

F1-323

**Farming For Wildlife: Education, Outreach, and Management Plans
For the San Pablo Bay and Central Valley**

DWR WATER USE
JUL 28 PM 3:57

Executive Summary

**Project Title: Farming For Wildlife: Education, Outreach, and Management Plans
For the San Pablo Bay and Central Valley**

Applicant: Ducks Unlimited, Inc., Western Regional Office
3074 Gold Canal Drive, Rancho Cordova, CA 95670

Project Description: In the San Pablo Bay region and the Central Valley (including the Sacramento/San Joaquin Delta, Suisun Marsh, and the Sacramento and San Joaquin Watersheds), fish and wildlife conservation interests and the agricultural community both can provide valuable habitat for a large portion of the Pacific Flyway's wintering waterfowl, migrating shorebirds, anadromous fish, and threatened and endangered species. However, fish and wildlife conservation activities and agricultural operations often are viewed as incompatible or even adversarial.

The primary goal of this comprehensive education and outreach effort is to reduce conflict in the Bay-Delta and related watersheds between agricultural interests and proponents of fish and wildlife habitat enhancement and restoration. This program will provide information and technical guidance to farmers and other land managers so they can maintain sustainable agriculture in ways that also improve and increase aquatic and terrestrial wildlife habitats. This project will change the cultural practices in the target areas, protecting both agriculture and fish and wildlife habitat.

Ducks Unlimited (DU) is requesting \$492,900 from the CALFED Bay-Delta Program to fund this strategic, three-year education and outreach program. The program will provide 1) eight technical guidance publications per year, 2) eight habitat management plans per year, 3) four habitat workshops per year, and 4) a monitoring and evaluation plan to determine the effectiveness of above-mentioned tools.

Approach/Tasks/Schedule: The technical guidance publications will be written by DU biologists and engineers and other experts in the field. The management plans will be developed and evaluated by DU biologists and engineers. Workshops will include a panel of experts from the conservation, agricultural, and scientific communities. If funded, work will begin immediately, with programmatic and financial reports submitted in accordance with CALFED Bay-Delta Program terms and conditions.

Justification for Project and Funding by CALFED: In the San Pablo Bay region, this program will increase the participation of farmers and other land managers in practices that provide wide-spread benefits to both agriculture and wildlife. These strategies, when implemented by land managers throughout the region, will improve the quality of and

increase the amount of aquatic and terrestrial habitat available for fish and wildlife populations. Many of these practices will directly improve water quality and availability due to erosion control, efficient water management, and reduced pesticide runoff, thus benefiting anadromous fish and a host of other species. In the Central Valley, DU's VALLEY CARE Program has provided a similar education and outreach effort to land managers since 1993. Established as a five-year program, VALLEY CARE now is in its final year of funding. This proposal will maintain these efforts, thus continuing the contributions by Central Valley land managers to the overall Bay-Delta solution.

Budget Costs and Third Party Impacts: The total cost of the program over the three-year period of this proposal is \$542,190, of which we are requesting \$492,900 from the CALFED Bay-Delta Program. Landowners adjacent to those implementing "fish and wildlife-friendly" land management strategies may derive benefits from some of the practices; habitat for migratory and resident fish and wildlife will be improved and increased; fish and wildlife-related recreational opportunities will be improved and increased for the public, providing additional revenue to local economies.

Applicant Qualifications: DU is a nationally recognized authority on the restoration and enhancement of wetlands and associated upland habitat. Staff biologists and engineers are skilled and experienced in all facets of project design, management, contracting, and construction. The Public Affairs staff at DU's Western Regional Office has been nationally recognized by the Natural Resources Council of America for the education and outreach component of the VALLEY CARE Program. DU has administered CALFED Bay-Delta Program Category III grants, such as the M&T/Parrott Fish Screen Project.

Monitoring and Data Evaluation: During the first year of the program, a monitoring and evaluation plan will be developed to assess the effectiveness of all facets of the education and outreach program. Publications will be evaluated through reader surveys. Management plans will be evaluated with site visits. Habitat workshops will be evaluated with forms filled out by participants. Focus groups will be established in the target areas and will meet annually to provide feedback on the overall program.

Local Support/Coordination with other Programs/Compatibility with CALFED Objectives: This education and outreach program will compliment new and existing agricultural enhancement and fish and wildlife habitat projects in the target areas. It will be coordinated closely with, and has the full support of, the San Francisco Bay Joint Venture, the Central Valley Habitat Joint Venture, the Partnership for the San Pablo Baylands, local Resource Conservation Districts, and public and private landowners in the target areas. This proposal has a greater benefit to cost ratio than funding a single, site-specific improvement project, as this proposal will result in many land managers implementing multiple fish and wildlife habitat improvement projects throughout the San Pablo Bay region and Central Valley. This participation of land managers on a broad, landscape basis will meet numerous CALFED objectives for addressing priority stressors, habitats, and species as identified in the Category III Implementation Strategy.

**Funding Request Submitted to CALFED Bay-Delta Program/Category III
July 28, 1997**

Title of Project:

**Farming For Wildlife: Education, Outreach, and Management Plans
For the San Pablo Bay and Central Valley**

Name of Applicant:

**Ducks Unlimited, Inc.
Western Regional Office
3074 Gold Canal Drive
Rancho Cordova, CA 95670
Phone: (916) 852-2000 Fax: (916) 852-2200
email: wroducks@gte.net**

Type of Organization and Tax Status:

**Ducks Unlimited is a non-profit under the provisions
of section 501(c)(3) of the Internal Revenue Code**

Tax Identification Number:

13-5643799

Contact Person:

David K. Rosen, Public Affairs Coordinator

Participants/Collaborators in Implementation:

**Partnership For The San Pablo Baylands
San Francisco Bay Joint Venture
Central Valley Habitat Joint Venture
Resource Conservation Districts
Farmers and other private land managers**

RFP Project Group Type:

Other Services

Project Description

Project Description and Approach: Ducks Unlimited (DU) will initiate a multi-faceted public education and outreach effort in the San Pablo Bay region, while maintaining an existing education and outreach effort in the Central Valley, with emphasis on the Sacramento/San Joaquin Delta, Suisun Marsh, and Sacramento and San Joaquin Watersheds. The goals of the program are to:

1. Reduce conflict in the Bay-Delta and related watersheds between agricultural interests and proponents of fish and wildlife habitat enhancement and restoration efforts,
2. Provide the necessary information and technical assistance for farmers and other land managers to implement land management strategies that improve and increase aquatic and terrestrial habitats in the Bay-Delta and related watersheds, and
3. Generate increased public participation in conservation-related land management practices.

During each year of the three-year effort, these goals will be accomplished with the development of the following tools:

1. Eight technical guidance publications (four in the Central Valley region and four in the San Pablo Bay region), produced for region-wide distribution,
2. Eight site-specific management plans (four in the Central Valley region and four in the San Pablo Bay region), developed for cooperating landowners,
3. Four habitat management workshops (two in the Central Valley region and two in the San Pablo Bay region), and
4. A monitoring and evaluation plan to annually determine the effectiveness of above-mentioned tools and modify the program where needed.

Technical Guidance Publications: The technical guidance publications produced for the Central Valley target area will be part of DU's *Valley Habitats* series. The *Valley Habitats* series provides information to farmers, private landowners, and other land managers who wish to integrate conservation practices into their existing operations. Each of these eight to twelve-page documents details a different management practice or wildlife topic and they can be collected in a binder to create a "cookbook of recipes" for "fish and wildlife-friendly" land management (see example, Appendix I).

The technical guidance publications for the San Pablo Bay target area will emulate the *Valley Habitats* series but with a more applicable title and topics will address land management practices and recommendations specific and appropriate to the region's agricultural operations, unique habitats, and wildlife. Potential topics include: 1) how to restore tidal and freshwater wetlands, 2) fish screens and water diversions, 3) conjunctive use of water for agriculture and wildlife, 4) integrated pest management to reduce pesticide use and benefit wildlife, 5) flooding post-harvest fields for weed control and to create temporary wetlands, 6) rotational grazing strategies to maintain forage and provide

upland habitat, 7) controlling problem vegetation, and 8) conservation tillage and cover crops for agriculture and wildlife. Additional topics will be developed as the monitoring and evaluation plan's focus groups are established.

The publications for each region will be produced on a quarterly basis, each with a press run of about 5000. The text will be written by DU's biological and engineering staff and other experts in the conservation field and scientific community. The majority of the technical guidance documents will be produced in one color (typically black ink); however, with additional funding, periodic four-color technical guidance brochures may be designed. Topics and production schedules will be determined annually.

Management Plans: The management plans will be developed by DU biologists and engineers on a site-specific basis for private landowners or for land management organizations and agencies. The plans will identify the management goals of the property and provide an overall concept plan of how to achieve those goals. Plans may include wetland design, water control suggestions, and long-term management details required to produce the desired habitats. Plans will be developed in a manner that is sensitive to all environmental issues relevant to the region including water quality, soil conservation, fisheries, and agricultural productivity. Site visits by DU biologists and engineers will be required, as well as time to develop and prepare the plan.

Habitat Workshops: The workshops will be developed to teach land managers various management practices that can be employed to benefit overall environmental quality and fish and wildlife populations. Each workshop will provide a panel of experts from the conservation, agricultural, and scientific communities who will address specific management strategies and how to implement them. The workshops will provide a forum for specific questions from land managers to be addressed and also will provide a valuable opportunity for feedback from land managers regarding the effectiveness of the program. Facility rental, equipment rental, speaker fees, planning time, and publicity costs will be required.

Location and Geographic Boundaries of Project: This project will be implemented in two major target areas: the Central Valley and the San Pablo Bay region (see map, Appendix II). In the Central Valley, emphasis will be placed on four areas: the Sacramento/San Joaquin Delta, Suisun Marsh, Sacramento Valley, and San Joaquin Valley. The Sacramento and San Joaquin Valleys are both linked to the Bay-Delta ecosystem and its related issues by their respective watersheds. The program in the San Pablo Bay region will include the counties of Marin, Napa, Solano, and Sonoma.

Expected Benefits: Since 1993, DU's education and outreach program in the Central Valley has contributed to changing the cultural practices of farming in the Sacramento Valley and the Sacramento/San Joaquin Delta. The land management practices offered through DU's publications, workshops, and technical assistance have contributed to an average of over 150,000 acres per year of temporary habitat for wintering waterfowl and other waterbirds, as well as thousands of acres restored to permanent wildlife habitat.

These practices also have provided agronomic benefits, enabling farmers to sustain productive agricultural operations. Similar region-wide benefits are expected as this education and outreach program is established in the San Pablo Bay region. Benefits will be seen across the landscape as landowners are contacted and implement the suggested land management strategies.

Benefits, experienced by farmers may include an increase in soil stability (less erosion and soil loss), an increase in soil fertility (reducing cost of fertilizer use), more effective control of weeds and other pest species (reducing cost of pesticide use), more efficient water management (reducing transfer and pumping costs), and an increase in fish and wildlife-related recreational activities. Subsequent benefits experienced by fish and wildlife would include improved and increased aquatic and terrestrial habitats.

Several stressor categories identified by the CALFED Bay-Delta Program will be addressed by the land management strategies presented to landowners through this project. These include floodplain and marshplain changes, alteration of flows and other effects of water management, water quality, undesirable species interactions, and land use. The primary habitats of focus in this program will be wetlands and their associated uplands. Species that benefit will vary according to the land management strategy presented and the area in which it is implemented but include: migratory and resident fish, migratory and resident waterfowl, neotropical migratory songbirds, shorebirds, a variety of raptors, herons and egrets, and several formally listed threatened or endangered species, including: California clapper rail, California black rail, salt marsh harvest mouse, salt marsh common yellowthroat, San Pablo song sparrow, California freshwater shrimp, winter and spring-run chinook salmon, Delta smelt, Sacramento splittail.

Background and Biological/Technical Justification: The San Pablo Bay region and the Central Valley (including the Sacramento/San Joaquin Delta, Suisun Marsh, and the Sacramento and San Joaquin Watersheds) historically supported vast acreage of tidal and freshwater wetland habitats, including permanent wetlands, seasonal marshes, riparian habitats, and associated uplands. In the San Pablo Bay region, approximately 75% of the original tidal marshes have been diked and drained, and the Central Valley has experienced a 94% loss of its historic wetland habitat. The greatest contributing factor to the decline of these wetland habitats has been conversion to agricultural use.

Agriculture is the backbone of California's economy; however, it became so at the expense of many habitat types and wildlife species. Now, California agriculture itself is threatened by a rapidly increasing human population and subsequent demands on land, water, and other resources. The American Farmland Trust recently placed the Sacramento and San Joaquin Valleys at the top of their list of the most threatened agricultural regions in the United States. The agricultural areas of the San Pablo Bay region face challenges of a similar magnitude.

The remaining fragments of wetland, upland, and riparian habitat, in conjunction with agricultural areas, provide critical wildlife habitat for a large portion of the Pacific

Flyway's wintering waterfowl, migrating shorebirds, anadromous fish, and threatened and endangered species. This education and outreach program will contribute to the protection of threatened fish and wildlife habitat, while providing for sustainable agricultural operations.

Approximately 60% of the Pacific Flyway's waterfowl depend upon Central Valley for migratory and wintering habitat. The Bay-Delta hosts over 66% of the wintering canvasbacks in California, with nearly 43% found in the North Bay alone. During the peak of migration, at least 1 million shorebirds are estimated to use the Bay-Delta, with 230,000 specifically using the San Pablo Bay.

This program's technical guidance publications, habitat workshops, and management plans will introduce and describe a wide variety of land management strategies. Each strategy will be presented as a specific, step by step process for habitat improvements, thus the species that benefit from each practice will vary according to the strategy and the area in which it is implemented.

For example, one topic may discuss new approaches for livestock grazing systems; whereby, cattle are rotated between paddocks throughout the year. This technique will allow vegetation to establish and provide waterfowl and neotropical migrants with undisturbed nesting habitat. Returning livestock to paddocks after the nesting season removes overgrown vegetation, creating favorable nesting habitat in subsequent years. Rotating livestock off previously grazed irrigated pastures provides foraging habitat for ducks, geese, greater and lesser sandhill cranes, herons, shorebirds, and the listed California black rail and California clapper rail, due to an abundance of invertebrates associated with livestock manure.

Another topic may provide landowners with information on the use of fish screens in water diversion structures, so that only water passes from rivers and canals onto agricultural fields. This will benefit chinook salmon, Delta smelt, Sacramento splittail, and a host of other aquatic wildlife.

A potential technical guidance publication may outline the steps required to establish grassland habitat on areas such as canal banks, levees, and roadsides, areas often neglected that can provide excellent nesting sites for waterfowl and neotropical migratory songbirds, as well as habitat corridors for small mammals, deer, and coyotes. Establishing grassland habitat on such areas benefits the landowner by eliminating soil erosion and the need for discing and spraying. By increasing soil stability, water quality will be enhanced, thus benefiting a variety of aquatic species.

Landowners will learn how cover crops can be grown in vineyards and orchards to provide nesting habitat and refuge areas for waterfowl, pheasant, quail, and neotropical migratory songbirds. In addition to providing excellent wildlife habitat, agricultural benefits will include better soil tilth and fertility, reduced erosion and crusting, and increased water holding capacity.

Proposed Scope of Work: During each year of the three-year program, DU will produce eight technical guidance publications, eight site-specific management plans, and four habitat management workshops. The technical guidance publications will be written by DU biologists and engineers and other experts in the field and will be produced quarterly for each target area. The management plans will be developed by DU biologists and engineers as cooperating landowners are identified throughout the course of each year of the program. Workshops will be offered twice annually in each target area. Dates of the workshops may vary depending on topics to be addressed and appropriateness to the season. If funded, work will begin immediately, with programmatic and financial reports submitted in accordance with CALFED Bay-Delta Program terms and conditions.

Monitoring and Data Evaluation: The first year of the program will include the development of a comprehensive and accurate assessment and evaluation plan to determine and monitor the effectiveness of the education and outreach efforts over the three-year period. This will be accomplished by establishing focus groups, disseminating surveys, analyzing and reporting results, and modifying the program where needed to increase effectiveness.

Focus groups will be established in the following areas: San Pablo Bay region, Sacramento/San Joaquin Delta, Suisun Marsh, Sacramento Valley, and San Joaquin Valley. The focus groups will meet once a year to discuss the overall education and outreach program and to develop specific methods to improve the efforts. These groups will provide valuable feedback and ideas for topics to be covered in the technical guidance series and habitat workshops.

DU will annually evaluate the technical guidance publications with a reader survey that will provide feedback on content, future topics, need for expansion on prior topics, comprehensiveness of text, timeliness of topics, etc. A reader survey, with a 35% return rate, has been used by DU to evaluate the effectiveness of *Ducks Unlimited* magazine. Since the technical guidance series is well established in the Central Valley, a survey will be distributed during the first year of the project. After the first year of technical publications in the San Pablo Bay, their effectiveness will be evaluated similarly.

Each participant in the habitat workshops will receive a written evaluation form, allowing them the opportunity to score the workshop in several categories, including: location selected, topics covered, speaker abilities, logistical concerns, etc.

When developed, each management plan will receive thorough review by DU biologists and engineers. Each plan will be evaluated annually with a site visit by DU personnel to determine its effectiveness and incorporate changes into the plan as needed.

Implementability: Each land management strategy presented as part of this program may have its own set of relevant laws, environmental regulations, and special permit concerns. These will be completely discussed and outlined in a step by step manner to ensure compliance by land managers implementing these strategies.

Costs and Schedule to Implement Proposed Project

Budget Costs:

Technical Guidance Publications	
Author and editing	\$2,000
Design , Layout and Printing	\$5,000
Distribution	\$1,000
Total/issue	\$8,000
Total/year (8 publications)	\$64,000
Total over 3 years	\$192,000

Management Plans	
Landowner coordination and biologist and engineer site visits	\$3,000
Plan development and presentation	\$5,500
Plan evaluation (site visit)	\$600
Total/management plan	\$9,100
Total/year (8 plans)	\$72,800
Total over 3 years	\$218,400

Habitat Workshops	
Facility Rental	\$1,000
Equipment Rental	\$1,000
Speaker Fees	\$1,000
Coordination and preparation	\$3,000
Total/workshop	\$6,000
Total/year (4 workshops)	\$24,000
Total over 3 years	\$72,000

Monitoring and Evaluation	
Planning/development of survey	one time development cost \$3,000
Meetings with focus groups (5 focus groups to meet once/year)	\$2,500
Total/year	\$2,500
Total over 3 years	\$10,500

Total Funding Needs	
Technical Guidance Series	\$192,000
Management Plans	\$218,400
Habitat Workshops	\$72,000
Monitoring and Evaluation	\$10,500
Grant Administration	DU in-kind contribution \$49,290
Total Project Cost	\$542,190
Total Grant Request	\$492,900

Schedule Milestones: The project will begin immediately, upon availability of funding. During each year of the three-year program, DU will produce eight technical guidance publications, eight site-specific management plans, and four habitat management workshops. The technical guidance publications will be produced quarterly within each of the two target areas. The management plans will be developed as cooperating landowners are identified throughout the course of each year within each target area. Workshops will be offered twice annually within each target area. Dates of the workshops will vary depending upon the topics to be addressed and their appropriateness to the season. Programmatic and financial reports will be submitted in accordance with CALFED Bay-Delta Program terms and conditions.

Third Party Impacts: Only positive third party impacts are expected from this education and outreach program. The anticipated changes in the cultural practices of farming in each target area will benefit both farmers and wildlife. Benefits, experienced by farmers will include an increase in soil stability (less erosion and soil loss), an increase in soil fertility (reducing cost of fertilizer use), more effective control of weeds and other pest species (reducing cost of pesticide use), and more efficient water management (reducing transfer and pumping costs). Landowners adjacent to those implementing "fish and wildlife-friendly" land management strategies may derive benefits from some of the practices as well. Subsequent benefits to fish and wildlife will include improved and increased aquatic and terrestrial habitats. An additional positive impact from this program is the improvement and increase in fish and wildlife-related recreational opportunities for the public. Opportunities for people to fish, hunt, birdwatch, photograph, or otherwise enjoy fish and wildlife recreationally often provides additional revenue to local economies.

Applicant Qualifications

Since 1937, Ducks Unlimited (DU) has pioneered North American wetlands and waterfowl conservation by raising funds to enhance and restore critical wetland and upland habitat for the continent's waterfowl populations. In the past 60 years, DU has raised over one billion dollars to restore, protect, and manage over 7.4 million acres of wetlands across North America. Waterfowl certainly are not the only beneficiary of these conservation efforts, as a myriad of other wetland-dependent species benefit as well.

DU is a nationally recognized authority on the restoration and enhancement of wetlands and associated upland habitat. Staff biologists and engineers are skilled and experienced in all facets of project design, management, contracting, and construction. DU has recently administered a CALFED Bay-Delta Program Category III grant for the M&T/Parrott Fish Screen Project.

DU has a long history of working successfully with private landowners across the continent. Since 1993, DU's Western Regional Office has been delivering a comprehensive education and outreach program to private land managers in the Central Valley through the VALLEY CARE Program. Many of the project components in this proposal are similar to those that were developed within VALLEY CARE; hence, the DU staff is very experienced in delivering programs of this type and magnitude.

DU's Western Regional Office team of biologists, engineers, public affairs coordinator, administrators, and support staff recently received a National Conservation Achievement Award from the Natural Resources Council of America, specifically for the education and outreach component of the VALLEY CARE Program and its effectiveness in changing the cultural practices of farming in the Central Valley.

DU has always placed a strong emphasis on developing and maintaining partnerships. The Western Regional Office staff has worked extensively and effectively on many projects with all the partner organizations and agencies that will be involved in this education and outreach project, including: the U.S. Fish and Wildlife Service, California Department of Fish and Game, California Department of Water Resources, California Environmental Protection Agency, U.S. Army Corps of Engineers, U.S. Bureau of Reclamation, State Water Resources Control Board, Partnership for the San Pablo Baylands, and other members of the San Francisco Bay Joint Venture and Central Valley Habitat Joint Venture.

Compliance with standard terms and conditions

DU has administered multiple government contracts with applicable compliance standards (see attachments).

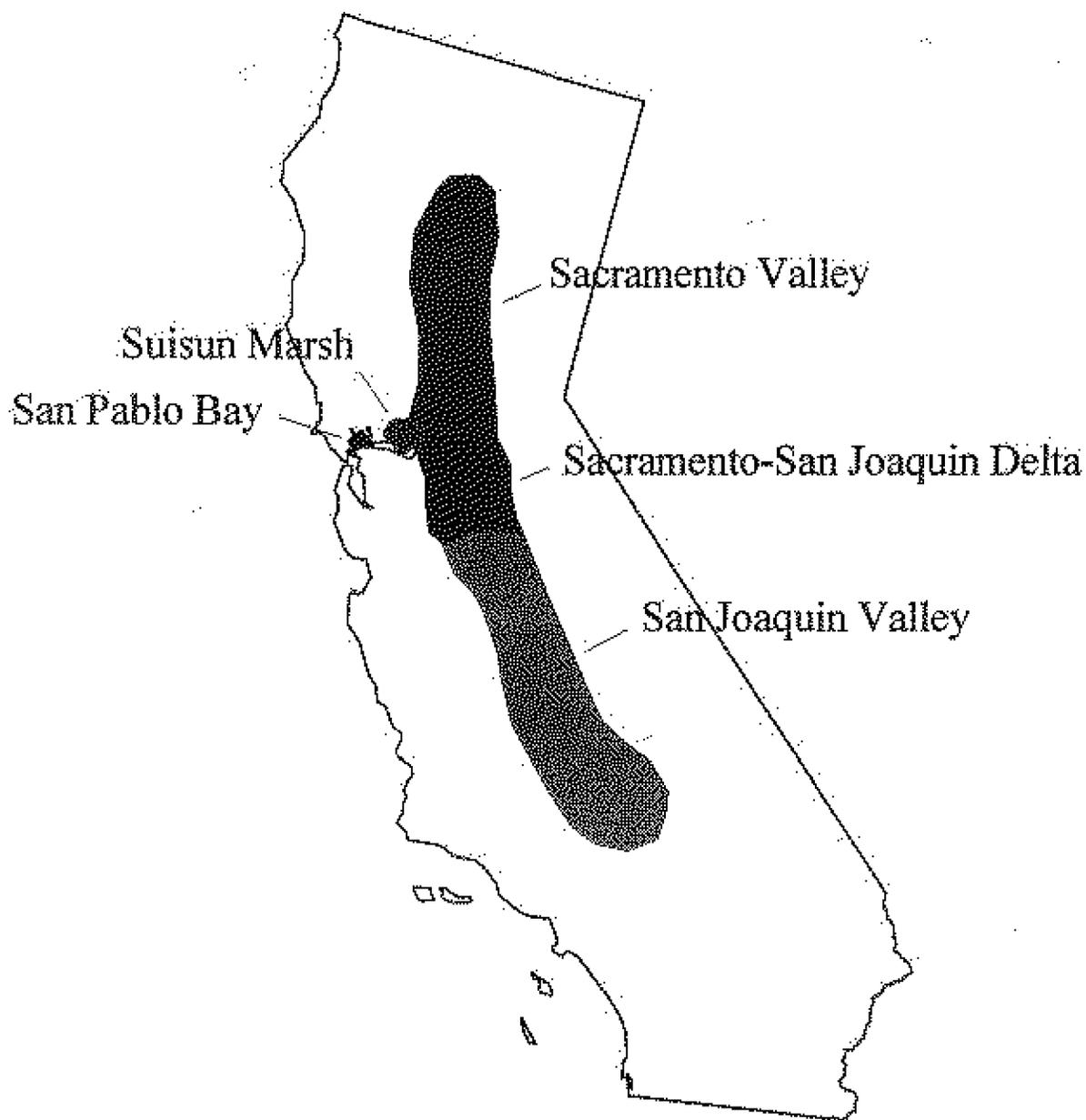


Figure 1. Geographic scope of Ducks Unlimited's Education and Outreach Initiative

Certificate of Incorporation of DUCKS UNLIMITED, INC.

WE, THE UNDERSIGNED, being all of full age and citizens of the United States and a majority of whom are citizens and residents of the District of Columbia, desiring to form a membership corporation pursuant to and in conformity with Chapter Five of Title Five of the Code of Laws of the District of Columbia, DO HEREBY CERTIFY:

FIRST: The name of the corporation shall be:

DUCKS UNLIMITED, INC.

SECOND: The corporation shall have perpetual existence.

THIRD: The particular business and objects of the corporation are:

To restore and perpetuate wild ducks and other wild waterfowl on the North American continent; to promote, carry on, conduct, and foster scientific research, education, training, and publication in the ornithological sciences; to establish departments of research and scientific study with particular reference to the enhancement of knowledge concerning the waterfowl of the North American continent; to establish, promote, assist, contribute to, or otherwise encourage the study of conservation, restoration, and management of wild waterfowl and its habitat; and in connection therewith, to grant scholarships, prizes and rewards;

To maintain sanctuaries for wild life, and to take, receive, hold, and convey real and personal estate necessary for the purposes of the corporation as stated in this certificate, and other real and personal property the income from which shall be applied to the purposes of the corporation.

In pursuance of, and not in limitation of the general powers conferred by law, and the objects and purposes herein set forth, it is expressly provided that this corporation shall have the following powers:

To do all such acts as are necessary or convenient to attain the objects and purposes herein set forth, to the same extent and as fully as any natural person could or might do, and as are not forbidden by law or by this Certificate of Incorporation or by the By-Laws of this corporation;

To take and hold by bequest, devise, gift, purchase, or lease, either absolutely or in trust, for any of its purposes, any property real or personal, without limitation as to amount of value, except such limitation, if any, as may be imposed by law; to transfer and convey the same, and to invest and re-invest the principal and income thereof, and to deal with and expend the principal and income of the corporation in such manner as in the judgment of the Trustees will best promote its objects; and in order properly to prosecute the objects and purposes as above set forth, the corporation will have full power and authority to purchase, lease, and otherwise acquire, hold, mortgage, convey and otherwise dispose of all kinds of property, both real and personal, both in the District of Columbia, and in any or all of the states of the United States, the territories or colonies of the United States, Alaska, the Dominion of Canada, Newfoundland, Mexico, the Central American countries, and other foreign countries, and colonies or dependencies thereof, and generally to perform all acts which may be deemed necessary for the proper and successful prosecution of the objects and purposes for which this corporation is created.

To have offices and promote and carry on its objects and purposes, within or without the District of Columbia, and in all the states, territories or foreign possessions of the United States, and in foreign countries.

To have all powers that may be conferred upon corporations formed under Chapter Five of Title Five of the Code of Laws of the District of Columbia.

The corporation shall be non-political, shall not promote the candidacy of any person seeking public office; and shall not by its activities, or any substantial part thereof, attempt to influence legislation by propaganda or otherwise.

FOURTH: The corporation shall be without capital stock. All property, real and personal, which the corporation shall receive shall be used exclusively for educational and scientific purposes, including the

restoration and perpetuation of wild ducks and other wild waterfowl on the North American continent; and no part of the income from the same shall inure to the benefit of any private shareholder or individual; provided, however, that reasonable compensation may be paid to an officer, member, or employee for services actually rendered the corporation.

FIFTH: The property of the officers, trustees and members of this corporation shall not be subject to or chargeable with the payment of corporate debts or obligations to any extent whatsoever.

SIXTH: The Board of Trustees shall have the power to make, alter, change, and amend by-laws for the government of the corporation and for the admission and withdrawal of members thereof.

SEVENTH: The meetings of the members and of the Trustees of this corporation may be held in the District of Columbia, or elsewhere within or without the confines of the United States or its possessions.

EIGHTH: The number of Trustees of the first Board of Trustees of this Corporation shall be FIVE, with power to change or increase and add to their number in accordance with provisions of the By-Laws.

The Board of Trustees shall have the power to appoint from their own members an Executive Committee consisting of all of the officers of the corporation including all vice presidents, all living past presidents and such other persons as may be designated by the Board of Trustees, five of whom, or such other number as may be specified by the By-Laws, shall constitute a quorum, who, when the Board of Trustees is not in session, shall have and shall exercise all the powers of the Board of Trustees, unless otherwise provided in the corporation's By-Laws. The Board of Trustees shall elect at its first meeting from its own members a President, and shall appoint a Treasurer and a Secretary and such other officers as may be provided for by the By-Laws, who need not be members of the Board. The Board of Trustees shall at such meeting select from their number, one-fifth of the number thereof to serve for one year, one-fifth to serve for two years, one-fifth to serve for three years, one-fifth to serve for four years, one-fifth to serve for five years; and each subsequent election of Trustees shall be for a period of one year or until their successors are duly elected and qualify. Vacancies occurring by death, resignation, or otherwise shall be filled by the remaining Trustees in such manner as the By-Laws shall prescribe and the persons so elected shall thereupon become Trustees.

NINTH: The names and post-office addresses of the Trustees until the first meeting are:

Arthur M. Bartley
500 Fifth Avenue, New York, N.Y.
Dr. John A. Hartwell
2 East 103rd Street, New York, N.Y.
Newbold L. Herrick
25 Cedar Street, New York, N.Y.
John C. Huntington
500 Fifth Avenue, New York, N.Y.
Wayne Johnson
50 Broadway, New York, N.Y.

TENTH: The Registered Office of this corporation in the District of Columbia shall be at 918-16th Street, N.W., in care of CT Corporation System, the corporation's Registered Agent, Washington, D.C.

WITNESS our hands and seals this 29th day of January One Thousand Nine Hundred and Thirty-Seven.

CHRISTABEL E. HILL
(Witness)

ERNEST O. PALAND (SEAL)
WINSTON E. HOBBS (SEAL)
JOSEPH V. McBRIDE (SEAL)

DISTRICT OF COLUMBIA: ss:

I, CHRISTABEL E. HILL, a Notary Public in and for the District of Columbia, do hereby certify that ERNEST O. PALAND, WINSTON E. HOBBS, and JOSEPH V. McBRIDE, parties to a certificate of incorporation bearing date of January 29th, 1937, and hereto annexed, personally appeared before me in said District, the said ERNEST O. PALAND, WINSTON E. HOBBS and JOSEPH V. McBRIDE being personally known to me as the persons who executed the said certificate of incorporation and acknowledged the same to be their act and deed.

GIVEN under my hand and seal this 29th day of January, 1937.

CHRISTABEL E. HILL
Notary Public

CHRISTABEL E. HILL

Notary Public

DISTRICT OF COLUMBIA

My Commission Expires July 15, 1940

NONDISCRIMINATION COMPLIANCE STATEMENT

STD. 19 (REV. 3-85) FMC

COMPANY NAME

Ducks Unlimited, Inc.

The company named above (hereinafter referred to as "prospective contractor") hereby certifies, unless specifically exempted, compliance with Government Code Section 12990 (a-f) and California Code of Regulations, Title 2, Division 4, Chapter 5 in matters relating to reporting requirements and the development, implementation and maintenance of a Nondiscrimination Program. Prospective contractor agrees not to unlawfully discriminate, harass or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, disability (including HIV and AIDS), medical condition (cancer), age, marital status, denial of family and medical care leave and denial of pregnancy disability leave.

CERTIFICATION

I, the official named below, hereby swear that I am duly authorized to legally bind the prospective contractor to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

OFFICIAL'S NAME

James L. Ware

DATE EXECUTED

James L. Ware 12/18/95

EXECUTED IN THE COUNTY OF

Shelby In

PROSPECTIVE CONTRACTOR'S SIGNATURE

Senior Group Manager

PROSPECTIVE CONTRACTOR'S TITLE

Ducks Unlimited, Inc.

PROSPECTIVE CONTRACTOR'S LEGAL BUSINESS NAME

PERSONNEL POLICIES AND PRACTICES

EQUAL EMPLOYMENT OPPORTUNITY

Statement of Policy

At Ducks Unlimited, Inc. it is our policy to recruit and hire employees without regard to or discrimination because of age, race, creed, color, national origin, sex, handicap or veteran status. This policy of nondiscrimination applies to all phases of employee relations – hiring, compensation, performance rating, promotion, transfer and other personnel matters.

Our employment objective is to select individuals who meet the organization's high standards of character, education and occupational qualifications; who can carry out the organization's work competently; who have capacity for growth; and, who will become an active part of our organization.

We know that our strength and future growth depend directly upon the contribution made by each person within our organization. Productivity and efficiency result from real job satisfaction and from the opportunity each person has for his or her individual self-development. Our employment policy is designed to:

- Place each employee, insofar as practicable, in a position which best suits the individual's natural and acquired aptitudes and skills.
- Offer each employee opportunity for self-development and advancement through training and on-the-job experience.
- Accord fair and equitable treatment to every employee at all times.
- Recognize the importance of the work of each employee to the overall success of the organization.

SEXUAL HARASSMENT

Statement of Policy

Ducks Unlimited, Inc. maintains a strict policy against sexual harassment. **Simply put, sexual harassment will not be tolerated on the part of any employee.** All employees are responsible for assuring that the workplace is free from sexual harassment. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, where:

- Submission to the advances is made either explicitly or implicitly a term or condition of employment.
- Submission to or rejection of the advances is used as the basis for making employment decisions.
- Such conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

All employees should avoid any action or conduct that might be viewed as sexual harassment. Approval of, participation in, or acquiescence in conduct constituting sexual harassment will be considered a violation of this policy. If any employee believes that he or she has been subject to sexual harassment at work by anyone, including supervisors, co-workers or visitors, he or she should report this immediately to his or her immediate supervisor or Human Resources. Sexual harassment complaints will be handled with as much confidentiality as possible. There will be no retaliation against any employee who reports a claim of sexual harassment or against any employee who is a witness to the harassment. An immediate investigation will be conducted in an attempt to determine all the facts concerning the alleged harassment. In making this investigation, every effort will be made to be fair to all parties involved. If it is determined that sexual harassment has occurred, corrective action will be taken, up to and including reprimand, discharge, or other appropriate action.

If it is determined that no sexual harassment has occurred, or there is not sufficient evidence to conclude that harassment has occurred, this determination will be communicated to the employee who filed the complaint.

DRUG FREE WORKPLACE PROGRAM

Statement of Policy

Because substance abuse poses a serious threat to our employees, their families and to the entire organization, Ducks Unlimited has established this policy in an effort to promote and maintain a drug-free work environment.

The ultimate goal of this policy, however, is to balance respect for individual privacy with the organization's need to maintain a safe, productive, drug-free work environment for all employees; maintain safety and security at DU's community-based events, as well as at the facilities and properties in the communities where we are located; and, provide a quality of service to the organization's members, as well as non-members and visitors, in a fashion consistent with the high standards set by the Board of Directors of Ducks Unlimited, Inc.

Standard of Conduct

As a Standard of Conduct for employees of Ducks Unlimited, employees will not be permitted to possess, consume, or distribute drugs, controlled substances or abuse alcohol in the workplace or report to work or perform their duties under the influence of alcohol or with drugs present in their system. To allow otherwise jeopardizes the safety of our fellow employees, our members, our facilities, and the communities which we rely upon for support. Any employee determined to be in violation of this policy or standard will be subject to disciplinary action, which may include termination, even for the first offense.

Drug and Alcohol Abuse Screening/Testing

Ducks Unlimited recognizes that carefully selected tests and testing procedures have a proper role in any comprehensive substance abuse program, as do properly conducted searches of the effects, vehicles and persons of employees, contractors or visitors.

• Job Applicants

As a condition of regular employment all applicants must complete a drug screen test. If test results are confirmed positive, the employment offer will be withdrawn.

• Current Employees

The Company utilizes screening practices to identify employees who use illegal drugs or abuse alcohol. It is a condition of continued employment for all employees to submit to a drug screen test when:

- a. there is sufficient cause to believe an employee is under the influence of alcohol or has drugs present in their system; or,
- b. there is any mishap or accident involving an employee during business hours or while on Company business in which injury to individuals or damage to property occurs as a result of the impaired employee's involvement.

Failure to submit to required medical or physical examinations/tests is considered misconduct, and as such, grounds for disciplinary action, including termination.

General Procedures

Any employee reporting for work visibly impaired is unable to properly perform required duties and will not be allowed to work. If, in the opinion of the employee's supervisor the employee is considered impaired, the employee will be transported by taxi or an alternative safe transportation mode to his/her home or a medical facility. **An impaired employee will not be allowed to operate or drive any vehicle during business hours or while on official Company business, or any vehicle rented, leased, owned or otherwise intended for Company use or business.**