

DEPARTMENT OF FISH AND GAME

**WILDLIFE CONSERVATION BOARD**

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State of California  
 The Resources Agency  
 Department of Fish and Game  
**WILDLIFE CONSERVATION BOARD**

**Minutes, August 14, 1997**

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Minutes, August 14, 1997

Pursuant to the call of Chairperson Douglas McGeoghegan, the Wildlife Conservation Board met at the State Capitol, Room 113, Sacramento, California on August 14, 1997. The meeting was called to order at 10:40 a.m. Introductions were made at this time.

1. Roll Call

WILDLIFE CONSERVATION BOARD MEMBERS

Douglas McGeoghegan, Chairperson  
President, Fish and Game Commission  
Craig Brown, Member - Absent  
Director, Department of Finance  
Jacqueline Schafer, Member  
Director, Department of Fish and Game

JOINT LEGISLATIVE INTERIM ADVISORY COMMITTEE

Ross Sargent, Vice, Senator Patrick Johnston  
Gavin Payne, Vice, Senator Jack O'Connell  
Ruth Coleman, Vice, Senator Mike Thompson  
Assemblyman Mike Machado

Absent: Senator Patrick Johnston  
Senator Jack O'Connell  
Senator Mike Thompson  
Assemblywoman Debra Bowen  
Alternate: Senator Tom Hayden

Staff Present:

W. John Schmidt, Executive Director  
Georgia Lipphardt, Assistant Executive Director  
Jim Sarro, Assistant Executive Director/Chief Land Agent  
Scott Clemons, Riparian Program Manager  
Frank Giordano, Senior Land Agent  
Marilyn Cundiff, Wetlands Program Manager  
Peter Perrine, Field Agent  
John Donnelly, Associate Land Agent  
Jerry Heminger, Senior Land Agent  
Marie Reed, Budget Officer  
Terri Muzik, Staff Services Analyst  
Jan Beeding, Office Technician  
Sylvia Martinez-Allison, Executive Secretary

Others Present:

Bud Thrapp, Department of Water Resources  
Leslie Keene, Mosquito Volunteer Fire Department  
Leo Chaloux, Mosquito Volunteer Fire Department  
Doreen Fragier, Mosquito Volunteer Fire Department  
Sharon Taylor, Natural Heritage Division  
Bonnie Turner, Natural Heritage Division  
Pete Ziblatt, Natural Heritage Division  
Joe A. Vitti, concerned citizen  
Stephen A. Laymon, Kern River Research Center  
Patty Wolf, Department of Fish and Game, Region 5  
Scott Ferguson, The Nature Conservancy  
Jim Coleman, Granite Bay Flycasters  
Mike Chapel, US Forest Service  
Richard Hardin, Attorney (North Table Mountain)  
Frank Stolten, Granite Bay Flycasters  
Mike Gardner, Chico Enterprise-Record  
Tim Farley, Department of Fish and Game  
Jason Sumner, Appeal-Democrat Newspaper  
Earle Cummings, Department of Water Resources  
Kristi Halstenrud, Assemblyman Mike Machado's Office  
Corey Brown, Trust for Public Land  
David Sutton, Trust for Public Land  
Rhonda Reed, Department of Fish and Game, Region 4  
Jim & Elvie Messersmith, Department of Fish and Game (retired)  
John Anderson, Department of Fish and Game  
Paul Veisze, Department of Fish and Game  
Jim Swanson, Department of Fish and Game, Region 3

2. Funding Status as of June 30, 1997 ..... (Informational)

(This item reflects funding status as of June 30, 1997. It does not include the proposed 1997/98 State Budget, which was not yet passed.)

(a) 1996-97 Wildlife Restoration Fund Capital Outlay Budget

Governor's Budget - Land Acquisition .....	\$300,000.00
Less Previous Board Allocations .....	(6,000.00)
Unallocated Balance .....	\$294,000.00
Governor's Budget - Major Development .....	\$500,000.00
Less Previous Board Allocations .....	(500,000.00)
Unallocated Balance .....	\$0.00

(b) 1995-96 Wildlife Restoration Fund Capital Outlay Budget

Governor's Budget - Land Acquisitions .....	\$390,000.00
Less Previous Board Allocations .....	(148,388.93)
Unallocated Balance .....	\$241,611.07

(c) 1994-95 Wildlife Restoration Fund Capital Outlay Budget

Governor's Budget - Land Acquisition .....	\$750,000.00
Less Previous Board Allocations .....	(750,000.00)
Unallocated Balance .....	\$0.00

(d) 1988-89 California Wildlife, Coastal and Park Land Conservation Fund Capital Outlay Budget

Direct appropriation to the Wildlife Conservation Board .....	\$81,300,000.00
Less Previous Board Allocations .....	(75,260,566.04)
Less State Administrative Costs .....	(1,219,500.00)
Less Reverted Funds .....	(11,528,799.69)
Less amount made available for transfer to HCF .....	(3,061,000.00)
Plus Reappropriated Funds .....	11,528,799.69
Unallocated Balance .....	\$1,758,933.96

(e) 1996-97 Habitat Conservation Fund Capital Outlay Budget

Governor's Budget .....	\$10,047,000.00
Less Previous Board Allocations .....	(6,203,681.84)
Unallocated Balance .....	\$3,843,318.16

(f) 1995-96 Habitat Conservation Fund Capital Outlay Budget

Governor's Budget .....	\$7,354,000.00
Less Previous Board Allocations .....	(6,128,858.53)
Unallocated Balance .....	\$1,225,141.47

(g) 1994-95 Habitat Conservation Fund Capital Outlay Budget

Governor's Budget .....	\$8,703,000.00
Less Previous Board Allocations .....	(8,703,000.00)
Unallocated Balance .....	\$0.00

**RECAP OF FUND BALANCES**

<u>Wildlife Restoration Fund</u> .....	\$535,611.07
<u>CA Wildlife, Coastal &amp; Park Land Conservation Fund of 1988</u> .....	\$1,758,933.96
<u>Habitat Conservation Fund</u> .....	\$5,068,459.63

3. 1997/98 Habitat Conservation Fund Transfer to Other Departments Informational

Mr. Schmidt reported that since the budget has not been passed yet, several items on the agenda would need to be approved today conditioned on the budget passing. In addition, information on the 1977/98 Habitat Conservation Fund will not be available until the budget is passed.

4. **PROPOSED CONSENT CALENDAR (Items 5 - 14)**

Mr. Schmidt and Board staff recommended that the Consent Calendar be adopted exactly as it appears on the agenda. He further indicated that one person is concerned with item #11 and is here to address the Board (see item #11). However, staff is not withdrawing their recommendation for approval. He left it to the Board members on how they would like to handle it. With that he recommended that the consent calendar be approved.

IT WAS MOVED BY MISS SCHAFFER THAT THE WCB APPROVE CONSENT CALENDAR ITEMS 5-14 AS PROPOSED IN THE INDIVIDUAL AGENDA EXPLANATIONS, INCLUDING FUNDING AS NOTED THEREIN.

MR. McGEORGHEGAN STATED THAT THERE WERE ONLY TWO MEMBERS TODAY BY VIRTUE OF THE FACT THAT THE REPRESENTATIVE FROM THE DEPARTMENT OF FINANCE WAS NOT ABLE TO JOIN THEM, AS SUCH, WE WILL DISPENSE WITH SECONDS TO MOTIONS.

MOTIONS CARRIES.

Mr. McGeoghegan then provided an opportunity for the individual who signed up to speak on Consent Item #11 to come forward and make a brief statement. See item #11 for further information.

\*5. Approval of Minutes (CONSENT CALENDAR)

Approval of the minutes of May 1, 1997, meeting of the Wildlife Conservation Board is recommended.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFER THAT THE MINUTES OF THE WCB MEETING OF MAY 1, 1997 BE APPROVED AS WRITTEN.

MOTION CARRIED.

\*6. Recovery of Funds (CONSENT CALENDAR)

The following projects previously authorized by the Board have balances of funds that can be recovered and returned to their respective funds. It is recommended that the following totals be recovered and that the projects be closed.

\$ \_\_\_\_\_ .00 to the Wildlife Restoration Fund,  
\$ 93.21 to the Fish and Wildlife Habitat Enhancement Fund,  
\$ 14,074.60 to the Habitat Conservation Fund,  
\$ 2,583.12 to the CA Wildlife, Coastal and Parkland Fund of 1988  
\$ \_\_\_\_\_ .00 to the Environmental License Plate Fund

Wildlife Restoration Fund

Battle Creek Wildlife Area, Expansion #2, Tehama County

Allocation	\$38,659.50
Expended	- 38,659.50
Balance for Recovery	\$ 0.00

TOTAL WILDLIFE RESTORATION FUND RECOVERIES ..... \$0.00

Fish & Wildlife Habitat Enhancement Fund

Scott River Riparian Fencing and Planting, #2, Siskiyou County

Allocation	\$ 8,500.00
Expended	-8,484.42
Balance for Recovery	\$ 15.58

String Creek Habitat Enhancement, Mendocino County

Allocation	\$ 7,900.00
Expended	<u>-7,822.37</u>
Balance for Recovery	\$ 77.63

**TOTAL FISH & WILDLIFE HABITAT ENHANCEMENT**  
**FUND RECOVERIES ..... **\$93.21****

**Habitat Conservation Fund (Prop. 117)**

Battle Creek Wildlife Area, Expansion #2, Tehama County

Allocation	\$126,340.50
Expended	<u>-121,247.90</u>
Balance for Recovery	\$ 5,092.60

Cosumnes River Wildlife Area, Expansion #3, (Valensin Ranch), Sacramento County

Allocation	\$ 7,500.00
Expended	<u>-3,510.00</u>
Balance for Recovery	\$ 3,990.00

Eel River Wildlife Area Restoration, Humboldt County

Allocation	\$93,650.00
Expended	<u>= 93,650.00</u>
Balance for Recovery	\$ 0.00

Noyes Valley Expansion #4, Siskiyou County

Allocation	\$ 4,000.00
Expended	<u>-2,608.00</u>
Balance for Recovery	\$ 1,392.00

San Joaquin Valley Wetland Restoration Projects, Merced County

Allocation	\$47,000.00
Expended	<u>= 43,400.00</u>
Balance for Recovery	\$ 3,600.00

Wetland and Riparian Habitat Geographic Information System

Allocation	\$70,000.00
Expended	<u>-70,000.00</u>
Balance for Recovery	\$ 0.00

**TOTAL HABITAT CONSERVATION FUND RECOVERIES ..... \$14,074.60**

**CA Wildlife, Coastal and Parkland Fund of 1988**

**San Jacinto Wildlife Area, Expansion #7, (Mystic Lake), Riverside County**

Allocation	\$ 5,000.00
Expended	<u>-2,416.88</u>
Balance for Recovery	\$ 2,583.12

**TOTAL CA WILDLIFE, COASTAL AND PARKLAND FUND OF 1988**

**RECOVERIES ..... \$2,583.12**

**Environmental License Plate Fund**

**Battle Creek Wildlife Area, Expansion #2, Tehama County**

Allocation	\$ 50,000.00
Expended	<u>-50,000.00</u>
Balance for Recovery	\$ 0.00

**TOTAL ENVIRONMENTAL LICENSE PLATE FUND ..... \$0.00**

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFER THAT THE WCB RECOVER FUNDS FOR THE PROJECTS LISTED ON PAGES 5-7 OF THESE MINUTES AND CLOSE THE PROJECT ACCOUNTS. RECOVERY TOTALS INCLUDE: \$-0- TO THE WILDLIFE RESTORATION FUND, \$93.21 TO THE FISH AND WILDLIFE HABITAT ENHANCEMENT FUND, \$14,074.60 TO THE HABITAT CONSERVATION FUND, \$2,583.12 TO THE CA WILDLIFE, COASTAL AND PARKLAND FUND OF 1988 AND \$-0- TO THE ENVIRONMENTAL LICENSE PLATE FUND.

MOTION CARRIED.

\* 7. **Special Project Planning Account** **Informational**

(This planning account item assumes the 1997/98 state budget is passed with funding consistent with these account amounts.)

The Board has historically used a special project account to provide working funds for staff evaluation (appraisal, engineering, preliminary title reports, etc.) of proposed projects. Upon Board approval of a project, all expenditures incurred and recorded in the Special Project Planning Account are transferred to the Board approved project account which reduces the

Special Project Planning Account expenditures. This procedure, therefore, acts as a revolving account for the pre-project expenses.

Some appropriations now made to the Board do not include a specific budgeted planning line item appropriation necessary to begin a project without prior Board authorization. Pre-project costs are a necessary expenditure in most all capital outlay projects. The Special Project Planning Account would be used for these costs.

The Board, at the May 6, 1986 meeting, authorized the Executive Director to use up to 1% of a budgeted appropriation to set up and maintain an appropriate planning account with the provision it would be reported to the Board as an information item at the next meeting. Accordingly, the planning accounts have been set up as follows:

Wildlife Restoration Fund . . . . .	\$2,750.00
Habitat Conservation Fund . . . . .	\$20,000.00
River Parkway Sub-account, Safe, Clean Reliable Water Supply Fund . . .	\$10,000.00
Environmental License Plate Fund . . . . .	\$3,000.00

This is an informational item, consistent with action of the Board taken at its May 6, 1986 meeting and as such requires no action.

\* 8. Finnon Lake Fishing Access, El Dorado County \$-0-  
(CONSENT CALENDAR)

This proposal was to consider amending the action taken at the August 10, 1995 meeting at which the Wildlife Conservation Board (WCB) approved the transfer of the 122± acres, Department of Fish and Game (Department) owned, Finnion Lake property to El Dorado County at no cost. Alternately, should the County decline to accept this offer, the Board authorized staff to sell, exchange or otherwise transfer the property at its approved appraised fair market value of \$125,000.00. Since that meeting, the County has declined the State's offer. With the County's concurrence, however, it is now proposed to make this transfer to the Mosquito Volunteer Fire Department (MVFD) under the same terms and for the same purpose.

The subject land is located on the north side of Rock Creek Road, approximately fifteen miles north of Placerville and eight miles east of Coloma. It is situated on Jay Bird Creek, about 1.4 miles from its confluence with the South Fork of the American River. The lake comprises approximately 35± acres and is surrounded by eight campsites and related facilities. Currently the area is open and available for public use and is managed by the County of El Dorado (through a concessionaire) under the Board's standard operation and maintenance agreement.

Finnion Lake was purchased from PG&E, pursuant to action of the WCB in 1956, mainly because of its warm water fishery values, although the lands surrounding the lake also had very high deer habitat values. However, since that time, development in the area surrounding the lake has negated most of its value for deer and other wildlife. In addition, in 1990, the

Division of Safety of Dams (DSOD) determined that the dam (constructed in 1905 from hydraulic fill) did not meet safety standards and must be rehabilitated/replaced within three to five years at a cost estimated by the Department to be between \$2,100,000.00 and \$3,400,000.00. An alternative would be to lower the level of the lake in order to remove it from the DSOD's jurisdiction, at an estimated cost of \$175,000.00. At this capacity, the lake could still be maintained as a fishery or recreational area. However, because of the relatively high cost and the fact that the property has lost most of its value as a wildlife area, the Board was requested to proceed with the necessary steps to dispose of the property, either to the County or by public sale.

As noted above, the Board approved the staff recommendation, but the County ultimately decided not to proceed with acceptance of the property. Following extensive discussions among staff of the local MVFD, the Department and the County, MVFD has now expressed an interest in acquiring the property, under the same terms and conditions offered to the County. The MVFD has indicated that it is prepared to comply with the DSOD requirements and will look for future funding to repair the dam in order to continue operating this area for public recreation. The County is in agreement with this proposed transfer and fully supports it.

The proposed property transfer is exempt from CEQA under Class 12 of Categorical Exemptions as a transfer of government property for which the use has not changed since the time of purchase by the public agency. If approved, staff will pursue the disposal of this property and provide the Board with a report at its conclusion.

Staff recommended that the Board amend its action of August 10, 1995 to include a transfer at no cost to the Mosquito Volunteer Fire Department as proposed herein, and authorize staff and the Department of Fish and Game to proceed substantially as planned.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFFER THAT THE WCB AMEND ITS ACTION OF AUGUST 10, 1995 TO INCLUDE A TRANSFER AT NO COST TO THE MOSQUITO VOLUNTEER FIRE DEPARTMENT AS PROPOSED HEREIN, AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

- \*9. Carrizo Plain Ecological Reserve Expansion #2, \$5,000.00  
San Luis Obispo County (CONSENT CALENDAR)

This proposal was to consider accepting 2,840± acres of land from The Nature Conservancy (TNC) located within the Carrizo Plain Natural Area (CPNA). The property consists of two parcels; one large contiguous parcel totalling 2,800± acres and a smaller 40± acre parcel known as the Painted Rock Unit. The larger parcel is contiguous to the Department of Fish and Game's (DFG) Carrizo Plain Ecological Reserve (American Ranch Unit) which was

acquired by the Board in 1988. The subject property lies within the Carrizo Plain, located west of the San Andreas fault, between the Caliente Range to the west and the Temblor Range to the east. The nearest community is California Valley located to the north. Access is available to the larger parcel from Soda Lake Road, via State Highway 58. Access to the Painted Rock Unit is possible by County Road No. 285 then turning west onto federal lands and traveling down a dirt road to the parcel. A permit for access will be obtained from the U.S. Bureau of Land Management (BLM) as part of this project.

In 1985 the U.S. Fish and Wildlife Service, the BLM and the DFG signed a memorandum of understanding to establish the CPNA. Representatives of 16 public and private agencies formed a steering committee to develop the concept and objectives of the CPNA, and to acquire funds to buy and manage the land. Committee representation included San Luis Obispo and Kern Counties, the ranching industry, oil and gas industry, mining industry, federal and state government agencies, and environmental groups. The first step was taken in 1988 when TNC purchased 82,000± acres from Oppenheimer Industries, and then sold most of the acreage to BLM. This was followed by a 2,800± acre purchase by Wild Conservation Board in late 1988. The overall surface area of the CPNA is 253,628± acres; 200,000± acres of BLM land, 6,300± acres of TNC land, 5,634± acres of DFG land, and about 42,000± acres of land held by private owners.

There is tremendous potential for interpretive and educational opportunities at this area, not only because of the incredible natural and cultural values associated with the CPNA, but also due to its close proximity to the Santa Barbara and San Luis Obispo metropolitan areas, as well as the relatively close Los Angeles and San Francisco urban areas. As a replica of what the San Joaquin Valley was like before widespread settlement, the CPNA has already been the focus of educational programming in Europe and South America, and its potential as a scientific and educational laboratory has barely been tapped.

The CPNA is the largest remaining tract of the San Joaquin Valley biogeographic province with limited human alteration, which includes a diverse complex of habitats with very limited distribution. It includes the largest remaining contiguous habitats for many endangered, threatened and rare species such as the San Joaquin kit fox, blunt-nosed leopard lizard, giant kangaroo rat, and the San Joaquin antelope squirrel; supporting some of the healthiest populations of these species. The CPNA also provides habitat for many plant species including the California jewelflower, Hoover's woolly-star and San Joaquin woolly-threads which are all listed as endangered or threatened. In addition, the CPNA contains habitat for California condors as well as pronghorn antelope, tule elk, sandhill cranes and mountain plovers.

An updated management plan for the area has been written and publicly reviewed and will be published in the near future. The plan clearly states the management goals and objectives for the entire CPNA. The cooperative managing partners; BLM, DFG, and TNC have agreed in concept to "restore degraded natural systems and emphasize natural processes in management practices . . . manage human activities to protect natural and sensitive resources . . . promote public participation in educational and management activities . . ." In summary, the CPNA will be managed as an entire ecosystem with the primary goal to conserve the biological integrity of the entire area.

TNC is shifting the focus of its activities on the CPNA in order to maximize its resources. Over the next several years, they will be developing and implementing a long term grazing monitoring program for the area. In addition, the BLM will designate the area as a "Research Grazing Area" which will provide more flexibility in grazing permits and still administer the grazing requirements on public lands under Federal regulations. The new designation will also allow for management of vegetation to meet resource objectives other than livestock forage production and provide avenues to increase scientific research and management of noxious weeds.

The subject property has an estimated market value of \$700,000.00, based on an "Area-Wide" appraisal by the BLM which appraised ranges of value for unimproved lands in the CPNA. Since TNC will be transferring the property at no cost to the State, no funds will change hands. However, it is estimated that \$5,000.00 will be needed for title insurance, escrow and Department of General Services review costs. The project is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes.

Staff recommended that the Board approve the acquisition as proposed; authorize acceptance of 2,840± acres of land from TNC; authorize acceptance of an access road from the BLM; allocate \$5,000.00 from the Habitat Conservation Fund (Section 2786 (b)(c)) to cover project related costs; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFFER THAT THE WCB APPROVE THE ACQUISITION AS PROPOSED; AUTHORIZE ACCEPTANCE OF 2,840± ACRES OF LAND FROM THE NATURE CONSERVANCY; AUTHORIZE ACCEPTANCE OF AN ACCESS ROAD FROM THE BUREAU OF LAND MANAGEMENT; ALLOCATE \$5,000.00 FROM THE HABITAT CONSERVATION FUND (SECTION 2786 (b)(c)) TO COVER PROJECT RELATED COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

- \*10. Yucca Flat Wildlife Area Land Transfer, Tulare County \$3,000.00  
(CONSENT CALENDAR)

This proposal was to consider the authorization to transfer 48± acres of land, owned and recommended for disposal by the Department of Fish and Game (DFG), to the Bureau of Land Management (BLM) to be maintained and managed for public access. The subject property is located on the north fork of the Kaweah River, at the mouth of Yucca Creek, approximately 8 miles upstream from Three Rivers, and 35 miles east of Visalia. It is located adjacent to BLM lands to the north and west, and the Sequoia National Park to the east.

The property was acquired from the California State Lands Commission in 1964 for the purpose of providing public access to the Kaweah River and adjacent public lands for fishing and wildlife related recreation. However, as it is removed from other DFG property it is becoming increasingly difficult to provide the proper stewardship the parcel warrants. The transfer to BLM would assure continued public access.

DFG and Board staff have considered alternatives of transferring or selling this property to another entity, and have concluded that the most appropriate action would be to transfer it to the BLM. Although direct sale of the parcel to a private party would be desirable for revenue generation, it would not be feasible given the fact that public access will be required as a condition of sale by DFG.

In 1992, the passage of SB 906 amended Section 1348 of the Fish and Game Code, providing the Wildlife Conservation Board with the authority to lease, sell, exchange or otherwise transfer real properties. As a result of this authorization, lands that are or could become a liability, have recurring management difficulties or no longer retain the biological values for which they were acquired may be transferred to obtain a higher wildlife benefit from the State's investment.

It is estimated that the State's costs related to processing this land transfer will be \$3,000.00 which include Department of General Services review charges. The proposed transfer is exempt from CEQA under Class 12 of Categorical Exemptions as a disposal of government property for which the property does not have significant wildlife values and the use has not changed since the time of purchase by the public agency.

Staff recommended that the Board approve this transfer as proposed; allocate \$3,000.00 from the Wildlife Restoration Fund to cover expenses of making this transfer; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFFER THAT THE WCB APPROVE THIS TRANSFER AS PROPOSED; ALLOCATE \$3,000.00 FROM THE WILDLIFE RESTORATION FUND TO COVER EXPENSES OF MAKING THIS TRANSFER; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

- \*11. Prairie Creek Fish Hatchery Transfer, Humboldt County \$3,000.00  
(CONSENT CALENDAR)

This proposal was to transfer the State's non-operating Prairie Creek Fish Hatchery to the United States Department of the Interior, National Park Service (NPS) for inclusion and use in its Redwood National Park.

The facility, which is located in Humboldt County, 3.5 miles north of the community of Orich, consists of 6± acres of land and hatchery related buildings, together with other operating improvements, including a well and storage tanks. It is bounded on three sides by the Redwood National Park and on the fourth side by State Highway 101.

The hatchery and its improvements date from the 1930's with the State acquiring ownership in June of 1936. The property was operated as a State hatchery until 1961 when the State and the County of Humboldt agreed to the transfer of the site to the County for their operational control. The transfer to the County included conditional language requiring the County to operate it as a hatchery. Should they cease the hatchery operation, the facility would revert back to the State. The County operated the hatchery with funding via state grants until the early 1990's when they ceased operations with the property formally reverting to the State on May 19, 1993. After this reversion, the Department of Fish and Game (DFG) and the NPS entered into an M.O.U. for Management and Maintenance by the NPS, with the understanding that the State would transfer ownership, at no cost, to the NPS, within the term of the M.O.U. (Expires January 3, 1999).

The DFG has indicated that, given the poor condition of the facility, reactivating it would not be cost effective. In addition, the limited production capabilities of isolated small hatchery operations are considered economically unfeasible.

The property has been appraised by the NPS and has an estimated unencumbered market value not to exceed \$130,000.00. It is proposed that the property be transferred by a Grant Deed which will contain the following paragraph:

“This parcel of land is being conveyed to the United States of America for park purposes consistent with the National Park Service policies for Redwood National Park.”

At its November 7, 1996 meeting, the State of California Fish and Game Commission approved the transfer, at no cost, of the entire facility to the NPS. However, the Department of General Services, Office of Real Estate Services, does not feel their authority allows for a less than market value transfer, even though it is obviously in the best interest of State, and the public in general.

The transfer is exempt from CEQA under Class 16, Section 15316, of categorical exemptions.

Staff recommended that the Board approve this transfer as proposed; allocate \$3,000.00 from the Wildlife Restoration Fund for transfer expenses; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. McGeoghegan provided an opportunity as part of the consent item, to the individual that signed up to speak on this item to come forward and briefly make a statement.

Joseph Vitti, a private citizen from Los Angeles came forward to alert the Board members to several items that relate to the closure of the hatchery. Mr. Vitti stated that closing the hatchery was not the solution to the fish crises. The steelhead and coastal cutthroat fishes are

in danger. For the record, he wanted it to be known that he is opposed to the closure. He quoted from an article by the DFG as not being cost effective to close the hatchery and that it was not good to turn it into a tourist attraction.

Mr. McGeoghegan stated that the augmentation of hatcheries continues to be considered desirable. Problems with the hatchery are not new. Mr. McGeoghegan then asked Miss Schafer if she would like to respond to the comments. Miss Schafer invited Tim Farley, Chief of the Inland Fisheries Division, from the DFG to come forward and respond to Mr. Vitti's concerns and to address other technical and water issues related to this old hatchery.

Mr. Farley stated that this fish hatchery, which has been closed for five years, was built in the 1920's and remodeled in the late 1930's, DFG operation actually ceased in the mid 1950's. It has been out of state operation for 40 years. Mr. Vitti then stated it was 1961 when the operation ceased. Mr. Farley then stated that the county then operated the hatchery for some years but found it was not economical due to the water supply not being year round from the streams. He indicated that the water had to be pumped and electricity was extremely expensive. Mr. Farley said that county efforts had been made to pass a bond act for funding five years ago but failed. He also said that rehabilitating it would be costly. Mr. Farley also stated that it would be cost effective to use other fish hatcheries that are nearby, coupled with private individuals who are willing to do private rearing at a lower cost to supply needed fish.

Mr. Vitti then commented on the bond issue that was recommended which was a fee-per-parcel imposed by the Humboldt County Board of Supervisors to the citizens and that it was a tax burden to fund this hatchery. He then indicated that the grant criteria has changed. He felt that the main reason for the hatchery closing was due to the stream rehabilitation restoration not taking place. Mr. Vitti also indicated that the fish population problem is not going away. Flood control should not be a problem as while other hatcheries have been wiped out due to the floods, Prairie Creek survived.

Mr. McGeoghegan thanked Mr. Vitti for his comments and asked if anyone had any other comments. Miss Schafer stated that Mr. Farley covered the important points and thanked Mr. Vitti for his trip.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFFER THAT THE WCB APPROVE THIS TRANSFER AS PROPOSED; ALLOCATE \$3,000.00 FROM THE WILDLIFE RESTORATION FUND FOR TRANSFER EXPENSES; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

\*12. Pennington Creek Riparian Enhancement \$30,000.00  
San Luis Obispo County (CONSENT CALENDAR)

This proposal was to consider a grant to the City of San Luis Obispo (City) to enhance the riparian corridor of Pennington Creek and to remove barriers to upstream fish movement on property owned by the County of San Luis Obispo Office of Education (County). Specifically, the project involves the removal of three corrugated metal pipes under an existing road which preclude steelhead from spawning upstream, and replacing this creek crossing with a clear span arch culvert. The arch culvert will not affect the natural creek bottom and will allow the free passage of fish.

The county property is located just northeast of Highway 1, near Cuesta College. Pennington Creek runs generally southwest through the property from Cuesta Ridge on the northeast to a point south of Highway 1, where it joins Chorro Creek. The subject portion of Pennington Creek is largely unaltered habitat, supporting mature riparian vegetation with a natural water flow. However, fish passage has been restricted at several locations.

This project is one of four sites scheduled to be enhanced by the City as a result of the City's application to extend a water use permit. Recently the City applied for an extension of a permit granted in 1956 to take water from Whale Rock Reservoir on Old Creek, approximately 12 miles north of Pennington Creek. California Sportfishing Protective Alliance protested the extension based on the loss of steelhead spawning habitat on Old Creek when the reservoir was originally constructed. Although not a requirement of the permit, the City agreed to remove barriers to fish passage on Pennington Creek, thereby opening approximately the same amount of steelhead spawning habitat on Pennington Creek as was lost on Old Creek.

The City, with assistance from the Department of Fish and Game (DFG), identified four sites that currently block steelhead from reaching prime spawning habitat in the upper portions of Pennington Creek. These four sites are: 1) a very steep portion of the creek adjacent to Cuesta College; 2) a box culvert beneath Highway 1; 3) a small diversion dam on County property; and 4) the culverts described above.

The City and the DFG developed methods for removing the barriers at the subject site, which originally included constructing two rock weir step pools immediately below the culverts thereby allowing steelhead to pass safely through them. An alternative method of replacing the culverts with a clear span rather than constructing additional concrete pools in the creek bottom, while more expensive, is felt to be a better solution to correcting this upstream barrier problem. However, the City's budgeted amount for the four site project could not cover the additional expense of this alternative. Therefore, the City approached the Board to make up the difference in cost to construct the project as proposed, which is considered to be the more biologically sound alternative. The other three problem sites discussed above are to be enhanced as originally planned by the City.

The benefits to spanning the creek, as opposed to building rock weir step pools, are twofold. First, by removing the existing culverts and not building additional structures in the creek bottom, the natural channel bottom will be maintained. This will allow for greater diversity within the creek channel for fish, as well as the many other small animals found in the area. Secondly, additional structures within the creek could result in additional potential for structural failure, such as being undermined by heavy winter flows leading to ongoing maintenance costs and in-stream work. By far the best solution is to simply remove the barrier.

The DFG has worked closely with the City in the development of this project from its inception and has recommended it for funding by the Board. The project is exempt from CEQA under Section 15034, as a minor alteration to land for wildlife and fisheries benefit, and a Notice of Exemption has been filed. The County fully supports the culvert removal work on their property, and has agreed to allow access as needed to complete and monitor the project.

The enhancement of this site on Pennington Creek will consist of the following activities and associated estimated costs:

<u>Description</u>	<u>Total</u>
Old Culvert Removal	\$15,000.00
Construct Clear Span Culvert	<u>41,706.00</u>
<b><u>TOTAL ESTIMATED COST:</u></b>	<b><u>\$56,706.00</u></b>

Proposed Funding Sources:

Wildlife Conservation Board:	\$30,000.00
City of San Luis Obispo	\$26,706.00

The total cost for the enhancement of all four sites is estimated to be \$107,292.00.

Staff recommended that the Board approve this grant as proposed; allocate \$30,000.00 for the grant from the Habitat Conservation Fund [Proposition 117, Section 2786 (e)(f) riparian/aquatic; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFFER THAT THE WCB APPROVE THIS GRANT AS PROPOSED; ALLOCATE \$30,000.00 FOR A GRANT TO THE CITY OF SAN LUIS OBISPO FROM THE HABITAT CONSERVATION FUND [PROPOSITION 117, SECTION 2786 (e)(f) RIPARIAN/AQUATIC; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

- \*13. Bear River Riparian Restoration, Placer and Nevada Counties \$3,050.00  
(CONSENT CALENDAR)

This proposal was to consider a grant to Granite Bay Flycasters, a nonprofit organization, to partially fund restoration of the riparian corridor along Bear River, on property owned by Pacific Gas and Electric Company (PG&E). Specifically, the grant funds will be used to stabilize banks, deepen and narrow the channel, and restore native vegetation along approximately ¼ mile of the river. The property is located near Emigrant Gap, approximately ½ mile west of the Highway 20 bridge over the Bear River. The river, which forms the boundary between Placer and Nevada Counties, flows generally southwest before entering the Feather River south of Marysville.

The proposed project involves a partnership among the Wildlife Conservation Board, the Granite Bay Flycasters, PG&E, and the Department of Fish and Game (DFG). Staff with the DFG have been involved with the planning of this project from its inception, about two years ago, and have designed the bank stabilization structures.

The meadow through which Bear River flows has been grazed for several decades. As a result, the stream is much wider, straighter, and shallower than it was historically, and the cattle have removed almost all of the woody vegetation. The result is water that is too warm, flowing through a channel that provides little shade, cover or food for fish and almost no riparian habitat for birds or other animals. The cattle were removed from the site at the close of the 1991 season and restoration work in this area began in 1995.

The project is designed to create a narrow meandering channel, approximately 6-8 feet wide within the existing channel. To narrow the channel, brush traps constructed from small trees, brush and branches, will be lashed to poles driven into the creek bed. These traps will immediately add cover for fish shelter and insect production, and will redirect flows to sweep the bottom clear of silt. Over time, the traps will collect sediment and rebuild banks to support vegetation and transform the present shallow stream bottom into a new flood plain, through which will flow a narrow, deep, well-shaded stream. The shade will come from 26,000 willows and 560 square feet of sedges that are scheduled to be planted on the banks. This type of riparian habitat supports a wide variety of riparian animal species including such birds as MacGillivray's and orange-crowned warblers, song sparrows, sharp-shinned hawks, and willow flycatchers, a federal and state listed endangered species. Mammals using riparian corridors include beavers, mink, and raccoons.

Since 1995, when restoration began, volunteers with the Granite Bay Flycasters have spent more than 750 hours on site. In addition, the local Boy Scout troop spent a weekend planting trees and constructing brush traps earlier this year. Approximately half of the brush traps have been placed and most survived the near record flows that occurred in January 1997. These flood waters deposited large amounts of sediment in the traps and scoured deep holes in the redirected channel. These deep pools provide cool protected sites for resident trout. While the floods washed out some of the restoration efforts, much of the woody material from the few traps that failed simply moved to different locations in the meadow and is now trapping sediment and providing cover at these new sites.

The restoration of Bear River will consist of the following activities and associated estimated costs:

<u>Description</u>	<u>Total</u>
Personnel	\$6000.00
Materials and Supplies	350.00
Operating Expenses	<u>4,164.00</u>
<b><u>TOTAL ESTIMATED PROJECT COSTS:</u></b>	<b><u>\$10,514.00</u></b>

Proposed Funding Sources

Wildlife Conservation Board	\$3,050.00
Granite Bay Flycasters (includes in-kind)	\$7,464.00

In 1996, PG&E entered into a four-year agreement with Granite Bay Flycasters to do this stream enhancement work. The land is open to the public and gets moderate use, mainly from people fishing for the resident populations of brown trout. The DFG rated this project highly and recommends it for funding by the Board. DFG staff will continue to monitor the progress of the work, currently scheduled for completion in 1999. Long-term maintenance of the site will not be necessary since this riparian habitat is self-sustaining once established. The project is exempt from CEQA under Section 15304, as a minor alteration to land for wildlife and fisheries benefit, and a Notice of Exemption has been filed.

Staff recommended that the Board approve this grant as proposed; allocate \$3,050.00 for the grant from the Habitat Conservation Find [Proposition 117, Section 2786 (e)(f) riparian/aquatic; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFER THAT THE WCB APPROVE THIS GRANT AS PROPOSED; ALLOCATE \$3,050.00 FOR A GRANT TO THE GRANITE BAY FLYCASTERS, FROM THE HABITAT CONSERVATION FUND [PROPOSITION 117, SECTION 2786 (e)(f) RIPARIAN/AQUATIC; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

- \*14. Sacramento River Wildlife Area Riparian Enhancement \$150,000.00  
(Pine Creek Unit) Butte and Glenn Counties (CONSENT CALENDAR)

(This proposal is subject to matching funding being provided in the 1997/98 state budget)

This proposal was to approve an interagency agreement with the Department of Fish and Game (DFG) and to allocate funding to implement a riparian habitat enhancement project on

the state-owned Sacramento River Wildlife Area (Pine Creek Unit), located near the City of Hamilton. The Pine Creek Unit property was acquired by the Wildlife Conservation Board (WCB) in 1991, and consists of 345± acres of river bottom land that was cleared and converted from Great Valley Mixed Riparian Forest to agricultural uses (row crops and orchards) many years ago. Prior to state ownership, this area was farmed successfully, even though during high flows the river often came over the top of the levee located along the Sacramento River. This levee was built in 1906, and was not well maintained in the years prior to state acquisition. Farming eventually became less profitable on the property after years of winter flooding. After state acquisition, natural processes began to slowly convert the cropland to native riparian habitat, and the DFG began a cooperative management program with California State University, Chico, to slowly replace the orchards with riparian tree species. Unfortunately, high river flows during the last few winters accelerated the degradation of the levee, causing breaches that funneled water through at high velocities, depositing sediments over state and private land, and eroding the adjacent private levee that protects private orchards along the west border of the Wildlife Area.

The proposed project involves the excavation of soil from within the Wildlife Area, removal of portions of the degraded levee and contouring the underlying ground surface, and development of a setback levee to allow the river to meander through a portion of its historic flood plain. Removal of sections of the degraded levee will encourage low-intensity sheet flows of water to move across the Wildlife Area when high flows occur in the river. This action will encourage natural colonization of the Wildlife Area and the adjacent setback levee slopes with riparian species, and will provide an improved level of flood protection to the adjacent private lands and public utilities (County Road 32 and an underground emergency telephone cable are located at the southern end of the Wildlife Area). The project will also enhance habitat for many native wildlife species, including neotropical migratory birds, raptors, and deer.

This is a proposed cooperative project involving the WCB, the DFG, and several local adjacent landowners. The DFG has been involved in planning this project, along with the interested landowners, for approximately two years. During the past spring, the DFG removed a section of the old levee on the north end of the Wildlife Area, and filled in boil holes that were left from the past winter's flooding. That effort also included reshaping the ground surface in a smooth contour up to the adjacent private levee on the western boundary of the Wildlife Area. This work addressed the most significant source of high velocity flows through the old river levee, but the proposed additional work is needed to provide a more complete solution to the problem.

The goal of this proposal is to complete the project before the onset of winter flows in the Sacramento River. Activities and estimated costs for the proposal are as follows:

<u>Description</u>	<u>Cost</u>
Repair levees and eroded riverbank	\$220,300.00
Remove existing field levee and fill boil holes	46,500.00
Project Planning and Administration	<u>33,200.00</u>
<u>TOTAL ESTIMATED PROJECT COST:</u>	<u>\$300,000.00</u>

Proposed Funding Sources:

Wildlife Conservation Board:	\$150,000.00
Department of Fish and Game:	\$150,000.00

The DFG has recommended that this proposal be approved. Staff have evaluated the proposal and ranked it as having high potential for riparian restoration using, in part, a decision support model developed from the California Rivers Assessment. The project is exempt from CEQA under Section 15034, as a minor alteration of land that will benefit riparian habitat and native wildlife species. The property is managed by the DFG as part of the Sacramento River Wildlife Area.

Staff recommended that the Board approve the interagency agreement and funding as proposed, and allocate \$150,000.00 for the project from the Habitat Conservation Fund; Proposition 117, Section 2786 (e)(f) riparian/aquatic; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFFER THAT THE WCB APPROVE THE INTERAGENCY AGREEMENT WITH THE DEPARTMENT OF FISH AND GAME AS PROPOSED; ALLOCATE \$150,000.00 FOR THE PROJECT FROM THE HABITAT CONSERVATION FUND; PROPOSITION 117, SECTION 2786 (e)(f) RIPARIAN/AQUATIC; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED. THIS ACTION IS SUBJECT TO THE DEPARTMENT OF FISH AND GAME MATCHING FUNDS BEING MADE AVAILABLE IN THE 1997/98 BUDGET.

MOTION CARRIED.

15. Lake Cuyamaca Fishing Access, San Diego County \$62,150.00

(This proposal is subject to funding being provided in the 1997/98 State Budget)

To consider funding a cooperative project with the Lake Cuyamaca Recreation and Park District (District) to install a barrier-free fishing platform, parking area, walkways, and restroom facilities at the District-owned recreation area at Lake Cuyamaca. The lake is located 50 miles east of San Diego off State Highway 79, about 13 miles north of Interstate 8 in San Diego County.

At the request of Mr. Schmidt, this item was withdrawn from Board consideration due to the fact that construction bids came in substantially higher than the allocation being requested.

16. Santa Margarita River Ecological Reserve, Expansion #3 \$302,000.00  
Riverside County

(This proposal is subject to funding being provided in the 1997/98 State budget)

Mr. Schmidt explained that this was a proposal to consider an allocation of \$300,000.00 for a grant to the San Diego State University (SDSU) to be applied toward the acquisition of a 160±-acre parcel located in the Temecula Valley, near the cities of Temecula and Fallbrook. The property, which is appraised at \$1,115,000.00, is the last large, privately owned block of land on the Santa Margarita River. It is also an in holding within the Santa Margarita River Ecological Reserve and within a field station of San Diego State University that is dedicated to education and research on southern California plant communities. Ms. Townsend then explained the overall project.

The property is located at the northern terminus of Stage Coach Lane and can be accessed from the Mission Road exit of Interstate 15, to Willow Glen, then by proceeding northerly until it merges with Stage Coach Lane. It is partially improved with a grove consisting of 20± acres of avocado and citrus trees and miscellaneous agricultural improvements including fencing, irrigation and storage buildings. There are also two single-family residences located on the property, away from the river. The remainder of the property is unimproved land with a riparian corridor along the Santa Margarita River.

The Department of Fish and Game (DFG) and the Wildlife Conservation Board (Board) have played an active role in the planning and development of the Santa Margarita River Reserve. In 1994 and 1995, the Board acquired properties in the Reserve totaling 242± acres. In addition, the DFG is part of a cooperative management agreement for the entire 4,500±-acre reserve. The DFG has identified the subject property as a high priority acquisition area in its Conceptual Area Acquisition Plan for the Reserve. Initially, it was proposed that the Board would be a partner in this cooperative acquisition with SDSU and The Nature Conservancy (TNC). However, the DFG has recently informed Board staff that, while it remains strongly committed to the success of the Reserve, and the critical habitat it provides, it believes SDSU is better equipped to manage the extensive improvements that currently exist on the interior of the property.

The Reserve traverses the coastal mountains through a fairly remote region, characterized by coastal sage scrub and chaparral on the slopes and riparian vegetation in the canyon bottom. Due to its remoteness, and since the river is one of the few nearly free-flowing rivers in southern California, it supports some of the least disturbed and largest stands of riparian habitat left in the southern part of the State.

The river corridor, encompassing both riparian and coastal sage scrub communities, provides habitat for a diverse ensemble of wildlife species, including two reptilian species of special concern, the San Diego horned lizard and the orange-throated whiptail. The California gnatcatcher, an avian species of special concern, is also present, in addition to numerous other bird species. The total bird density and diversity on the Santa Margarita River is considered to be among the highest in southern California. Of additional significance is that the area serves as a vital wildlife corridor for mountain lion and deer.

The Santa Margarita River corridor also provides critical habitat for several rare, endangered and sensitive species. Among these are the Stephens' kangaroo rat (State-threatened/Federal-endangered), the Belding's savannah sparrow (State-endangered), and the bank swallow (State-threatened). The riparian habitat along the river also supports approximately one-

fourth of the remaining breeding population of Least Bell's vireo, a Federal and State-listed endangered species. Endangered plant species include: thread-leaved brodiaea, coastal dunes milkvetch, California orcutt grass, Parish's meadowfoam and Nevin's mahonia. The river bottom supports extremely dense and undisturbed stands of southern willow scrub and areas of coastal brackish marsh, both rare communities.

The Santa Margarita River is best suited for passive recreational uses, such as hiking, bird watching and photography. The area is also ideal for scientific research, as it is located within easy driving time of ten major colleges and universities. In addition to protecting the riparian habitat and the wildlife corridor, SDSU proposes to dedicate the subject property to riparian and freshwater research and education.

The issuance of the proposed grant, as well as the acquisition, are exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes. The owners of the property have agreed to sell the property for its approved, appraised fair market value, which as noted earlier, is \$1,115,000.00. Therefore, the proposed \$300,000.00 grant represents only a portion of the overall purchase price. In addition to the proposed grant funds from the Board, which will be deposited directly into an escrow account, SDSU proposes to use grant funds from the Environmental Enhancement and Mitigation Program, which will be matched by funds from SDSU and from TNC to acquire the property. In addition to the purchase price, it is estimated that an allocation of \$2,000.00 will be required to cover the costs of General Services review of the appraisal.

The proposed 1997/98 State budget contains \$300,000.00 specified for acquisition of property along the Santa Margarita River. These funds would come from the River Parkway Subaccount of the Safe, Clean, Reliable Water Supply Act (Prop. 204).

Staff recommended that the Board approve the issuance of a grant to SDSU to be applied toward the acquisition of the Santa Margarita River Ecological Reserve, Expansion #3 property, in Riverside County, as proposed; allocate \$300,000.00 from the River Parkway Subaccount of the Safe, Clean Reliable Water Supply Fund, subject to their inclusion in the 1997/98 State Budget Act and \$2,000.00 from the Habitat Conservation Fund (Section 2786 (e)(f) aquatic/riparian); and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt indicated that while there are improvements on a portion of the property, the amount being requested would be applied towards the riparian habitat area. He pointed to the map and stated that the entire river would be protected starting from Hwy 15 to the ocean, Hwy 15 being near the head waters of the river. He indicated that staff is recommending approval conditioned on the passage of the budget.

Mr. McGeoghegan then asked if there were any further comments from the legislative committee. Miss Schafer asked about the funding sources and overall appraisal. Mr. Schmidt reported that the approved appraisal is \$1,115,000.00, and that the sources for funding are from the San Diego State University, The Nature Conservancy, the Environmental Enhancement, and the Mitigation Program from CalTrans. Miss Schafer then asked about the amount of funding from the CalTrans' Mitigation Program and Ms. Townsend indicated

that it was \$350,000.00. Miss Schafer then pointed to the map and asked questions on the different colors on the map. Ms. Townsend and Mr. Schmidt explained the colors. Mr. Schmidt indicated that Ms. Patty Wolf of Region 5, Department of Fish and Game, was in the audience to answer any questions. Ms. Townsend also indicated that Mr. Scott Ferguson from the Nature Conservancy was also in the audience to answer questions.

IT WAS MOVED BY MISS SCHAFER THAT THE WCB APPROVE THE ISSUANCE OF A GRANT TO SDSU, SUBJECT TO FUNDING BEING PROVIDED IN THE 1997/98 BUDGET, TO BE APPLIED TOWARD THE ACQUISITION OF THE SANTA MARGARITA RIVER ECOLOGICAL RESERVE, EXPANSION #3 PROPERTY, IN RIVERSIDE COUNTY, AS PROPOSED; ALLOCATE \$300,000.00 FROM THE RIVER PARKWAY SUBACCOUNT OF THE SAFE, CLEAN RELIABLE WATER SUPPLY FUND, SUBJECT TO THEIR INCLUSION IN THE 1997/98 STATE BUDGET ACT AND \$2,000.00 FROM THE HABITAT CONSERVATION FUND (SECTION 2786 (e)(f) AQUATIC/RIPARIAN); AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

17. Feather River Wildlife Area Expansions (O'Connor Lakes Unit \$397,000.00  
Expansion #3/Lake of the Woods Unit Expansion #1  
Sutter and Yuba Counties

To consider two separate acquisitions totalling 143± acres of riparian forest and upland habitat as additions to the Feather River Wildlife Area located in Sutter and Yuba Counties.

At the request of Mr. Schmidt, this item was withdrawn from consideration to allow Department of Fish and Game staff time to work out local concerns relative to potential flood problems in the area.

18. Hallelujah Junction Wildlife Area, Expansion #3, Sierra County \$108,000.00

Mr. Schmidt reported that this proposal was to consider the acquisition of 640± acres of deer and mountain lion habitat as an expansion to the Hallelujah Junction Wildlife Area located in Lassen and Sierra Counties. Specifically, the subject property is located in the extreme eastern portion of Sierra County, just west of Long Valley and east of the Toiyabe National Forest, approximately four miles west of the California/Nevada state line at Bordertown. Mr. Donnelly then provided a detailed project overview.

The property provides critical winter range and is part of an interstate migration corridor for blacktailed and Rocky Mountain mule deer, benefitting the Loyaltan-Truckee deer herd. Based on deer observations and habitat utilization, the parcel lies within the main deer migration corridor documented by the Department of Fish and Game (DFG). It has good forage compared to other parcels in the area and serves as an important fall staging area for deer preparing for winter migration.

The Loyalton-Truckee deer herd is of local, state and interstate significance. The interstate importance comes from the fact that some of the deer from the herd migrate through the property to the state of Nevada to winter on ranges on Petersen Mountain and in the Sand Hills. The intensity of this migration is largely dictated by the severity of the winter and the depth of winter snowfall.

In addition to providing quality habitat for deer, the parcel also supports black bear and mountain lion year round. The DFG has documented the same female lion using the property for a continuous four year period and telemetry studies have shown that she has raised a family on site. A variety of other important species also occupy this site including California and mountain quail, mourning dove, and cottontail rabbits, as well as a wide variety of raptors, mammals and furbearers.

The quality and quantity of vegetation on the subject parcel is superior to other lands in the area with habitat including bitterbrush, sagebrush, eastside pine and mixed conifer. In addition, snowbrush and mountain mahogany habitat located on site provide important feeding areas for wintering deer.

The subject property, as well as other parcels to the southwest, were included in a proposal to Sierra County to develop an all-year destination resort. Although no development has taken place as yet, future possibilities are high given the proximity of the property to Reno. Development has encroached upon deer winter range land across the state line, and the communities of Bordertown, Reno Park, and Stead have grown considerably over the last ten years. Should development occur on the subject parcel, it would have a significant negative impact on the migration corridor as well as the wildlife area.

The appraised fair market value of the property, as approved by the Department of General Services (DGS) is \$160,000.00. However, the owner has agreed to sell the property for \$100,000.00, thereby providing a \$60,000.00 donation to the State. It is estimated that an additional \$8,000.00 will be needed for expenses which include title insurance, escrow and DGS review costs. The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes.

Mr. Schmidt reported that a couple of letters of support had been received, one from Mr. Raymond Butler, a local resident, and one from the Sierra County Board of Supervisors. The boards's letter was not in opposition of the project, but using this time as an avenue for them to ask the Department for an additional warden. Mr. Schmidt indicated the letter mentions they need additional protection in the area due to there being only one warden to cover both the east and west sides of the Sierras. The letter also mentions that it was too much of an area to cover for one person. Mr. Schmidt then recommended approval of the acquisition and informed Miss Schafer that he will provide her with a copy of the letter.

Miss Schafer then stated she had numerous letters from Sierra County and that there are many warden vacancies throughout the State to fill. She thanked the Governor and the Legislature for providing funding in this year's budget in order to fill some of the vacancies. Miss Schafer then asked Mr. McGeoghegan if he would like to make a motion or she would be happy to do so. He said he would. Mr. McGeoghegan then indicated that he read the county's letters

regarding the message on the wildlife protection issues and stated he understood Miss Schafer was handling the concerns.

Staff recommended the Board approve the acquisition as proposed; authorize the acceptance of the donation valued at \$60,000.00; allocate \$108,000.00 from the Habitat Conservation Fund (Section 2786(a)) to cover the balance of the acquisition value and to pay for project expenses; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

IT WAS MOVED BY MISS SCHAFER THAT THE WCB APPROVE THIS ACQUISITION AS PROPOSED; AUTHORIZE THE ACCEPTANCE OF THE DONATION VALUED AT \$60,000.00; ALLOCATE \$108,000.00 FROM THE HABITAT CONSERVATION FUND (SECTION 2786(a)) TO COVER THE BALANCE OF THE ACQUISITION VALUE AND TO PAY FOR PROJECT EXPENSES; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

Mr. McGeoghegan asked if there were any questions from the legislative advisory. There were not any.

MOTION CARRIED.

19. Stemple Creek Riparian Restoration, Marin and Sonoma Counties \$155,540.00

Mr. Schmidt reported that this proposal was to consider a grant to the Marin County Resource Conservation District for a cooperative project to restore approximately 28± acres of riparian habitat on private land within the Stemple Creek watershed. The Stemple Creek watershed begins just west of Petaluma and drains approximately 50 square miles of coastal land into the Estero de San Antonio and Tomales Bay. Currently, the area supports a wide range of coastal habitats, including riparian ravines, grasslands, saltgrass areas, tidal mudflats, eelgrass beds, and two freshwater ponds. The upland areas still contain a few oaks and bay trees. The entire watershed area has been used for agricultural purposes, including dairy cattle and the raising of other livestock, for the last 100 years. The tributaries and Stemple Creek are severely eroded and downcut, and up to 80% of the historic riparian vegetation is gone from the streams and gullies in the watershed. Mr. Clemons then explained the project in greater detail.

Stemple Creek historically supported a small run of steelhead and coho salmon, but both species are now absent from the drainage due to the filling in of the estuary and the lack of good riparian canopy to keep summer water temperatures down. The watershed supports several listed species, including the tidewater goby, the freshwater shrimp, and the myrtle silver spot butterfly. Other species of interest include the red-legged frog and the Northwestern pond turtle.

With support from the State Coastal Conservancy and local citizens, the Marin and Southern Sonoma County Resource Conservation Districts (collectively, the RCDs) have developed

an enhancement plan with recommendations and goals to conserve and improve the natural resources of the watershed. The plan identifies the health of the estero as being dependent on watershed restoration. This plan has attracted a diverse group of supporters and funding partners, including the State Coastal Conservancy, the Shrimp Club (a group of fourth and fifth grade school children from eastern Marin County), the Sonoma County Fish and Wildlife Advisory Committee, the Gold Ridge Resource Conservation District, the Western United Dairymen, the U.S. Fish and Wildlife Service, the Department of Conservation, the Farm Services Agency, the Natural Resources Conservation Service, the Marin Agricultural Land Trust, the Department of Fish and Game and a large number of local volunteers. The proposed project is part of a three-year watershed-wide restoration program which is anticipated to include projects involving up to fifteen private landowners. The Wildlife Conservation Board's share of the program would be to help restore approximately 9,800 linear feet of riparian corridors on four separate ranches. The Board's funding will restore some of the most seriously damaged portions of the watershed, and will allow other available funding to be used to restore other areas within the watershed.

Restoration of the four sites proposed herein will include fencing to control and manage livestock, repair of streambank erosion and channel headcuts using rock and biological materials, revegetation of the streambanks and floodplain areas with native trees and shrubs, and development of dependable offstream water supplies for the livestock. The landowners will be directly involved with each step of the project, and have agreed to donate equipment and labor to the efforts. In addition, each landowner has agreed to monitor and maintain the restored sites for ten years. Estimated costs for the four restoration sites are summarized as follows:

<u>Description</u>	<u>Total</u>
Repair of Headcuts and Erosion (Partial in-kind work)	\$100,700.00
Fencing and Water Development (In-kind work)	42,000.00
Revegetation (In-kind work)	9,000.00
Design and Construction Management (Partial in-kind work)	46,300.00
Project Coordination	6,000.00
Marin County RCD Administration	15,540.00
<b><u>TOTAL ESTIMATED PROJECT COSTS</u></b>	<b><u>\$219,540.00</u></b>

Proposed Funding Sources:

Wildlife Conservation Board:	\$155,540.00
Volunteers, landowners and local RDCs:	\$64,000.00

Total cost for restoration of the balance of the projects in the watershed program are estimated at \$300,000.00. To date, the State Coastal Conservancy has approved a grant to the RCDs for \$200,000.00 and the U.S. Fish and Wildlife Service Partners in Wildlife Program has contributed \$20,000.00. The RCDs have also applied for funds from the Farm Services Agency/Natural Resources Conservation Service under the new Environmental Quality Improvement Program for the balance of the needed funds.

The Department of Fish and Game has reviewed this proposal and recommends it for funding by the Board. The proposal ranked very high as land suitable for riparian restoration using, in part, the decision-support model developed with information from the California Rivers Assessment. The RCDs have approved a Negative Declaration for three of the sites in the proposal. Staff has determined that the proposed work on the fourth site is exempt from CEQA under Section 15034, as a minor alteration to land that will enhance riparian habitat and a Notice of Exemption has been filed.

Mr. Schmidt spoke in favor of the project and indicated letters of support were received from Marin County Board of Supervisors, Senator Burton, John Grissim, with the Environmental Action Committee of West Marin County, Congresswoman Lynn Woolsey, and the Marin County Resource Conservation District. No letters of opposition have been received. He then recommended approval of the project as presented.

Staff recommended that the Board approve this grant as proposed; allocate \$155,540.00 for the grant from the Habitat Conservation Fund (Proposition 117, Section 2786 (e)(f) riparian/aquatic) and authorize staff and the Department of Fish and Game to proceed substantially as planned.

IT WAS MOVED BY MISS SCHAFFER THAT THE WCB APPROVE A GRANT TO THE MARIN COUNTY RESOURCE CONSERVATION DISTRICT AS PROPOSED; ALLOCATE \$155,540.00 FOR THE GRANT FROM THE HABITAT CONSERVATION FUND (PROPOSITION 117, SECTION 2786 (e)(f) RIPARIAN/AQUATIC) AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

Mr. McGeoghegan asked if all those were in favor.

MOTION CARRIED.

20. Canebrake Ecological Reserve Riparian Restoration \$33,970.00  
(South Fork Kern River), Kern County

Mr. Schmidt reported that this was a proposal to provide a grant to the Kern River Research Center for a riparian habitat restoration project on the state-owned Canebrake Ecological Reserve, located along the South Fork of the Kern River, approximately five miles east of Onyx. Mr. Clemons provided a project overview.

The property, which was acquired by the Board in 1992, contains 1,290± acres. The Department of Fish and Game (DFG) manages the Reserve, and has approved a management plan which established goals for habitat restoration and protection of the lands. The Reserve is part of a significant natural area which includes five of the six ecozones of California: Great Basin, Intermountain Sage, Mojave Desert, Great Valley Grassland, and Sierra Nevada. In addition, the area's existing cottonwood-willow riparian forest and alder-dominated riparian forest habitats constitute approximately 25% of the largest remaining tract of contiguous riparian habitat in California. These vegetation communities provide a high diversity of vegetation and habitat for many native wildlife species, and have the potential to be restored and enhanced to support many more wildlife species, including the federal and state endangered willow flycatcher and the state endangered yellow-billed cuckoo. These two species are known to occur in downstream habitat that has been restored over the last 10 years by The Nature Conservancy and monitored by the Kern River Research Center.

Approximately 275± acres of the Reserve's cottonwood-willow riparian forest are degraded from uncontrolled cattle grazing. An additional 85± acres of pasture was historically riparian forest. This proposal would provide fencing to control cattle access, thereby allowing the degraded riparian forest habitat to recover, protecting approximately 1.5 miles of the South Fork Kern River from degradation. Fencing and concurrent removal of grazing will allow the forest in the primary floodplain to recover to a natural state in a relatively short period of time as has been observed on the nearby Kern River Preserve. This will greatly enhance the wildlife value of the riparian area by increasing the structural diversity. The lower levels of vegetation, which many riparian obligate birds favor, are currently adversely impacted by the grazing of this area.

Fencing of the riparian zone is proposed to begin in late August 1997. This fencing will be along the western boundary of the property. The old fence line still exists, but only a few fence posts are now visible. The other boundary fences of the reserve are presently in adequate to good condition.

In addition to the fencing work, this proposal also includes the preparation of a restoration plan for the 85± acre pasture area on the Ecological Reserve. The plan will include an in-depth site analysis, proposed to be conducted between August and October of 1997, which will consist of water depth, soil texture and dissolved solids analysis. With this data, a restoration plan and planting design will be developed to determine the appropriate location for each habitat type, plant species and different planting densities based on local soil and groundwater conditions. This information will enable the restoration project of this area to move forward as funding is available.

This proposal involves a partnership between the Wildlife Conservation Board, the Kern River Research Center, the National Audubon Society, the DFG and local citizen volunteers. The DFG has provided technical assistance and management direction since the initiation of the proposal, and will continue to provide on-site administrative support during the course of the project.

As noted above, this proposal includes fencing of the riparian zone (1.5± miles of fence along the western boundary) and development of a planting design using soils and water table

information to be obtained on site. Activities and estimated costs for the proposal are summarized below:

<u>Description</u>	<u>Estimated Cost</u>
Fencing 1.5± miles (supplies, labor and milage)	\$14,350.00
Site Analysis, Selection and Planning	12,000.00
Restoration Ecologist	1,600.00*
Laboratory Fees	2,500.00*
Volunteer Labor (@ \$10.00/hr.)	2,700.00*
Project Supervision and Management	3,000.00
Direct Overhead	4,620.00
<u>TOTAL ESTIMATED PROJECT COST:</u>	<u>\$40,770.00</u>

Proposed Funding Sources

Wildlife Conservation Board:	\$33,970.00
Kern River Research Center: (Including in-kind and volunteers)	\$6,800.00*

The DFG has reviewed this proposal and has recommended the proposal be approved. Staff have also evaluated the proposal and ranked it as having high potential for riparian restoration using, in part, a decision support model developed from the California Rivers Assessment. The project is exempt from CEQA under Section 15304, minor alteration of land that will benefit riparian habitat and native wildlife species.

Staff recommended that the Board approve this project as proposed, allocate \$33,970.00 for a grant to the Kern River Research Center from the Habitat Conservation Fund; (Proposition 117, Section 2786 (e)(f) aquatic/riparian); and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt spoke in favor of the project with details and specifics on the funding. He indicated letters of support had been received from the Kern River Water Master and the National Audubon Society. Also received was a letter of concern from an adjacent landowner, Mr. Carl Allen. The adjacent landowner felt the fencing should be in a different location to include some of his land. Mr. Schmidt indicated that staff felt this was premature and that we should proceed as recommended.

Mr. McGeoghegan then asked what was the adjacent landowner's request. Mr. Schmidt allowed Mr. Clemons to explain the request using the map as a reference. Mr. Clemons gave details on the location of the property, showing where Mr. Allen wants the fencing to be located and the property he wants to dedicate into a conservation easement. Mr. Clemons then explained Mr. Allen's concerns. Mr. Schmidt introduced Ms. Rhonda Reed of Region 4, Department of Fish and Game, for further clarification. Ms. Reed concurred with staff that it was premature to propose moving the fencing. Mr. McGeoghegan asked if favorable action precluded the eventual inclusion of the benefit of Mr. Allen's offer. The reply was that it did

not. Mr. Schmidt stated that Mr. Allen mentioned the dedication of land for conservation in the past but has not done anything to further this action. He also felt that the project should proceed as suggested due to the time it may take before receiving anything from the adjacent landowner.

Miss Schafer spoke in favor of the project and mentioned that she had visited the site. Mr. McGeoghegan asked Miss Schafer if this was a motion in favor of this project. Miss Schafer agreed. Mr. McGeoghegan then asked whether there were any comments or questions from the legislative advisory.

Mr. Machado then asked how they could accommodate Mr. Allen's request and why they view it as an extended period of time. Mr. Schmidt then commented that Mr. Allen and the WCB have been in communication for seven to eight years and he continues to indicate that he would like to work something out with us to donate some land but has taken no action. Mr. Clemons spoke with Mr. Allen the previous day and said he seemed sincere about everything, but that he concurred with Mr. Schmidt.

Mr. McGeoghegan indicated there was a positive connotation of receiving property from Mr. Allen. Ms. Reed agreed and then clarified that Mr. Allen has shown interest in negotiating some form of a conservation easement on the property. She stated that he has not clearly identified what he would like to convey for public uses. Ms. Reed then stated that he desires to conserve natural wildlife values on site and that he has been negotiating with the Natural Resource Conservation Service on their wildlife preserve programs. She felt there may be distinctions with respect to public access between property that he dedicates to conservation and that having the property line fence on the Department's lands may be appropriate and would not preclude an additional fence that would protect Mr. Allen's property.

Mr. McGeoghegan then indicated we should proceed with this item. Miss Schafer mentioned that she had already made the motion as follows:

IT WAS MOVED BY MISS SCHAFFER THAT THE WCB APPROVE THIS PROJECT AS PROPOSED; ALLOCATE \$33,970.00 FOR A GRANT TO THE KERN RIVER RESEARCH CENTER FROM THE HABITAT CONSERVATION FUND; (PROPOSITION 117, SECTION 2786 (e)(f) AQUATIC/RIPARIAN); AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

21. North Table Mountain Wildlife Area, Expansion #1, Butte County \$135,000.00

Mr. Schmidt reported that this proposal was to consider the acquisition of 42± acres of land for the protection and preservation of northern basalt flow vernal pools and associated habitat for plant communities and to provide much needed access to the North Table Mountain

Wildlife Area (NTM). The site, which is located 5± miles north of the City of Oroville is accessible from Cherokee Road, which fronts the property's southeast boundary, thereby providing good public access to the State's existing 3,273± acre wildlife area. The existing area was acquired pursuant to August 23, 1993 Board authorization. Mr. Giordano then provided a full project briefing.

The NTM is located in a foothill area where the geological composition of the hills consist of a basalt cap, dozens of feet deep, overlying earlier marine and terrestrial sedimentary deposits. While the elevation of the wildlife area ranges from 700 to 1,400 feet above sea level, much of it is relatively flat with a southwesterly slope. Sheer cliffs, about 75 feet high, bound the land on all sides except the east. Portions of Beatson and Coal Canyons located on the site are the prominent deviations from an otherwise gentle relief. There are no permanent streams, but several seasonal streams produce scenic waterfalls during winter rains. Several small springs are scattered about the canyon and cliff bases within the wildlife area.

In addition to providing a formal access and parking area, the subject property contains vernal pools and swales which are scattered throughout the area. These pools and swales areas are intermixed with wildflower fields and grassland communities. Considerable wildflower blooms normally occur throughout the area from February through April. Although no state or federal listed species are known to be highly dependent upon the property, species of special concern are located thereon which are found on federal lists and on the California Native Plant Society (CNPS) lists, including the Red Bluff dwarf, the Butte County calycadenia, Austin's rockcress and Meager locoweed. In addition, a number of other uncommon species are found on the NTM. It also provides suitable habitat for the endangered Butte County meadowfoam. Overall, the NTM wildlife area contains relatively dense plant populations, including about 287 vascular plant species. In addition to the various plant species, a number of mammal, bird and reptile species occupy the wildlife area.

North Table Mountain has been used for livestock grazing for over 100 years. Fortunately, the grazing intensity has been moderate and biological impacts have not been significant. According to the Department of Fish and Game (DFG), controlled grazing of this area is beneficial to the plant communities located thereon. Presently, the owner of the subject leases the State's wildlife area for cattle grazing (a condition of the original sale); said lease expiring in 1998. As a condition of this sale, the owner is requesting an additional five (5) year firm term lease, with an additional five-year option, available one year at a time at the DFG's option. The new lease will be authorized under Wildlife Conservation Board authority and subject to General Services' approval. The lease rate will be established in 1998 and will also be subject to General Services' approval.

Suggested management/development and use of the subject would be to provide off-road parking and access over the NTM area which adjoins the subject at the site's northern boundary. Access across the site would be limited to a parking area near Cherokee Road and foot traffic to avoid excessive use impacts on rare plants, vernal pools and the shallow soils. This access will not be impacted by the grazing operation.

The owner has agreed to sell the property to the State for the approved appraised value of \$125,000.00. Costs for this purchase, including Department of General Services' review costs, survey, escrow and closing fees are estimated to be an additional \$8,000.00. An additional \$2,000.00 is necessary to provide fencing, parking improvements, gate and appropriate state signs for this property.

The acquisition is exempt from CEQA under Section 15313 as an acquisition of land for wildlife conservation purposes. A Notice of Exemption has been filed.

Staff recommended that the Board approve both the purchase of the proposed 42± acres and lease-back of the land for a period of five years with option as discussed above, at the approved lease value; allocate \$135,000.00 from the Wildlife Restoration Fund for the purchase price, related costs and necessary initial costs to secure the property for public use; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Giordano indicated that Mr. Banky Curtis, Regional Manager of Region 2, Department of Fish and Game, and Mr. Richard Harding, attorney for Mr. Carmine (the owner), were in the audience should there be any questions.

Mr. Schmidt spoke in favor of the acquisition and described how every spring students from colleges all over, including southern California universities, use the area considerably to study the plants and enjoy the beautiful area. This acquisition would solve the problem regarding the use of the county road and private property. Mr. Schmidt then indicated that grazing is compatible and that the property would continue to be grazed on both existing areas and the new area, producing a revenue source. Mr. Schmidt then moved to proceed as planned.

IT WAS MOVED BY MISS SCHAFFER THAT THE WCB APPROVE BOTH THE PURCHASE OF THE PROPOSED 42± ACRES, AND THE LEASE BACK OF THE LAND FOR A PERIOD OF FIVE YEARS WITH OPTION AS DISCUSSED, AT THE APPROVED LEASE VALUE; ALLOCATE \$135,000.00 FROM THE WILDLIFE RESTORATION FUND FOR THE PURCHASE PRICE, RELATED COSTS AND NECESSARY INITIAL COSTS TO SECURE THE PROPERTY FOR PUBLIC USE; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

22. Wetland Conservation Easement Program (Department of Fish and Game)-Rancho Rio Oso, Expansion #1, Yuba County \$217,200.00

Mr. Schmidt reported that this proposal was to acquire a conservation easement over 83± acres of land consisting of permanent and seasonal wetlands, together with related riparian habitat. The land is located in Yuba County, lying on the east side and adjacent to Bear River Bypass, approximately six miles south of Marysville. The property is presently used for farming and, during the waterfowl season, as a private duck club. A management plan

prepared by the Department of Fish and Game (DFG), will eliminate all commercial farming and other agricultural uses and provide that the majority of the property be maintained in permanent and seasonal wetlands. Mr. Giordano then described the proposal in detail.

The Wildlife Conservation Board (WCB), at its meeting of May 4, 1995, approved the first Ranch Rio Oso Conservation easement purchase containing 133± acres. While the two easement areas are contained within the same ownership, they do not have common boundary lines.

In the fall of 1991, the DFG initiated a program of purchasing permanent conservation easements, which contain specific private management requirements on private Central Valley wetlands. The program is intended to ensure the preservation and enhancement of existing and restored marshes critical to the welfare of waterfowl wintering in California, with a long-term goal of placing at least 75,000± acres of wetland habitat under permanent easements.

Guided in part by the Implementation Plan formulated by the Central Valley Habitat Joint Venture, the DFG selects parcels for this program from among a host of qualifying properties. The easement purchase price is derived from a formal appraisal, as approved by the Department of General Services (DGS). Due to the variations in continuing operation and management requirements being placed on the owners, the purchase prices of these wetland conservation easements have generally ranged from between 20 percent and 80 percent of fee value. Of course, the benefit to the State is the protection of wetland habitat in perpetuity, with future operation and maintenance costs being absorbed by the underlying fee owners.

The terms and conditions of the easement agreements permit full and exclusive use of the property by the landowner except those uses which would result in the loss of wetland habitat or the degradation of the property's waterfowl habitat values. In addition, the DFG, in cooperation with the landowner, has developed a marsh management plan for each property to be encumbered by an easement. The plan is intended to assure the development and maintenance of high quality waterfowl habitat throughout the property with each participant being responsible, at their cost, for the maintenance and water supply for their property. Although the program is aimed primarily at preserving natural marsh habitat, some portions of the property may be devoted to unharvested grain crops or "food plots." It should also be pointed out that the program is structured to allow for the acquisition of easements on those properties which are not currently wetlands, but where conversion to wetland habitat is in progress or imminent. The term of the easements, which do not provide for public access, extend in perpetuity and run with the land regardless of changes in ownership.

Under the provisions of this program, the DFG has identified a number of areas for acquisition consideration. WCB staff has been conducting the negotiations for this program and to date has presented 13 such easement projects to the Board, all of which have now been acquired. The proposal being considered at this time would, if approved, bring the total number of acres protected to 3,000±.

The owners of the subject property have agreed to sell this easement for the DGS' approved appraised fair market value of \$211,200.00. It is estimated that an additional \$6,000.00 will

be needed for appraisal, survey, escrow and DGS review costs. The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition for wildlife conservation purposes.

Staff recommended that the Board approve this easement acquisition as proposed; allocate \$217,200.00 from the Inland Wetlands Conservation Fund for the purchase price and costs; and authorize staff and the Department of Fish and Game to proceed substantially planned.

Mr. Schmidt stated that in the beginning there was a series of proposals for conservation easements brought to the Board by the Department with management responsibilities. The Board has entertained and approved 13 such proposals in the past. He further indicated that this project is a continuation of the North American Waterfowl Management plan, particularly the Central Valley Habitat Joint Venture, which is part of the management plan, to enhance waterfowl habitat throughout the valley. Mr. Schmidt then recommended that the Board approve this project as proposed. He added that these acquisitions provide wetland habitat that is managed in perpetuity at no continuing cost to the State of California.

Mr. McGeoghegan then asked if the owner is present. Mr. Giordano then stated that the owners are Mr. Gary Miller and John Balusa and were not present.

Mr. McGeoghegan then asked whether there were any questions or comments by the legislative advisory. There were none.

**IT WAS MOVED BY MISS SCHAFER THAT THE BOARD APPROVE THIS EASEMENT ACQUISITION AS PROPOSED; ALLOCATE \$217,200.00 FROM THE INLAND WETLANDS CONSERVATION FUND FOR THE PURCHASE PRICE AND COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.**

**MOTION CARRIED.**

23. **Resolution Honoring Theresa Parker**

Mr. Schmidt read the following resolution, requesting that the Board approve it as proposed.

**WHEREAS**, Theresa Parker has resigned as Chief Deputy Director of the Department of Finance to accept a position as the Executive Director of the California Housing Finance Agency, and has therefore concluded four years of dedicated and faithful service as a member of the Wildlife Conservation Board; and

**WHEREAS**, with her interest in the programs of the Board and her knowledge of fiscal matters, governmental operations and administrative procedures, she has significantly furthered the objectives of the Wildlife Conservation Board and the welfare of the wildlife resources of the state; and

**WHEREAS**, all who have served with Ms. Parker have appreciated her sound judgment, leadership and advice, and have especially appreciated the pleasant manner in which she conducts business, all of which have earned for her the respect of those who have worked with her; and

**WHEREAS**, it is the desire of the Board to gratefully acknowledge her contributions to the work of the Board;

**NOW THEREFORE BE IT RESOLVED**, that we, the members of the Wildlife Conservation Board, the Joint Legislative Advisory Committee, and the Board staff convey to Theresa "Terri" Parker our sincere appreciation for her noteworthy contributions to the Wildlife Conservation Board, and extend to her our very best wishes for the future, and be it further

**RESOLVED**, that this resolution be made a part of the official minutes of this Board and that a copy of this resolution be furnished to Ms. Parker.

IT WAS MOVED BY MISS SCHAFFER THAT THE BOARD APPROVE THIS RESOLUTION AS PROPOSED AND THAT IT BE MADE A PART OF THE OFFICIAL MINUTES OF THIS BOARD, FOR ITS ANNIVERSARY MEETING, AND THAT A COPY OF THIS RESOLUTION BE FURNISHED TO MS. PARKER.

MOTION CARRIED.

24. 1947-1997 Wildlife Conservation Board 50<sup>th</sup> Year Report Informational

Mr. Schmidt explained that at the February 13, 1997 meeting, the Board allocated \$3,500.00 to update the 1992 Wildlife Conservation Board's 45<sup>th</sup> year report, to include acquisition, development and restoration projects approved since that time. This report is now finalized and printed and will be made available for immediate distribution. He indicated that he will announce its completion at the anniversary celebration to follow.

Mr. McGeoghegan stated that this is the occasion of the Wildlife Conservation Board's 50<sup>th</sup> year anniversary. Celebration will take place in the Eureka room of the Capitol at Noon. Mr. McGeoghegan then invited visitors present to attend. He then recessed the meeting at 11:35 a.m. and thanked everyone for their attendance.

Following the anniversary celebration, the meeting was adjourned at 1:16 p.m.

Respectfully submitted:



W. John Schmidt  
Executive Director

PROGRAM STATEMENT

At the close of the meeting on August 14, 1997, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$386,888,318.64. This total includes funds reimbursed by the Federal Government under the Accelerated Public Works Program completed in 1966, the Land and Water Conservation Fund Program, the Anadromous Fish Act Program, the Pittman-Robertson Program, and the Estuarine Sanctuary Program.

The statement includes projects completed under the 1964 State Beach, Park, Recreational and Historical Facilities Bond Act, the 1970 Recreation and Fish and Wildlife Enhancement Bond Fund, the Bagley Conservation Fund, the State Beach, Park, Recreational and Historical Facilities Bond Act of 1974, the General Fund, the Energy Resources Fund, the Environmental License Plate Fund, the State, Urban and Coastal Park Bond Act of 1976, the 1984 Parklands Bond Act, the 1984 Fish and Wildlife Habitat Enhancement Bond Act, the California Wildlife Coastal and Park Land Conservation Act of 1988, Cigarette and Tobacco Products Surtax Fund of 1988, California Wildlife Protection Act of 1990 and the Wildlife Restoration Fund.

A. Fish Hatchery and Stocking Projects	\$ 16,006,219.06
B. Fish Habitat Preservation, Development & Improvement	20,882,152.93
1. Reservoir Construction or Improvement	\$ 3,063,613.05
2. Stream Clearance and Improvement	14,700,451.69
3. Stream Flow Maintenance Dams	547,719.86
4. Marine Habitat	646,619.07
5. Fish Screens, Ladders and Weir Projects	1,923,749.26
C. Fishing Access Projects	36,694,793.15
1. Coastal and Bay	\$ 2,994,288.92
2. River and Aqueduct Access	8,967,957.52
3. Lake and Reservoir Access	6,852,706.45
4. Piers	17,879,840.26
D. Game Farm Projects	146,894.49
E. Wildlife Habitat Acq., Development & Improvement	300,928,144.73
1. Wildlife Areas (General)	\$174,517,232.55
2. Miscellaneous Wildlife Habitat Dev.	4,671,341.76
3. Wildlife Areas/Eco Reserves, (Threatened, Endangered or Unique Habitat)	115,324,140.49
4. Land Conservation Area	2,705.00
5. Inland Wetlands Conser. Grants & Easements	3,205,799.50
6. Riparian Habitat Conser. Grants & Easements	1,574,025.43
7. Other Wildlife Habitat Grants	1,632,900.00
F. Hunting Access Projects	484,898.57
G. Miscellaneous Projects (including leases)	10,228,639.29
H. Special Project Allocations	616,464.79
I. Miscellaneous Public Access Projects	862,615.63
1. State Owned	\$757,615.63
2. Grants	\$105,000.00
J. Sales and/or exchanges	<u>37,496.00</u>
Total Allocated to Projects	\$386,888,318.64