

May 20, 2020 Wildlife Conservation Board Meeting - Public Forum for Items not on the Agenda Statement:

Tom Paulek - I am a retired California Department of Fish and Wildlife, Associate Wildlife Biologist.

I would like to inform the Wildlife Conservation Board members of three past projects funded by the WCB at the San Jacinto Wildlife Area [Riverside County] that are failing and continue to be problematic.

Problem #1] In 1987 the Department of Fish and Game entered into a contract with Eastern Municipal Water District to deliver reclaimed water to agriculture users and the newly developing San Jacinto Wildlife Area. The WCB provided 1.1 million dollars to fund 1/3 of the pipeline construction.

In return for the 1.1 million dollars the public would receive a water allocation of 4500 acre feet each year and the Water District would reserve for the state [the public] a 20 acre foot **per day** [6.5 mgd] capacity right in the new pipeline.

The initial term of the contract was for 25 years. The contract recognized the pipeline long term benefits would accrue for both wildlife and the public and provides the contract would be extended for the life of the pipeline with a pipeline replacement provision to insure the reclaimed water allocation would always remain available to the wildlife area.

The initial 25-year contract term expired in June of 2014. Eastern Municipal Water District then sought to curtail the 4500-acre foot annual allocation of water and to revoke the state's 20-acre foot per day capacity right in the pipeline. After public protest, the Water District agreed to extend the water contract for one year pending the development of a wildlife area management plan. Each year since, the reclaimed water contract has been subject to annual extensions for the last 6 years with the Department of Fish and Wildlife apparently consenting to the contract diminution hoping public protest would disappear.

Problem #2] In November 2003 the Wildlife Conservation Board approved a 25 million dollar acquisition of the 9117 acre Potrero Canyon property for inclusion within the San Jacinto Wildlife Area. The property was owned by Lockheed Martin Corporation and was and still is undergoing a Consent Order remediation for perchlorate groundwater contamination as a result of rocket testing activities. The perchlorate contamination was limited to a 565-acre area on the property. Lockheed Martin represented that the treatment of the perchlorate ground water would not prevent the development and use of the 565 acre site.

In order to avoid the State becoming liable for hazardous substances on the property Lockheed Martin transferred fee title to 8552 acres and encumbered the 565-acre site with a conservation easement. The conservation easement includes the transfer to the state of Lockheed Martins development rights. Lockheed also granted to the state an option to acquire the fee interest in the 565-acre site at the conclusion of remediation without the payment of additional consideration. In effect, the public already owns the 565-acre contamination site in fee once the state exercises the option with a token consideration.

Since the Wildlife Conservation Board acquisition 17 years ago the 9117-acre Potrero Unit has been locked up allowing no public access or public use for no credible/justifiable reason. The denial of public access and public use is contrary to law [Fish and Game Code §§ 1347 and 1351], as well as the Wildlife Conservation Board Mission, Vision and Values statements.

Problem #3] In May 2007 the Wildlife Conservation Board approved \$221,000 dollars for the development of the San Jacinto Wildlife Area Management Plan. In August 2010, the WCB approved an additional \$260,000 dollars for the development of the wildlife area Management Plan. In November 2016, the Wildlife Conservation Board augmented the management plan funding once again with \$323,000 dollars bringing the total funding for the San Jacinto Wildlife Area Management plan to \$804,000 dollars to date.

In February 2018, the Draft Environmental Impact Report for the San Jacinto Wildlife Area Management Plan was released for public review and comment. Now, in May 2020 the Draft EIR is reported to be in Sacramento undergoing Department of Fish and Wildlife headquarters review. Thirteen years have passed thus far on a yet to be completed Management Plan for the San Jacinto Wildlife Area. This can only be described as excessive and a disservice to the public.

Recognizing the Wildlife Conservation Board Guiding Principles for “**Public Accountability and Transparency**” I am requesting these three problem/issues be put on the Agenda for the Wildlife Conservation Board August 2020 public meeting. My hope is that putting the light of public scrutiny on these San Jacinto Wildlife Area problems will lead to resolutions that would best serve the public interest.

Thank you for your courtesy.