone (916) 777-4041 • Fax (916) 777-4042
[redacted] • www.californiadelta.org

September 28, 2011

Michael Machado
Delta Protection Commission
P.O. Box 530
Walnut Grove, California 95690

Dear Mr. Machado:

On behalf of the California Delta Chambers and Visitor's Bureau, I am writing to express my strong support and commitment for a National Heritage Area (NHA) designation in the Sacramento-San Joaquin Delta. The Delta Chambers can potentially serve as a partner for a Delta NHA by assisting the management entity with tasks such as local outreach to economic and recreation organizations in the Delta, identification of potential NHA partner sites, and marketing/promoting NHA activities and partner sites via our website.

The Delta Chambers is an organization of chambers of commerce, visitors bureaus, businesses, and boosters in the Delta, with members who have established roots in the Delta due to a love for this boating and fishing paradise. Established over forty years ago, the Delta Chambers strives to enhance enjoyment for visitors to the Delta, while protecting and preserving the area's fragile beauty.

A Delta NHA will be a valuable tool to help the Delta gain visibility as a destination for recreation and tourism activities, thus assisting with both economic development and public education. Since the Delta NHA is a community-driven approach to heritage conservation and economic development, it is imperative that there be public-private partnerships to support historic preservation, natural resource conservation, recreation, heritage tourism, and educational projects to tell the "Delta story".

Again, on behalf of the Delta Chambers, I am writing to express support for a Delta NHA and look forward to partnering with the DPC to further pursue this effort.

Sincerely,

Bill Wells
Executive Director
info@californiadelta.org

An organization promoting the assets of the California Delta through the combined efforts of local chambers of commerce, visitors bureaus, development associations, businesses and individuals throughout the Delta area

CALIFORNIA
PRESERVATION
FOUNDATION

5 3RD STREET, SUITE 424
SAN FRANCISCO, CALIFORNIA
94103-3205

415.495.0349 PHONE
415.495.0265 FAX

CPF@CALIFORNIAPRESERVATION.ORG
WWW.CALIFORNIAPRESERVATION.ORG

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Kelly Sutherlin-McLeod, AIA, *Long Beach*
Julianne Polanco, *San Francisco*
Richard Sucre, *San Francisco*

EXECUTIVE DIRECTOR
Cindy L. Heitzman

October 5, 2011

Submitted Electronically

Michael Machado, Executive Director
Delta Protection Commission
P.O. Box 530
Walnut Grove, CA 95690

RE: FEASIBILITY STUDY FOR A SACRAMENTO-SAN JOAQUIN DELTA NATIONAL HERITAGE AREA

Dear Mr. Machado,

On behalf of California Preservation Foundation (CPF), we are pleased to offer this letter of support for continuing to explore and seek designation for the Sacramento- San Joaquin Delta National Heritage Area (NHA).

CPF is the only statewide nonprofit organization dedicated to the preservation of California's diverse cultural and architectural heritage. Established in 1977, CPF works with its extensive network to provide statewide leadership, advocacy and education to ensure the protection of California's diverse cultural heritage and historic places.

Since 2009, CPF has been actively working with the City of Isleton to develop and approve a Historic Preservation Plan and Ordinance to preserve their National Register District and increase local heritage tourism. We have been following the progress of this study as it relates to Isleton and have discussed the positive impacts that a National Heritage Area would have in the Delta with Alex Westhoff. CPF supports the creation of a Sacramento-San Joaquin Delta National Heritage Area to promote heritage and recreational tourism for the whole region.

National Heritage Areas have a proven success for increasing and diversifying local and regional economies. Through this designation a regional approach will be developed for this sensitive environment and allow for access to limited funds only available through this program. A Delta National Heritage Area will be unlike any other NHA in the United States which could draw National attention.

CPF would like to offer our assistance to the Delta Protection Commission through our Field Services Program. Please let us know if you would like our assistance or if you have any questions or comments. Feel free to contact me at jgates@californiapreservation.org or by phone at 415-495-0349 x 204.

Sincerely,

Jennifer M. Gates, AICP
Field Services Director
In Partnership with the National Trust for Historic Preservation

California Preservation Foundation
5 Third Street, Suite 424
San Francisco, California 94103
T: 415.495.0349 x204
F: 415-495-0265
E: jgates@californiapreservation.org
www.californiapreservation.org

California Preservation Foundation: Field Services

Field Services is a brand new program offered by the California Preservation Foundation, in partnership with the National Trust for Historic Preservation to provide on-site technical assistance and direct support to property owners, developers, local officials, local organizations and others with information and tools essential for successful preservation projects and initiatives.

The goal of the Field Services program is to provide assistance to communities comprised of local governments with limited time, budget, personnel and expertise to create effective preservation policies and encourage the incorporation of historic preservation into community planning through increased advocacy and education statewide.

How Field Services Can Help?
The Field Services Director can help to:

- Assess local preservation needs;
- Coordinate alliances and develop partnerships;
- Provide guidance on solution based strategies;
- Interact locally to provide on-site assistance;
- Convene meetings, workshops, presentations, etc. to assist with advocacy and education efforts in local communities; and
- Provide linkages to consultants, informational resources, and potential financial sources.

The California Preservation Foundation also maintains close working relationships with the State Office of Historic Preservation, California State Parks, National Trust for Historic Preservation, the National Park Service and hundreds of design professionals throughout California.

The Field Services program is made possible through the National Trust for Historic Preservation (NTHP) Partners in the Field challenge grant and the generous support of California Preservation Foundation's members and donors.

The **California Preservation Foundation** (CPF) is the only statewide non-profit historic preservation education and advocacy membership organization in California. CPF serves as an essential link in the state's historic preservation network, and emphasizes educational programs, advocacy and information exchange through a quarterly newsletter, the Preservation Design Awards, the Annual California Preservation Conference, workshops and publications addressing critical preservation issues.

Jennifer M. Gates, AICP, **Field Services Director** for CPF, is a graduate from the University of Pennsylvania with a Master of City Planning and a Master of Science in Historic Preservation. With focuses on preservation planning and community and economic development she has always had an interest in the diverse aspects of preservation. Her experience includes working for Oklahoma Main Street Center, the National Park Service National Historic Landmarks program, and in both private and public sectors with downtown revitalization and preservation planning. Most recently, Jennifer worked for the City of San Clemente, a Certified Local Government and Preserve America community, as a preservation planner.

State of California • Natural Resources Agency
Edmund G. Brown Jr., *Governor*
DEPARTMENT OF PARKS AND RECREATION • P.O. Box 942896 • Sacramento, CA 94296-0001
Ruth Coleman, *Director*

September 29, 2011

Michael Machado
PO Box 530
Walnut Grove, California 95690

Dear Mr. Machado:

I am writing to express California State Park's strong support of a National Heritage Area (NHA) in the Sacramento-San Joaquin Delta.

California State Parks' *Central Valley Vision Implementation Plan* and our *Recreation Proposal for the Sacramento-San Joaquin Delta and Suisun Marsh* both endorse the creation of an NHA in the Delta. What impresses us most about the project is the commitment to a broad, collaborative planning process which will ensure that many businesses, organizations and the public will be involved in planning for the development of an NHA. An NHA will promote the region's identity by improving recreational access to the Delta from nearby cities to the Delta's waterways, recreational facilities, and historic towns.

California State Parks looks forward to working with the DPC to see the NHA in the Delta approved and fully effective. Let me know how we can help this effort succeed.

Sincerely,

Dan Ray
Chief, Planning Division

CARQUINEZ STRAIT

PRESERVATION TRUST

November 23, 2011

Mr. Michael Machado
Delta Protection Commission
P.O. Box 530
Walnut Grove, CA 95690

Dear Mr. Machado:

On behalf of the Carquinez Strait Preservation Trust we are writing to provide our support of the Delta National Heritage Area (NHA) and support Boundary Alternative 2 which was included in the Delta NHA legislation introduced by Senator Diane Feinstein and Congressman John Garamendi. We believe that the inclusion of the Carquinez Strait, the water gateway to the Sacramento-San Joaquin Delta, will provide a comprehensive story of the areas rich natural and cultural resources, shared history, and recreational opportunities.

We also support the designation of the Delta Protection Commission as the managing entity for the Delta National Heritage Area, and support making planning funds available to local jurisdictions to help develop local plans supportive of the strategies developed for the National Heritage Area.

The Delta and Carquinez Strait share a rich history of natural and historic resources, geography and development. We believe that designation as a National Heritage Area is in the best interest of Delta and the Strait and will provide the structure to highlight the regional identity of the area.

It is the mission of the Trust to further the preservation, promotion, and recognition of the Carquinez Strait as an important State and National resource and recreation area. Therefore it has been a long standing goal of the Trust to receive a National Heritage designation for the Carquinez Strait region. We hope to be working cooperatively in the future with the Delta Protection Commission on this matter.

Sincerely

Bonnie Silveria

Bonnie Silveria, President
Carquinez Strait Preservation Trust

P.O Box 1 Crockett, CA 94525

The Board of Supervisors

County Administration Building
651 Pine Street, Room 106
Martinez, California 94553

John Gioia, 1st District
Gayle B. Uilkema, 2nd District
Mary N. Piepho, 3rd District
Karen Mitchoff, 4th District
Federal D. Glover, 5th District

Contra Costa County

David Twa
Clerk of the Board
and
County Administrator
(925) 335-1900

January 10, 2012

The Honorable Don Nottoli
Chair
Delta Protection Commission
P.O. Box 530
Walnut Grove, CA 95690

Dear Chair Nottoli:

Contra Costa County fully supports the Delta Protection Commission's effort to establish the Delta National Heritage Area. Along with that support is a commitment of County staff time to participate in the technical advisory committee that will be created to help move the process forward.

The Delta Protection Commission has made considerable progress on this concept, most recently by performing the feasibility study that includes the details of the National Heritage Area (NHA).

As the County's representative on the Commission I have seen the work that has gone into this effort to date, and I look forward to the next steps in the process. I also appreciate the Commission's responsiveness to our earlier input on various aspects of the NHA. The current proposal addresses the issues we brought up in our previous Board letter on this subject. We believe the proposal will provide for a vibrant NHA that reflects regional and local history and culture.

Our staff will be available as needed to provide local input and assistance. If you or your staff have questions or need further information, please have your staff contact John Greitzer at (925) 335-1201.

Thanks for your efforts to move this important project forward.

Sincerely,

Mary N. Piepho
Chair

G:\Conservation\Water Agency\Delta Protection Commission\Natl Heritage Area Study\CC BOS support letter Jan 10 2012.doc

C: Members, Board of Supervisors
M. Machado, Executive Director, Delta Protection Commission
L. DeLaney, County Administrator's Office
J. Greitzer, Dept. of Conservation and Development
D. Brown, Coordinator, Delta Counties Coalition

Delta Pedalers
Bicycle Club
P.O. Box 2394
Antioch CA
94531

Unlimited

WWW.DELTAPED.ORG

Recreational Bicycle Touring
On-Road On-Trail
Cycling Events.....Local Rides
East Contra Costa County

To: Delta Protection Commission
c/o Alex Westhoff

The Delta Pedalers is a cycling club located in Eastern Contra Costa County.
We are a bicycle touring club sponsoring bike rides throughout the week.
We also support cycling advocacy and cycling events in the East County area.

We support the designation of a National Heritage Area (NHA) in the Sacramento-San Joaquin Delta.
This area is a special place for us. We ride our bicycles there regularly.
We appreciate the unique cultural, historical, recreational, agricultural, and economic values of the Delta.
We feel that the federal designation of the Delta as a National Heritage Area will protect, enhance,
and help to sustain this favorite portion of our back yard.

Sincerely,

Bruce "Ole" Ohlson

Bruce "Ole" Ohlson

Delta Pedalers Bicycle Club

October 21, 2011

Michael Machado
Delta Protection Commission
P.O. Box 530
Walnut Grove, California 95690

Dear Mr. Machado,

The Dutra Museum Foundation is writing to express support for a National Heritage Area (NHA) designation in the Sacramento-San Joaquin Delta. The Foundation recognizes a NHA in the Delta as a valuable tool to assist with public education and preservation of the Delta's history; and a way to attract more visitors to the Delta's historical sites, which could have economic benefits.

The Dutra family has been involved in the dredging business since 1904, and levee maintenance by the Dutra Group continues to play a vital role in protecting the Delta's rich farmland from flooding. The Dutra Museum of Dredging in Rio Vista, contains a private collection of materials that interpret the history of sidedraft clamshell dredging in the Delta. Items in our collection include historic photographs, log books, maps, antique tools and artifacts, scale models of dredges and more.

We believe that a Delta NHA can assist our mission of educating and promoting an understanding of the history of dredging, the value of developing and reclaiming the California Delta and the significant role the Dutra Group and the Dutra family has played within this field. We appreciate that one of the proposed themes for the Delta NHA is about Delta reclamation and discusses the important role that the sidedraft clamshell dredge played not just in the Delta, but in other parts of the world as well.

The Delta NHA is an approach to heritage preservation that is driven by the local community, and therefore public-private partnerships are crucial to support historic preservation and education projects. If Delta NHA designation does occur, the Dutra Museum Foundation could potentially serve as partners with the management entity on projects related to preservation and interpretation of the history of dredging in the Delta. Depending on the availability of Foundation members, we could offer technical and advisory assistance on projects related to the promotion and marketing of sites related to dredging history, and the development of educational materials about the topic.

Once again, the Dutra Museum Foundation expresses strong support for a Delta NHA and looks forward to being involved with NHA activities and projects.

Sincerely,

Janet Bennett

Janet Bennett and Patty Bruce
Co-Directors

345 St. Gertrude Avenue • P.O. Box 520, Rio Vista, California • 94571 • 415-258-4796

Friends of the Great California Delta Trail

September 26, 2011

Michael Machado
Delta Protection Commission
P.O. Box 530
Walnut Grove, California 95690

Dear Mr. Machado,

On behalf of the Friends of the Great California Delta Trail, I am writing to express my strong support and commitment for a National Heritage Area (NHA) designation in the Sacramento-San Joaquin Delta for which the Delta Protection Commission is conducting a feasibility study.

The Friends of the Great California Delta Trail can potentially serve as a partner for a Delta NHA by assisting the management entity with tasks such as local outreach including utilizing our website to raise public awareness about the NHA activities and partner sites – particularly sites that are adjacent to existing or proposed Delta Trail links.

The Friends of the Great California Delta Trail was developed to help gain community support and awareness for links of the Delta Trail. The Friends of the Delta Trail recognizes that there are unmet recreational needs throughout the Delta including hiking/biking trails, wildlife observation/education facilities, and historical/cultural interpretive facilities.

The Delta Trail and the Delta NHA are compatible in many ways, and both projects are valuable tools to help the Delta gain visibility as a destination for recreation and tourism activities, thus assisting with both economic development and public education. Since the Delta NHA is a community-driven approach to heritage conservation and economic development, it is imperative that there be public-private partnerships to support historic preservation, natural resource conservation, recreation, heritage tourism, and educational projects to tell the "Delta story".

On behalf of the Friends of the Great California Delta Trail, I am writing to express strong support for a Delta NHA and look forward to partnering with the Delta Protection Commission to pursue this effort further.

Sincerely,

Mae Cendaña Torlakson
Chair

Friends of the Great California Delta Trail ◆ P.O. Box 5284, Bay Point, CA 94565
www.deltatrail.org

October 6, 2011

Michael Machado
Delta Protection Commission
P.O. Box 530
Walnut Grove, California 95690

Dear Mr. Machado,

I am writing this letter on behalf of the Isleton Brannan-Andrus Historical Society (IBAHS). The IBAHS is in full support of a National Heritage Area (NHA) designation in the Sacramento-San Joaquin Delta. The Isleton Historical Society can potentially serve as a partner for a Delta NHA by assisting the management entity with tasks such as identification of cultural/historic resources, identification of potential partner sites and local outreach.

The IBAHS is an organization which is committed to the preservation and promotion of the history of Isleton and the surrounding Delta area.

A Delta NHA will be a valuable tool to help the Delta gain visibility as a destination for recreation and tourism activities, thus assisting with both economic development and public education. Since the Delta NHA is a community-driven approach to heritage conservation and economic development, it is imperative that there be public-private partnerships to support historic preservation, natural resource conservation, recreation, heritage tourism, and educational projects to tell the "Delta story".

Again, on behalf of the IBAHS I am writing to express support for a Delta NHA and look forward to working with the DPC to further pursue this effort.

Sincerely,

Karen Franscioni
President
Isleton Brannan-Andrus Historical Society
P.O. Box 933
Isleton CA 95641
916-777-6906

ISLETON CHAMBER OF COMMERCE
23 MAIN STREET – PO BOX 758
ISLETON, CA 95641
Phone (916) 777-4800 / FAX (916) 777-4800
Home Page: www.isletonchamber.com

November 30, 2011

Michael Machado, Executive Director
Delta Protection Commission
P.O. Box 530
Walnut Grove, California 95690

Dear Mr. Machado,

On behalf of the Isleton Chamber of Commerce, we are writing to express strong support from the Isleton Community to acknowledge great benefits in seeking a Sacramento-San Joaquin Delta National Heritage Area Designation. Isleton has many preserved 19th Century era storefronts along historic Main Street, currently on the National Park Service Historic Registry as the Asian American Historic District. One of the historic district's storefronts is occupied by the Isleton Chamber of Commerce. Our Chinese "Tong" Building (social and fraternal organization) was featured on a July 2008 episode of the PBS program History Detectives.

The Isleton Chamber of Commerce established in 1935, has been working closely with the City of Isleton, the Isleton Brannan-Andrus Historical Society and also the California Preservation Foundation to develop and approve a Historic Preservation Plan and Ordinance to preserve our National Historic District and increase local heritage tourism. The Chamber of Commerce can potentially serve as a partner for the NHA by assisting in identifying cultural and historic resources, being a potential partner site, and outreach within the community.

A Sacramento-San Joaquin Delta National Heritage Area will be a valuable tool to recognizing the "Delta-as-a-Place" gaining visibility as a destination for recreation and tourism activities, thus assisting with both economic development and public education.

The Isleton Chamber of Commerce looks forward to actively participating with the Delta Protection Commission in assisting to help and build more support for preserving, protecting, and enhancing the Sacramento-San Joaquin Delta.

Sincerely,

Jean Yokotobi
President

December 5, 2011

Michael Machado
Delta Protection Commission
P.O. Box 530
Walnut Grove, California 95690

Dear Mr. Machado,

The Mokelumne Coast to Crest Trail Council fully supports a National Heritage Area (NHA) designation for the Sacramento-San Joaquin Delta. We understand NHA will offer the Delta visibility and recognition as a place of significant national importance. We recognize the NHA is a tool to support the preservation and enhancement of the region's recreational, ecological, historical and agricultural resources, and the vital role it can play for economic sustainability and public education.

The Mokelumne Coast to Crest Trail Council is a nonprofit corporation helping to develop and maintain the Mokelumne Coast to Crest Trail – a 300-mile non-motorized, multi-use trail system roughly following the Mokelumne River through six counties from its headwaters at the Sierra crest down to the river's opening near Martinez at Carquinez Strait in the Bay Area. 150 miles are in various stages of completion. The trail's Delta segment follows the Mokelumne River through the Delta. Activities along this segment could include kayaking, floating, boating, bird watching, and possibly land trail activities where feasible. The MCCT can support proposed themes for the Delta NHA, particularly theme 1 – 'At the Heart of California Lies America's Inland Delta.' A significant component of this theme is the Delta's unique landscape as a confluence of five rivers, which includes the Mokelumne River. The MCCT can be a valuable resource to help further gain appreciation of the Mokelumne River in its current state, as well as its natural and cultural history.

The Delta segment of the MCCT is in the pre-planning phase with the Trail Council working with public and private agencies and individuals to determine alignment through the Delta region, map the trail, and secure funding to construct the trail segment. The MCCT could serve as partners for NHA activities that are related to the planning, recognition, enhancement, and development of the MCCT or resource sites that support the MCCT. The development of visitor amenities such as public restrooms, garbage receptacles, directional signage, and dockage is included as a goal for the Delta NHA, and the Trail Council could potentially serve as partners to meet this goal on projects that lie along the MCCT.

Once again, we strongly urge your favorable consideration to designate the Delta as a NHA and look forward to future collaborative opportunities.

Sincerely,

Mary E. Boblet

Mary Boblet
Secretary/Treasurer

www.mc2ct.org
PO Box 142, Glencoe, CA 95232
The Mokelumne Coast to Crest Trail Council is a 501(c)(3) Nonprofit Corporation
Tax ID # 68-0365565

STATE OF CALIFORNIA – THE NATURAL RESOURCES AGENCY

Edmund G. Brown, JR., *Governor*

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
1725 23rd Street Suite 100
SACRAMENTO, CA 94296-0001
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov

October 3, 2011

Michael Machado
Delta Protection Commission
P.O. Box 530
Walnut Grove, California 95690

RE: **National Heritage Area Designation in the Sacramento-San Joaquin Delta**

Dear Mr. Machado:

On behalf of the California Office of Historic Preservation (OHP), I am writing to express my support for a National Heritage Area (NHA) designation in the Sacramento-San Joaquin Delta, currently the subject of a Delta Protection Commission (DPC) feasibility study.

The mission of OHP is to provide leadership and promote the preservation of California's irreplaceable and diverse cultural heritage. OHP is the state agency primarily responsible for administering and implementing historic preservation programs in California, and either administers or influences most state and federal preservation programs.

OHP supports this project, as a NHA is a valuable tool to bring more visibility and recognition to the historic and cultural resources sites of the Sacramento-San Joaquin Delta. Historic preservation opportunities have been discussed throughout the Delta NHA feasibility study process and have been recognized as a potential goal of a Delta NHA. OHP recognizes the potential for historic preservation projects throughout the Delta, particularly within the Legacy Communities along the Sacramento River. A Delta NHA will also be a way to increase recreation and tourism activities, thus assisting with both economic development and public education.

Again, on behalf of OHP, I am writing to express support for a Delta NHA. If you have any questions or need future assistance, please contact Jay Correia of my staff at (916) 445-7008.

Sincerely,

milford wayne donaldson

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

RBOC
Protecting your boating interests.

925 L Street • Suite 220
Sacramento CA 95814
916.441.4166
www.rboc.org

43 YEARS
Recreational Boaters of California

Linda Bendsen
President

Cleve Hardaker
Vice President - South

Jack Michael
Vice President - North

Bob White
Secretary - Treasurer

Anne Sacks
Past President

Legislative Advocates
Jerry Desmond
Executive Vice President

Jerry Desmond, Jr.
Director of
Government Relations

September 27, 2011

Mr. Michael Machado
Delta Protection Commission
PO Box 530
Walnut Grove, California 95690

Dear Mr. Machado,

On behalf of the Recreational Boaters of California [RBOC], I am writing to express my strong support for a National Heritage Area [NHA] designation in the Sacramento-San Joaquin Delta, for which the Delta Protection Commission is developing a feasibility study.

RBOC is the nonprofit boater advocacy organization that works to protect and enhance the interests of the state's recreational boaters before the legislative and executive branches of state and local government. RBOC is in its 43rd year as a statewide organization promoting the enjoyment, protection, and responsible use of our waterways.

RBOC firmly believes that this project is closely aligned with our principles to protect and enhance the recreation and boating interests of California including the Delta. What impresses us most about this project is the commitment to establish a federal recognition of the Delta due to its assemblage of cultural and historical resources. NHA designation has the potential to help gain visibility to the role the Delta has served in the nation by being an important location for water based recreation, dating back to the Gold Rush era in the 1850s. A Delta NHA can also link recreational and historic sites of the Delta, utilizing the waterways as corridors.

Recreational Boaters of California gives full support for the application for the NHA designation and looks forward to being involved in the collaborative planning and implementing process.

Sincerely,

Linda Bendsen

Linda Bendsen, President

C: RBOC Board of Directors

RBOC/2011/Delta/RBOC National Heritage Letter 9-27-11

CITY OF RIO VISTA

One Main Street, Rio Vista, California 94571
Phone (707) 374-6451 Fax: (707) 374-5063

September 20, 2011

Delta Protection Commission
14215 River Road – PO Box 530
Walnut Grove, CA 95690

To Whom it May Concern:

The City Council of the City of Rio Vista unanimously supports the creation of a National Heritage Area for the Delta, including the City within its boundaries.

The Sacramento-San Joaquin Delta is a special place of great importance to the state for agriculture, *recreation and a rich heritage of many cultures. Rio Vista has always been an integral part of that* place, even though the city is not within the current legal Delta boundary. Since it's original establishment in the 1850's, Rio Vista has been a vital key in supporting the agriculture of the area, transportation – both by land and water – and a center for recreation and culture. A National Heritage Area would focus attention on the Delta, enhance the unique values of the Delta, and, as is expressed in the Mission Statement, would "cultivate and retain appreciation and understanding of the Delta as an ecological, agricultural, recreational, historical and cultural treasure."

The City of Rio Vista is encouraged by the focus on the Delta as a significant place that must be protected in all its facets. The designation as a National Heritage Area would signal this importance to the rest of the state and even to the nation.

As this process goes forward, the City of Rio Vista will continue to support the creation of an NHA.

Sincerely,

Jan Vick

Jan Vick, Mayor
City of Rio Vista

ROBERTA MacGLASHAN
SUPERVISOR, FOURTH DISTRICT
macglashanr@saccounty.net

Ted Wolter
Chief of Staff
woltert@saccounty.net

(916) 874-5491
FAX (916) 874-7593

CHAIR BOARD OF SUPERVISORS
COUNTY OF SACRAMENTO

700 H STREET, SUITE 2450 SACRAMENTO, CA 95814

December 19, 2011

Michael Machado
Delta Protection Commission
P.O. Box 530
Walnut Grove, CA 95690

Dear Mr. Machado,

On behalf of Sacramento County, I am writing to express support of a National Heritage Area (NHA) designation for the Sacramento-San Joaquin Delta as is currently being studied by the Delta Protection Commission (Commission). A Delta NHA will be a valuable tool to help the Delta gain visibility as a destination for recreation and tourism activities, this assisting with economic development and public education.

As understood, the NHA designation can provide opportunities for projects such as historic preservation, development of visitor amenities, enhancement of recreation areas, and others which will help support the Delta. A Delta NHA can help recognize, enhance, and promote "Delta-as-Place" in order to build awareness of the Delta and its important resources.

Communities located in Sacramento County, including Freeport, Hood, Courtland, Locke, Walnut Grove, and Isleton, have played important roles in the history of the Delta. Often referred to as "Legacy Communities," they are filled with a rich and diverse cultural heritage that can be valued and appreciated by visitors and locals alike. These communities remain crucial centers to sustain the Delta and support economic drivers of the region including agriculture, recreation, and tourism. Historic resources can be found throughout these communities, which are supportive of the Delta's national significance.

Again, on behalf of Sacramento County, I am writing to express support for a Delta NHA. Sacramento County looks forward to partnering with the Commission to further pursue this effort and, as staffing allows, could provide support for tasks such as local public outreach, acquiring relevant data for a NHA management plan, and collaboration on NHA projects within Sacramento County. If you have any questions, please contact me at (916) 874-5491. Thank you.

Sincerely,

Roberta MacGlashan

Roberta MacGlashan
Chair, Sacramento County Board of Supervisors

RM:vrs

BOARD OF SUPERVISORS

44 N. SAN JOAQUIN STREET, SUITE 627
STOCKTON, CALIFORNIA 95202
TELEPHONE: 209/468-3113
FAX: 209/468-3694

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Fifth District

October 20, 2011

Michael Machado, Executive Director
Delta Protection Commission
PO Box 530
Walnut Grove, CA 95690

Support in Concept a National Heritage Area Designation for the Sacramento - San Joaquin Delta

Dear Mr. Machado:

On behalf of the residents of San Joaquin County, and in accordance with the County's 2011-2012 Federal Legislative Platform, the Board of Supervisors *"supports in concept the designation of a National Heritage Area (NHA) for the Sacramento-San Joaquin Delta provided such designation will not limit, impact, or prohibit present and future agricultural resources and activities, flood protection facilities, and other public infrastructure, and considers them as important resources to be preserved, maintained, restored, managed, protected, promoted, and encouraged within the boundaries of the NHA, will provide on-going federal funding for the protection, preservation, maintenance, restoration, and management of the Delta, and that the NHA Plan would be written by and managed by the Delta Protection Commission"*.

The County is pleased that the Delta Protection Commission's goals for the NHA Feasibility Study is to craft, "…a proposal to protect, enhance, and sustain the unique cultural, historical, recreational, agricultural, and economic values of the Delta as an evolving place." As stated in the County's Adopted Legislative Platform, the concept of a NHA designation is supported provided that the impacts to current and future agricultural resources and activities, flood control structures, and other public infrastructure are protected and funded as such, and that the management entity for the NHA shall be the Delta Protection Commission established by Section 29735 of the California Public Resources Code.

San Joaquin County looks forward to continuing to provide meaningful comments to the Delta Protection Commission as the Draft National Heritage Area Feasibility Study is released. Should you have any questions, please contact Tom Gau, Public Works Director at (209) 468-3034.

Sincerely,

Frank L. Ruhstaller, Chairman
San Joaquin County Board of Supervisors

c: San Joaquin County Board of Supervisors, Tom Gau, SJC Public Works Department, Scott Hudson, SJC Agricultural Commissioner, Peterson Consulting, State Advocates, The Ferguson Group, Federal Advocates

SOLANO COUNTY
Department of Resource Management
675 Texas Street, Suite 5500
Fairfield, CA 94533
www.solanocounty.com

Telephone No: (707) 784-6765
Fax: (707) 784-4805

William F. Emlen, Director
Clifford Covey, Asst Director

January 11, 2012

Michael Machado, Executive Director
Delta Protection Commission
P.O. Box 530
Walnut Grove, CA 95690

RE: Draft Delta National Heritage Area Feasibility Study: Conceptual Boundaries and Request for In-Kind Assistance

Dear Mr. Machado,

On behalf of Solano County, I am writing to express support for the Delta Protection Commission's Draft National Heritage Area (NHA) Feasibility Study's boundary alternative #2 which was developed for Delta NHA legislation introduced by U.S. Senator Dianne Feinstein and U.S. Representative John Garamendi. The legislation, contained in S. 29 and H.R. 486 would establish the Sacramento-San Joaquin Delta National Heritage Area to protect and promote the cultural, historical, and natural assets of the region. Boundary alternative #2 was developed for the Delta NHA Legislation introduced by Dianne Feinstein (Senate) and John Garamendi (House of Representatives) in 2011 and includes much of the Legal Delta, as well as the Suisun Marsh and Carquinez Strait.

Your letter also requests a partnership commitment. Unfortunately, inadequate time was available to go to the Board of Supervisors before your letter of support was due. In terms of Solano County participation on the Delta Protection Commission's (DPC) Technical Advisory Committee (TAC), we are unclear at this point if the County can make this commitment. More details on the level and nature of commitment would be helpful. Answers to the following questions would be useful in evaluating DPC needs in relation to County resources:

- What is the anticipated time commitment per month for work on this TAC?
- Where will the meetings take place—will these be available via teleconference so travel time will not always be necessary?
- What total amount of time do you anticipate will be required for each County to provide the in-kind support for this effort over the next year?
- What rationale did you use to determine which issues (such as gathering of inventory) County staff support would be requested for instead of seeking consultant support.

Upon receipt of this information the County will determine our ability to participate.

Thank you for providing a structure supportive of a Delta NHA. We look forward to working more closely with you in the future.

Sincerely,

Bill Emlen
Director of Resource Management

cc: Solano County Board of Supervisors
Birgitta Corsello, County Administrator

September 30, 2011

Michael Machado
Delta Protection Commission
P.O. Box 530
Walnut Grove, California 95690

Dear Mr. Machado:

Directors
Timothy Egan, President
Terry Connolly
Arnold Lenk
Tony Vaccarella
Jim Waters

Associate Directors
Dennis Becker
Bill Brush
H. Kent Hansen
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Directors Emeritus
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Ray Lewis
Dr. William Coon
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Office Supervisor
Yvette Pereira
Office Assistant
Orlando Rocha
Water Manager/Biologist
Tim Edmunds
Water Manager/Biologist
Jeff Taylor
Water Manager/Biologist
Robert Fromm
LJI Resident Caretaker
Martha Rocha
Education Coordinator

SUISUN RESOURCE
CONSERVATION DISTRICT
2544 Grizzly Island Road
Suisun, CA 94585-9539
(707) 425-9302
(707) 425-4402 FAX
srcd@suisunrcd.org
www.suisunrcd.org

On behalf of the Suisun Resource Conservation District (SRCD), I am writing to express support of the Delta National Heritage Area (NHA) and request that the Suisun Marsh be included in the conceptual boundaries for the Delta NHA. On July 14th 2010, the SRCD Board of Directors considered the proposal to include the Suisun Marsh into of a Delta NHA and was supportive of the concept, but expressed concerns about how a Delta NHA may impact existing land use, recreation, and public agency future regulatory authority.

The Suisun Marsh is located at the confluence of the Sacramento and San Joaquin Rivers and is directly adjacent to the Sacramento-San Joaquin Delta. The two regions hold a shared heritage in many ways: geographically, ecologically, culturally, and recreationally. The 1977 Suisun Marsh Preservation Act protected the Suisun Marsh as the largest estuarine marsh in the western United States. It is extremely diverse ecologically as it is home to a great diversity of plants, fish, birds, and other wildlife. It also includes one of the best remaining examples of a brackish tidal marsh. Like the Delta, Suisun Marsh was significantly altered in the late 1800's and early 1900's by the construction of levees for the development of agriculture. However, increased salinity resulting from the development of the State and Federal water projects and upstream diversions led to the decline of productive agriculture in the Marsh. As a result, most of the Marsh was purchased by public and private interests to support wintering waterfowl habitat and waterfowl hunting.

A number of resources exist in Suisun Marsh which are being used for educational, interpretive, and/or recreational purposes, and can also support a Delta NHA. The California Department of Fish and Game's Grizzly Island Wildlife Area and the Solano Land Trust's Rush Ranch have properties open to the public for wildlife viewing, hiking, bird watching, photography, hunting, and fishing.

Again on behalf of the SRCD, I am writing to express support of the concept of a Delta NHA and request that the Suisun Marsh be included within the conceptual boundaries. SRCD looks forward to working with Delta Protection Commission to identify the opportunities and constraints that this proposal may bring to the Delta and Suisun Marsh. Please contact me if you have any questions or would like to discuss this further.

Sincerely,

Steve Chappell
Executive Director

University of California
Agriculture and Natural Resources

Small Farm Program
www.sfp.ucdavis.edu

September 28, 2011

Michael Machado
Delta Protection Commission
PO Box 530
Walnut Grove, California 95690

Dear Mr. Machado,

I am writing on behalf of the UC Small Farm Program to express support and commitment for a National Heritage Area (NHA) designation in the Sacramento-San Joaquin Delta, for which the Delta Protection Commission is conducting a feasibility study. Our support is conditional on the inclusion of language regarding Private Property and Regulatory Protection similar to that included in pages 15 and 16 of your Preliminary Abridged Draft dated August, 2011. Such language needs to be incorporated into enabling legislation for a Delta NHA, to ensure that the property rights of private property owners are not impaired by the creation of the NHA.

The UC Small Farm Program envisions a California agriculture in which small and family farms remain dynamic, viable components of their communities. This vision is reinforced by the Delta NHA's goals which include supporting the Delta's economic development by drawing visitors to designated sites, and promoting heritage tourism, ecotourism, and agritourism in the Delta.

Depending on staff availability, the UC Small Farm Program could serve as a partner to the NHA management entity, by working together on projects that would further enhance Delta agritourism. This could include outreach and education to local farmers, facilitating discussions and networking opportunities for interested persons on agritourism opportunities, and investigating funding sources for Delta agritourism marketing and promotion.

Once again, the UC Small Farm Program expresses its support for a Delta NHA and looks forward to partnering with the DPC to plan and implement this endeavor.

Sincerely,

Shermain Hardesty, Ph.D.
Director, UC Small Farm Program

visit California

October 17, 2011

Michael Machado
Delta Protection Commission
P.O. Box 530
Walnut Grove, California 95690

Dear Mr. Machado,

On behalf of Visit California, I am writing to express support and commitment for a National Heritage Area (NHA) designation in the Sacramento-San Joaquin Delta. Visit California can potentially serve as a partner for a Delta NHA by assisting the management entity with promotion of NHA sites via our website.

Visit California is a non-profit organization with a mission to develop and maintain marketing programs - in partnership with the state's travel industry - that keep California top-of-mind as a premier travel destination. We work jointly with the State of California's Division of Tourism to implement the annual marketing plan, which promotes California as a premier leisure travel destination.

The importance of tourism to California as an economic driver cannot be understated, as it is California's fourth largest employer and fifth largest contributor to the gross state product. A Delta National Heritage Area will be a valuable tool to help the Delta gain visibility as a destination for recreation and tourism activities, thus assisting with both economic development and public education.

We look forward to continuing to work to promote this wonderful area to our domestic and international visitors.

Sincerely,

Caroline Beteta

Caroline Beteta
President and Chief Executive Officer
Visit California

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Acting Secretary, Business Transportation and Housing Agency

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Co-CEO and Founder, CityPass, Inc.

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Executive Committee
Chairman & CEO, Mammoth Mountain Ski Area, LLC.

CHIEF FISCAL OFFICER
Kathy Turner
Vice President, Legislative and Govenment Affairs, Enterprise Holdings

PRESIDENT & CEO
Caroline Beteta

VISIT CALIFORNIA
California Travel and Tourism Commission
A: 555 Capitol Mall, Suite 1100 Sacramento, CA 95814
T: 916.444.0410 F: 916.444.0410 W: industry.visitcalifornia.com

CITY OF
WEST SACRAMENTO

CITY HALL
1110 West Capitol Avenue
West Sacramento, CA 95691

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(916) 617-4500

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(916) 617-4645

Finance
Administration
(916) 617-4575
Refuse & Recycling
(916) 617-4590
Utility Billing
(916) 617-4589

Human Resources
(916) 617-4567

Parks & Recreation
(916) 617-4620

FIRE
2040 Lake Washington Blvd.
West Sacramento, CA 95691
(916) 617-4600
Fax (916) 371-5017

POLICE
550 Jefferson Boulevard
West Sacramento, CA 95605
(916) 617-4900
Code Enforcement
(916) 617-4925

PUBLIC WORKS
Operations
1951 South River Road
West Sacramento, CA 95691
(916) 617-4850

www.cityofwestsacramento.org

October 5, 2011

Michael Machado, Executive Director
Delta Protection Commission
P.O. Box 530
Walnut Grove, California 95690

Dear Mr. Machado,

On behalf of the City of West Sacramento, I am writing to express my support for a National Heritage Area (NHA) designation in the Sacramento-San Joaquin Delta. The California Delta is the essence of a NHA as defined by the National Park Service "a place where natural, cultural, historic and recreational resources combine to form a cohesive, nationally distinctive landscape…"

Members of our community are proud to serve as active stewards of the Delta and therefore recognize the numerous benefits that a NHA designation will have. A Delta NHA will be a tool to help the Delta gain visibility to help people understand the region, its valuable assets and plentiful resources. This designation can lead to projects including historic preservation, environmental education, recreation, and heritage tourism; all of which can strengthen the region and its communities.

A handful of important historical resources lie within West Sacramento with relevancy to Delta history; including the First Pacific Coast Salmon Cannery, the Tower Bridge, the Port of West Sacramento, and the West Sacramento Historical Society. The Yolo Bypass, along the city's western edge, is of great importance for habitat and flood protection purposes for the Delta. Resources such as these are supportive of the Delta's national significance, and can be used to tell the stories of the Sacramento-San Joaquin Delta.

Again, on behalf of West Sacramento, I am writing to express full support for a Delta NHA. If you have any questions or need future assistance, please contact me at (916) 617-4500. Thank you.

Sincerely,

Christopher L. Cabaldon
Mayor