

# Oak Woodland Conservation Act of 2001

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## Background

In 2001, the California Legislature passed the California Oak Woodland Conservation Act. This Act grew out of concern that California's oak woodland habitats were threatened and that the State was continuing to lose oaks to development, firewood harvesting, and agricultural conversions. Such losses could critically impact a wide range of wildlife species that are so dependent on this habitat type since oak woodlands are home to more than 300 species of terrestrial vertebrates, as well thousands of invertebrates. In addition, woodlands moderate temperatures, reduce soil erosion, facilitate nutrient cycling, and sustain water quality. The Act recognized the importance of California's oak woodlands -- how they enhance the natural and scenic beauty of this great State, the critical role of the private landowner, and the importance of private land stewardship. The Act further acknowledged how oak woodlands increase the monetary and ecological value of real property and promote ecological balance.

As a result of the Act, the Oak Woodland Conservation Program was established. This Program, administered by the Wildlife Conservation Board (WCB), is designed to provide \$10 million to help local jurisdictions protect and enhance their oak woodland resources. It offers landowners, conservation organizations, and cities and counties an opportunity to obtain funding for projects designed to conserve and restore California's oak woodlands. It authorizes the WCB to purchase oak woodland conservation easements and provide grants for land improvements and oak restoration efforts. While the Program is statewide in nature, it is designed to address oak woodland issues on a regional priority basis. Most importantly, this Program provides a mechanism to bring ranchers and conservationists together in a manner that simultaneously allows both to achieve that which is so valued -- sustainable ranch and farming operations, along with healthy oak woodlands.

The Legislature created the Oak Woodlands Conservation Program with the expressed intent to accomplish the following:

- Support and encourage voluntary, long-term private stewardship and conservation of California oak woodlands by offering landowners financial incentives to protect and promote biologically functional oak woodlands;
- Provide incentives to protect and encourage farming and ranching operations that are operated in a manner that protect and promote healthy oak woodlands;
- Provide incentives for the protection of oak trees, providing superior wildlife values on private land, and;
- Encourage planning that is consistent with oak woodland preservation.

The WCB is authorized to award cost-share incentive payments to private landowners who enter into long-term agreements. Such agreements will be structured to include management practices that benefit oak woodlands and promote the economic sustainability of the farming or ranching operations. The Act requires that at least 80 percent of the money be used for grants for the purchase of easements, for restoration activities, or for enhancement projects. In addition, the funds may be used for grants that provide cost-share incentive payments and long-term agreements.

The remaining 20 percent of the funds may be used for public education and outreach efforts by local governments, park and open space districts, resource conservation districts, and nonprofit organizations. Within this 20 percent category, funds may also be used for grants designed to provide technical assistance and to develop and implement oak conservation elements in local general plans.

In order to qualify for funding, the county or city where applicants are applying for funding from, must have an *Oak Woodland Management Plan*. Once the city or county has demonstrated that an *Oak Woodland Management Plan* exists, landowners are eligible to participate in the Program.

### ***The Oak Woodlands Management Plan***

The Act requires that Plans include a description of all native oak species located within the County's or city's jurisdiction. To assist with the preparation of the Plan, the Act allows nonprofit organizations, park or open space districts, resources conservation districts, or other local government entities to apply to the Wildlife Conservation Board for funds to develop an *Oak Woodlands Management Plan* for a county or city. However, the county or city shall maintain ultimate authority to approve the *Oak Woodlands Management Plan*. If two or more entities seek grant funding from the WCB to prepare an *Oak Woodlands Management Plan* for the same jurisdiction, the county or city shall designate which entity shall lead the efforts to prepare the necessary document.

To participate in the Oak Woodlands Conservation Program, a county or city shall adopt an *Oak Woodlands Management Plan* in the form of a Resolution. The Resolution does not have to be part of the General Plan. If a county or city currently has a plan in place that meets the minimum requirements of the *Oak Woodlands Management Plan*, a resolution by the governing body certifying such compliance is sufficient.

The Resolution adopted by the local jurisdiction shall contain at least the following elements:

- The county or city agrees to adopt a Resolution to offer private landowners the opportunity to participate in the Oak Woodlands Conservation Program. The *Oak Woodlands Management Plan* and Resolution is adopted pursuant to the requirements of California Fish and Game Code Section 1366 (a). Previously adopted resolutions are acceptable if they meet the minimum requirements of the Resolution.
- The county or city shall prepare statements that describe the status of oak woodlands in their jurisdiction. Such statements shall include a description of all native oak species, estimates of the current and historical distribution of oak woodlands, existing threats, status of natural regeneration and growth trends. To the extent possible, local jurisdictions shall prepare maps displaying the current distribution of oak woodlands.

- The county or city shall prepare statements recognizing the economic value of oak woodlands to landowners and the community at large. These statements shall encourage and support farming, ranching, and grazing operations that are compatible with oak woodland conservation.
- The county or city shall prepare statements recognizing the natural resource values of oak woodlands, including the critical role oak woodlands play relative to the health and function of local watersheds, soil and water retention, wildlife habitat, open space, and the reproduction or reduction of fuel loads.
- The county or city shall prepare statements recognizing that the loss of oak woodlands has serious effects on wildlife habitat, retention of soil and water and that planning decisions for oak woodlands should take into account potential effects of fragmentation of oak woodlands.
- The county or city shall prepare statements expressing support for landowners that participate in the Oak Woodlands Conservation Program. To qualify for funding consideration by the Wildlife Conservation Board, the county or city agree, pursuant to Section 1366 (f) of the Act, to certify that individual proposals are consistent with the county or city *Oak Woodlands Management Plan*.
- The county or city shall prepare statements that support and encourage education and outreach efforts designed to demonstrate the economic, social, and ecological values associated with oak woodlands.
- The county or city shall review and update as necessary, the *Oak Woodlands Management Plan*.

### **Eligible Participants**

The Oak Woodlands Conservation Program is designed to consider grant proposals from the following participants: private landowners, local government entities, park and open space districts, resource conservation districts, and nonprofit organizations. Participants are encouraged to develop partnerships with interested individuals or organizations that are designed to leverage available technical and financial resources.

In addition, the county or city shall certify that proposed grant requests are consistent with the *Oak Woodlands Management Plan* of the county or city. As such, eligible participants must consult with the local county or city and obtain a certification that the proposal is consistent.

Applicants are encouraged to seek input from the local Fish and Game Biologist or other resource professionals when developing proposals that request funding for conservation easements, development of management plans, or long-term agreements.

To learn more about this Program, or to download an application package, please visit the WCB web site at <http://www.dfg.ca.gov/wcb/>, or contact Marilyn Cundiff, the Program Administrator, at email: [MCundiff@dfg.ca.gov](mailto:MCundiff@dfg.ca.gov), or phone: (916) 445-1079.