

DEPARTMENT OF FISH AND GAME

WILDLIFE CONSERVATION BOARD

801 K STREET, SUITE 806
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State of California
 The Resources Agency
 Department of Fish and Game
WILDLIFE CONSERVATION BOARD

Minutes
 May 21, 1998

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The Wildlife Conservation Board met at the State Capitol, Room 2040, Sacramento, California on May 21, 1998. The meeting was called to order at 10:30 a.m. by Mr. Richard Thieriot, President, Fish and Game Commission. At this time, Mr. W. John Schmidt, Executive Director, introduced the board members and legislative advisory committee members that were present.

1. Roll Call

WILDLIFE CONSERVATION BOARD MEMBERS

Richard T. Thieriot, Chairperson
President, Fish and Game Commission
Robin Dezember, Chief Deputy Director
Vice, Craig Brown, Member
Director, Department of Finance
Jacqueline Schafer, Member
Director, Department of Fish and Game

JOINT LEGISLATIVE INTERIM ADVISORY COMMITTEE

Senator Mike Thompson
Ruth Coleman, Vice, Senator Mike Thompson
Assemblyman Mike Machado
Kristin Halstenrud, Vice, Assemblyman Mike Machado
Assemblywoman Virginia Strom-Martin

EXECUTIVE DIRECTOR

W. John Schmidt

Staff present: W. John Schmidt, Executive Director
Georgia Lipphardt, Assistant Executive Director
Jim Sarro, Assistant Executive Director
Scott Clemons, Riparian Program Manager
Marilyn Cundiff, Wetlands Program Manager
Peter Perrine, Field Agent
John Donnelly, Associate Land Agent
Frank Giordano, Senior Land Agent
Jerry Heminger, Senior Land Agent
Debra Townsend, Senior Land Agent
Terri Muzik, Staff Services Analyst
Maureen Rivera, Executive Secretary
Jan Beeding, Office Technician

Others present: Lee Lehman, Suisun Resources Conservation District
Roy Donnelly
Irene Donnelly
Louie Mello
Joe Cotta, Jr.
Jim Swanson, Department of Fish and Game, Region 3
Chris Unkel, The Nature Conservancy
Mike Churkin
John Hanson
Sharon Stacey, Cal Trans
Bud Thrapp, Department of Water Resources
Pat Perkins, Department of Fish and Game, Region 2
John Anderson, Department of Fish and Game, Region 6
John Siperek, Department of Fish and Game, Region 1
Dave Koehler, San Joaquin River Parkway Trust
Russell Hildreth, Attorney General's Office
Corey Brown, Trust for Public Land
Michael Bias, Ducks Unlimited, Inc.
Steve Donovan, Ducks Unlimited, Inc.
Holly Andree, Ducks Unlimited, Inc.
Alan Ehr Gott, American River Conservancy
Chris Beale, Department of Fish and Game, Legal Office
Harvey Goldberg
Aaron Peskin
Pat Perkins, Department of Fish and Game, Region 2

2. Funding Status as of May 21, 1998 (Informational)

(a) 1997-98 Wildlife Restoration Fund Capital Outlay Budget

| | |
|--|---------------------|
| Governor's Budget - Land Acquisition | \$275,000.00 |
| Less Previous Board Allocations | <u>(2,750.00)</u> |
| Unallocated Balance | \$272,250.00 |
| | |
| Governor's Budget - Minor Projects | \$900,000.00 |
| Less Previous Board Allocations | <u>(579,130.00)</u> |
| Unallocated Balance | \$320,870.00 |

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

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

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

| | |
|---|---------------------|
| Governor's Budget - Land Acquisitions | \$390,000.00 |
| Less Previous Board Allocations | <u>(193,129.09)</u> |
| Unallocated Balance | \$196,870.91 |

(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 | (76,542,349.08) |
| Less State Administrative Costs | (1,219,500.00) |
| Less Reverted Funds | (11,528,799.69) |
| Less amount made available for transfer to HCF | (1,561,000.00) |
| Plus Reappropriated Funds | <u>11,528,799.69</u> |
| Unallocated Balance | \$ 1,977,150.92 |

- (e) 1997-98 Habitat Conservation Fund Capital Outlay Budget
 - Governor's Budget \$16,598,000.00
 - Less Previous Board Allocations (8,694,329.62)
 - Unallocated Balance \$7,903,670.38

- (f) 1996-97 Habitat Conservation Fund Capital Outlay Budget
 - Governor's Budget \$10,047,000.00
 - Less Previous Board Allocations (6,711,578.22)
 - Unallocated Balance \$3,335,421.78

- (g) 1995-96 Habitat Conservation Fund Capital Outlay Budget
 - Governor's Budget \$7,354,000.00
 - Less Previous Board Allocations (7,150,617.53)
 - Unallocated Balance \$ 203,382.47

- (h) 1997-98 Environmental License Plate Fund Capital Outlay Budget
 - Governor's Budget \$341,000.00
 - Less Previous Board Allocations (3,000.00)
 - Unallocated Balance \$338,000.00

- (i) 1997-98 River Parkway Sub-account, Safe, Clean, Reliable Water Supply Fund
 - Governor's Budget \$9,800,000.00
 - Less Provisions for Bond Expenses (487,500.00)
 - Less Previous Board Allocations (3,310,000.00)
 - Unallocated Balance \$6,002,500.00

RECAP OF FUND BALANCES

| | |
|--|-----------------|
| <u>Wildlife Restoration Fund</u> (Items a - c) | \$ 1,083,990.91 |
| <u>CA Wildlife, Coastal & Park Land Conservation Fund of 1988</u> (Item d) . . | \$1,977,150.92 |
| <u>Habitat Conservation Fund</u> (Items e - g) | \$11,442,474.63 |
| <u>Environmental License Plate Fund</u> (Item h) | \$338,000.00 |
| <u>River Parkway Sub-account, Safe, Clean,</u> <u>Reliable Water Supply Fund</u> (Item i) | \$6,002,500.00 |

Miss Schafer inquired as to the cumulative total amount spent on acquisitions. Mr. Schmidt noted that the previous meeting minutes reflect that a total of \$396,363,458.88 had been allocated for restoration and acquisition since 1947, the biggest share, over \$300,000,000.00, on acquisitions.

3. **PROPOSED CONSENT CALENDAR (Items 4 - 13)**

Mr. Schmidt reported that the Consent Calendar consisted of Items 4 - 13 and went on to explain that Item No. 8, as indicated in the agenda, was a proposed exchange, and that we did not reach final agreement on the exchange, the agenda noting a 53 versus 40 acre exchange. Mr. Schmidt stated that this figure would be reduced somewhat so that it would be an even exchange, for equal value, and land size would be adjusted accordingly. Absent any objection, Mr. Schmidt recommended approval of the Consent Calendar.

IT WAS MOVED BY MISS SCHAFFER THAT THE BOARD APPROVE CONSENT CALENDAR ITEMS 4 - 13 AS PROPOSED IN THE INDIVIDUAL AGENDA EXPLANATIONS, INCLUDING FUNDING AS NOTED THEREIN.

MOTION CARRIED.

*4. Approval of Minutes (CONSENT CALENDAR)

Approval of the minutes of February 24, 1998, meeting of the Wildlife Conservation Board (WCB) was recommended.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFFER THAT THE MINUTES OF THE WCB MEETING OF FEBRUARY 24, 1998 BE APPROVED AS WRITTEN.

MOTION CARRIED.

*5. 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.

\$ 45,145.39 to the **Wildlife Restoration Fund**,
\$ 19,112.26 to the **Habitat Conservation Fund**

WILDLIFE RESTORATION FUND

Knights Landing Fishing Access, Yolo County

| | |
|----------------------|--------------|
| Allocation | \$45,000.00 |
| Expended | - 4,494.61 |
| Balance for Recovery | \$ 40,505.39 |

Blue Sky Ecological Reserve (Parking Area Grant), San Diego Co.

| | |
|----------------------|--------------------|
| Allocation | \$105,000.00 |
| Expended | <u>-100,360.00</u> |
| Balance for Recovery | \$ 4,640.00 |

Total Wildlife Restoration Fund Recoveries \$45,145.39

HABITAT CONSERVATION FUND

North Sacramento Valley Wetlands, Riparian Habitat
& Grazing Restoration, Colusa, Glenn & Tehama Counties
Big Bluff Ranch, Tehama County

| | |
|----------------------|-------------------|
| Allocation | \$ 21,771.00 |
| Expended | <u>-17,688.34</u> |
| Balance for Recovery | \$ 4,082.66 |

Gray Whale Ranch, Santa Cruz County

| | |
|----------------------|--------------------|
| Allocation | \$ 250,000.00 |
| Expended | <u>-250,000.00</u> |
| Balance for Recovery | \$ 0.00 |

Hallelujah Junction Wildlife Area, Exp. #3, Sierra Co.

| | |
|----------------------|--------------------|
| Allocation | \$ 108,000.00 |
| Expended | <u>-105,559.80</u> |
| Balance for Recovery | \$ 2,440.20 |

Honcut Creek Wildlife Conservation Area, Exp. #2, Butte & Yuba Counties

| | |
|----------------------|-------------------|
| Allocation | \$95,000.00 |
| Expended | <u>-95,000.00</u> |
| Balance for Recovery | \$ 0.00 |

North Sacramento Valley Wetlands, Riparian Habitat
& Grazing Restoration, Colusa, Glenn & Tehama Counties
Burrows Ranch, Tehama County

| | |
|----------------------|-------------------|
| Allocation | \$ 42,021.00 |
| Expended | <u>-37,748.57</u> |
| Balance for Recovery | \$ 4,272.42 |

Orr Lake Wildlife Area, Siskiyou County

| | |
|----------------------|--------------------|
| Allocation | \$ 500,000.00 |
| Expended | <u>-500,000.00</u> |
| Balance for Recovery | \$ 0.00 |

San Miguel Ranch, San Diego County
 Allocation \$1,305,000.00
 Expended -1,304,440.00
 Balance for Recovery \$ 560.00

Santa Margarita River Ecological Reserve, Exp. #3, Riverside County
 Allocation \$ 302,000.00
 Expended -300,000.00
 Balance for Recovery \$ 2,000.00

Sedgwick Ranch, Santa Barbara County
 Allocated \$800,000.00
 Expended -800,000.00
 Balance for Recovery \$ 0.00

Sequan Peak Ecological Reserve, Expansion #2, San Diego County
 Allocation \$260,000.00
 Expended -254,243.02
 Balance for Recovery \$ 5,756.98

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFFER THAT THE BOARD RECOVER FUNDS FOR THE PROJECTS LISTED ON PAGES 5, 6 AND 7 OF THESE MINUTES AND CLOSE THE PROJECT ACCOUNTS. RECOVERY TOTALS INCLUDE \$45,145.39 TO THE WILDLIFE RESTORATION FUND AND \$19,112.26 TO THE HABITAT CONSERVATION FUND.

MOTION CARRIED.

Total Habitat Conservation Fund \$19,112.26

*6. Escondido Creek Ecological Reserve, Expansion #2, San Diego County \$3,000.00

This proposal was to consider the acceptance of a donation of 3± acres of land situated along Escondido Creek in the community of Rancho Santa Fe, San Diego County. The subject property is located 2± miles upstream from the Department of Fish and Game's (Department) original acquisitions approved by the Board at the February 11, 1992 and May 6, 1993 meetings. These purchases, totaling 58± acres, are now managed by the Department as part of the Escondido Creek Ecological Reserve. Immediately downstream from this reserve is the San Elijo Lagoon Ecological Reserve, which is managed by the County of San Diego under a cooperative agreement with the Department.

The subject property is located in the flood plain of Escondido Creek, which drains into the San Elijo Lagoon. The primary habitat types found on the property are willow riparian woodlands and a freshwater marsh. Waterfowl and large wading birds such as the blue heron and American egret use the freshwater marsh and open water of the stream channel. The riparian habitat found in this area provides habitat for many songbirds and raptors. In addition, the State and Federally listed California least tern, nesting downstream at the Lagoon, forage in the open water areas of the creek.

The flood plain and wetland areas serve as a valuable open space and wildlife corridor that is an extension of the coastal flood plain to the south. The Escondido Creek flood plain also serves as an important sediment deposition area which can protect the lagoon from siltation. This area is one of the few remaining unchannelized and undeveloped river valleys in San Diego County. While the subject property is protected from development of structures under existing County ordinances, grazing and agricultural activities are allowed. If these activities were to occur, the area could be degraded, resulting in a loss of this valuable riparian habitat.

The landowners have agreed to donate the subject property to the State for inclusion in the ecological reserve. Administrative costs of purchase are estimated to be \$3,000.00 which includes costs of the title, escrow and Department of General Services' review. 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 the acquisition as proposed; allocate a total of \$3,000.00 from the Habitat Conservation Fund/Section 2786 (b) and (c), as designated for riparian and aquatic habitat, to cover the purchase price and 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 BOARD APPROVE THE ACQUISITION AS PROPOSED; ALLOCATE A TOTAL OF \$3,000.00 FROM THE HABITAT CONSERVATION FUND/SECTION 2786 (b) AND (c), AS DESIGNATED FOR RIPARIAN AND AQUATIC HABITAT, TO COVER THE PURCHASE PRICE AND RELATED COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

- *7. Honey Lake Wildlife Area, Dakin Unit Expansion #3, Lassen County \$35,000.00

This proposal was to consider the acquisition of 50± acres, and to accept title to an additional 250± acres, as part of a joint acquisition with CalTrans, to protect a total of 300± acres of wetland habitat adjacent to the Dakin Unit of the Honey Lake Wildlife Area, a wildlife area currently managed by the Department of Fish and Game (Department).

The subject property is located in the Honey Lake Basin approximately 12 miles southeast of the City of Susanville, which is situated on the eastern slope of the northern Sierra Nevada mountain range at an elevation of about 4,500 feet. It is located approximately 68 miles from Reno, Nevada and lies approximately 3 miles east of Highway 395, the major north-south corridor linking California to Nevada to the south and Oregon to the north.

The primary purpose of this acquisition is to create and restore freshwater emergent wetlands as a mitigation bank for CalTrans and the private sector. Originally CalTrans had been working with the Department to locate a 250± acre parcel for future mitigation needs. This parcel was located, but the owner would only sell a 300± acre portion. The Department then requested the Board's assistance in putting this purchase together. The 50± acres subject parcel will not be part of CalTrans' mitigation bank. Mitigation banking has been developing as a mitigation alternative to on-site creation of wetlands and has gained statewide support. The proposed bank would service the Great Basin habitats including most of Lassen and Modoc counties, and a small portion of Plumas County. The bank will promote timely delivery of CalTrans projects which have wetland impacts requiring mitigation. In addition, it will provide a location to mitigate small impacts to wetlands and realize a larger benefit overall for both CalTrans and the private sector.

The subject parcel currently supports seasonal emergent wetlands. Enhancement measures to be taken by CalTrans will include construction of a series of berms designed to retain water in order to create additional seasonal and permanent wetlands. Water sources to the property include existing tail water rights from Baxter Creek and existing overland flow as well as pumped water from an existing well on the subject property.

The appraised value, as approved by the Department of General Services (DGS), is \$185,500.00. It is proposed that CalTrans will acquire the 250± acres valued at \$154,500.00, with the remaining 50± acres, valued at \$31,000.00, to be purchased by the Wildlife Conservation Board. It is estimated that an additional \$4,000.00 will be needed to cover project expenses incurred by the Board, which include DGS 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 this project as proposed; authorize acceptance of the 250± acres valued at \$154,500.00; allocate \$35,000.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988/P-70 (Section 5907 (c)(1)(B)) to cover the acquisition cost of 50± acres, plus project review 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 BOARD APPROVE THIS PROJECT AS PROPOSED; AUTHORIZE ACCEPTANCE OF THE 250± ACRES VALUED AT \$154,500.00; ALLOCATE \$35,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988/P-70 (SECTION 5907 (C)(1)(B))

TO COVER THE ACQUISITION COST OF 50± ACRES, PLUS PROJECT REVIEW COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

- *8. Magnesia Springs Land Exchange, Riverside County \$5,000.00

This proposal was to consider a land exchange between the State of California and the Blixseth Group, Inc., of State-owned low quality habitat (approximately 40 acres) for 40± acres of privately owned critical bighorn sheep habitat located in the Magnesia Falls area at Rancho Mirage. The properties lie southwest of Rancho Mirage city limits, approximately 10 miles south of Palm Springs, at the mouth of Magnesia Springs Canyon.

The Department of Fish and Game currently owns 3,100± acres of habitat in this Reserve, and protects another 20± acres under a conservation easement, for the enhancement and benefit of peninsular bighorn sheep, a species listed as threatened under the California Endangered Species Act and recently listed as endangered under the Federal Endangered Species Act. The first acquisition of 124± acres by the Wildlife Conservation Board occurred in 1974 with the Fish and Game Commission officially designating the property as Magnesia Springs Ecological Reserve (Reserve) a year later.

The terrain of the Reserve, including the subject properties, is steep and rocky, and includes several narrow canyons, with creosote scrub being the dominant vegetation type found on the property. The peninsular bighorn sheep is the species of greatest interest using the overall Reserve. Other mammals found on the site include coyote, bobcat, and gray fox. Avian species using the Reserve include prairie falcon, golden eagle, Gambel's quail and mourning dove.

The property which will be placed into State ownership, will continue to provide high quality habitat for sheep which have been documented using the site. It sits on the west side of the West Magnesia Storm Channel and is adjacent to other property owned by the State and managed as part of the Reserve.

Final details of this exchange were not complete at the time this item was discussed. However, the exchange will not proceed unless it is, at least, an equal exchange, or an exchange favoring the State monetarily. It is estimated that \$5,000.00 will be needed for title, escrow and Department of General Services' review costs. The exchange is exempt from CEQA under Class 12 of Categorical Exemptions (the property does not have significant values for wildlife and the use of the property has not changed since the time of purchase) and under Class 13 (acquisition of land for wildlife conservation purposes).

Staff recommended that the Board approve the transfer of State-owned land (approximately 40± acres), to Blixseth substantially as proposed and in equal value to the Blixseth 40± acre parcel; authorize the acceptance of the 40± Blixseth-owned acres as outlined; authorize the acceptance of any funds necessary into the Wildlife Restoration Fund as equalizing consideration for the exchange; allocate \$5,000.00 from the Habitat Conservation Fund/Section 2786 (b) and (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, AND THE BOARD APPROVED, THE EXCHANGE OF AN UNDETERMINED AMOUNT OF STATE-OWNED LAND (EQUAL IN VALUE TO THE BLIXSETH 40± ACRES), TO BLIXSETH AS PROPOSED; AUTHORIZED THE ACCEPTANCE OF 40± ACRES OF BLIXSETH-OWNED LAND; AUTHORIZED THE ACCEPTANCE OF ANY FUNDS INTO THE WILDLIFE RESTORATION FUND, AS MAY BE NECESSARY AS EQUALIZING CONSIDERATION FOR THE EXCHANGE, ON THE CONDITION THAT THE EXCHANGE WILL BE AN EXACT EXCHANGE OF EITHER LAND VALUE OR CASH COMPENSATION TO THE STATE; ALLOCATED \$5,000.00 FROM THE HABITAT CONSERVATION FUND/SECTION 2786 (B) AND (C) TO COVER PROJECT RELATED COSTS; AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

- *9. Slinkard/Little Antelope Valley Wildlife Area, Expansion #5, \$23,000.00
Mono County

This proposal was to acquire a conservation easement over a 35± acre inholding located within the Slinkard/Little Antelope Valley Wildlife Area, Mono County. The parcel over which the easement is currently proposed for purchase is a portion of a 40± acre parcel, the last privately-owned inholding located within the Little Antelope Valley portion of the wildlife area. The wildlife area, which was acquired by the Board in several phases, contains 11,620± acres. It lies on the lower, eastern slopes of the Sierra-Nevada mountains, in northern Mono County, centered about 20 miles northerly of Bridgeport.

Overall, the wildlife area extends about 14± miles in a north-south direction. Access is available to all parcels via State highway 395, located about 3/4 miles to the east, as well as by county roads and U.S. Forest Service roads. It includes mountainous and mountain meadow or valley terrain, containing natural springs and streams, the latter of which provides good fishing opportunities.

The parcel proposed for acquisition includes a part of the winter range for the West Walker deer herd, which prior to the original acquisitions, was showing a decrease in population.

Part of this decrease has been attributed to the increase in cattle grazing and the conversion of native vegetation to grassland for livestock grazing and residential development. This property supports important browse plants for deer including bitter brush, big sage, and desert peach, and there is a potential for restoration of such native plants. In addition to assuring protection of this habitat, acquisition of this property is also felt to be important to the integrity of the deer migration corridor.

This property will be managed by the Department of Fish and Game as part of the existing wildlife area. However, the Department expects that there will be no added management costs with this easement purchase.

The owners have agreed to a sale of a conservation easement over 35± acres of their property for its fair market value of \$17,500.00. The remaining 5± acres would remain as it is, a rural residential homesite. The estimated costs of sale, State appraisal, review, escrow and title insurance are \$5,500.00, bringing the allocation necessary for this proposal to \$23,000.00.

Staff recommended the Board approve the acquisition of this 35± acre parcel as proposed, allocate \$23,000.00 from the Wildlife Restoration Fund to cover the purchase price and related costs; and authorize staff and the Department to proceed substantially as planned.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MISS SCHAFFER, AND THE BOARD APPROVED, THE ACQUISITION OF THIS 35± ACRE PARCEL AS PROPOSED, ALLOCATED \$23,000.00 FROM THE WILDLIFE RESTORATION FUND TO COVER THE PURCHASE PRICE AND RELATED COSTS; AND AUTHORIZED STAFF AND THE DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

*10. Prairie Creek Riparian Enhancement, Humboldt County \$24,210.00

This proposal was to consider a cooperative project with the California Conservation Corps (CCC) to enhance the riparian corridor along lower Prairie Creek, in Humboldt County. The project site is located within the Redwood National and State Parks near the intersection of U.S. Highway 101 and Davison Road. This site was acquired by the National Park Service in 1991 after it was purchased by the California Department of Transportation (CalTrans) as partial fulfillment of that agency's mitigation requirements for the adverse impacts resulting from the construction of a bypass section of U.S. 101. The proposed project is not part of the CalTrans mitigation, which is being addressed by a fenced tree planting area located between Prairie Creek and the highway, adjacent to the downstream end of the proposed project site.

Existing vegetation on the proposed project site includes degraded coastal forest (Coast Redwood and Sitka Spruce) with an associated hardwood (Alder) riparian corridor. The land that the project is located on has been intensively grazed, and was the site of a local dairy farm's permanent grazing pasture. Many years of this type of use severely degraded the site's native vegetation composition and soil structure. Non-native plant species became well established and the soil was heavily compacted. These conditions led to increased rates of bank failure and erosion. In 1984 the Department of Fish and Game and the Redwood Community Action Agency, in conjunction with the National Park Service, placed wire structures along the banks in an effort to stabilize the bank erosion. The site was also planted with Willow sprigs which has successfully slowed the loss of soil due to erosion. Currently, the project site has established Willow species, some grasses, Alder trees, and many non-native species, such as Himalaya berry. The wire bank stabilization structures are no longer serving their purpose, are exposed and decaying, and the riparian corridor has a poorly developed canopy.

The proposed project would include the removal of the old bank stabilization structures along a 350 foot length of the stream, and would provide for the planting of additional native riparian trees along approximately 8,000 feet of the stream (approximately 7 acres of new trees). These trees, including Sitka Spruce, Red Alder, Big Leaf Maple, and Willow, will be established to expand the riparian corridor to a width of 25 to 50 feet beyond the current corridor edge. The trees will be grown to a large size in a nursery to promote a higher survival rate. Additional understory species, including Thimble berry, salmon berry and elderberry will be planted to establish a naturally diverse riparian forest corridor. The non-native Himalaya berry thickets will be removed. This project should also result in stream shading and enhanced habitat for many fish and wildlife species.

As the riparian corridor matures and provides its expected fish and wildlife habitat benefits, the project site will also develop healthy habitat for the Coho and Chinook salmon, the Cutthroat and Steelhead trout, and many migratory and resident bird species, including neotropical migrant species which are dependent upon riparian habitats. In addition, the State-listed Endangered and Federally-listed Threatened marbled murrelet have also been found in this valuable coastal riparian habitat.

This project will be implemented by the CCC with technical assistance from the Department of Fish and Game, the Department of Parks and Recreation, and the National Park Service. Removal of the wire structures and the Himalaya berry thickets are expected to begin in the summer of 1998. As some of the trees will be grown out in a nursery, the riparian planting and establishment/maintenance process will be spread over three seasons, with completion of the project anticipated to be in the spring of 2001.

This cooperative project will consist of the following activities and associated estimated costs, which have been developed by the CCC, reviewed and approved by WCB staff, are as follows:

| <u>Description</u> | <u>Estimated Cost</u> |
|--|---------------------------|
| Laborers (CCC Crew) | \$23,970.00 |
| Supervision (CCC in-kind) | 1,650.00 |
| DFG Fish Habitat Specialist (in-kind) | 4,000.00 |
| Project Coordinator (CCC in-kind) | 960.00 |
| Redwood N/S Park Biologists (in-kind) | 2,000.00 |
| 7,000 native trees (Redwood N/S Parks in-kind) | 1,000.00 |
| Landfill fees (for disposal of wire and posts) | 120.00 |
| Administrative expenses (CCC in-kind) | <u>5,800.00</u> |
| <u>TOTAL ESTIMATED COSTS</u> | <u>\$39,500.00</u> |

Proposed Funding Breakdown:

| | |
|----------------------------------|-------------|
| Wildlife Conservation Board | \$24,090.00 |
| California Conservation Corps | 8,410.00 |
| Department of Fish and Game | 4,000.00 |
| Redwood National and State Parks | 3,000.00 |

TOTAL PROPOSED FUNDING **\$ 39,500.00**

In addition to the costs listed above, an additional \$120.00 will be required for Department of General Services' review costs, bringing the allocation for the Board's portion of the project to \$24,210.00. The Department of Fish and Game has reviewed this proposal and recommends it for funding by the Board. The proposal ranked very high as a suitable restoration project using, in part, the decision-support model developed with information from the California Rivers Assessment. The project is Categorically Exempt from the California Environmental Quality Act under Section 15034, as a minor alteration to land that will enhance riparian habitat to benefit wildlife.

Staff recommended that the Board approve this allocation as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$24,210.00 from the Habitat Conservation Fund (Section 2786 (e) and (f)) for the project and for related administrative 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, AND THE BOARD APPROVED, THIS ALLOCATION AS PROPOSED; AUTHORIZED STAFF TO ENTER INTO APPROPRIATE AGREEMENTS NECESSARY TO ACCOMPLISH THIS PROJECT; ALLOCATED \$24,210.00 FROM THE HABITAT CONSERVATION FUND (SECTION 2786 (e) AND (f)) FOR THE PROJECT AND FOR RELATED ADMINISTRATIVE COSTS, AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

*11. West Branch Mill Creek Riparian Restoration, Del Norte County \$13,800.00

This proposal was to consider a cooperative project with the California Conservation Corps (CCC) to restore riparian habitat and stabilize streambanks on West Branch Mill Creek. Located in the north coast redwoods, the proposal is located on a portion of the stream flowing through property owned by Stimson Lumber Company. West Branch Mill Creek, which is a tributary to the Smith River, provides key habitat for migrating Coho salmon and coastal Steelhead trout. The Department of Fish and Game (Department) considers this stream to be the highest producing Coho stream in California. Unfortunately, the project site is notable for the absence of riparian vegetation along the stream, caused by clearing for grazing many years ago, and the subsequent establishment of non-native grasses. Funding in this proposal will be used to revegetate approximately ten acres of the riparian corridor with native riparian tree species, to install four complex multiple log structures, and to construct a bioengineered retaining wall to repair approximately 110 feet of eroded bank. These restoration activities will help stabilize the bank, provide a shaded stream canopy to lower instream temperatures and contribute beneficial leaf litter, insects and large woody debris to the stream, and create valuable habitat for resident and migratory birds and other wildlife species.

The Department has had a long-term involvement in the restoration of West Branch Mill Creek. Stream surveys were conducted in 1983 and 1988, and the Department reviewed and approved a habitat assessment done by the CCC in 1993. These surveys and habitat assessment studies resulted in the modification of two log barriers which had completely blocked fish migration approximately three miles upstream of the proposed project location. Spawner surveys done by the Department in December of 1993 confirmed the presence of adult Steelhead trout and Coho salmon using the spawning areas upstream of the modified barriers. The modified barriers and other instream structures done in the watershed have held up very well during the high water events of the last three years. The proposed project was originally conceived by the landowner, in cooperation with the CCC and the Department. The landowner currently manages nearly 25,000 acres of timber-producing land in Del Norte County. The proposed restoration project compliments many other habitat-related activities being developed in the Stimson Lumber Company Habitat Conservation Plan, but is not considered a mitigation feature by the Department.

Trees and logs to be used in this project will be provided by Stimson and transported to the site as a part of their in-kind contribution to the project. Approximately 3500 trees will be planted along the banks on both sides of the stream, to as much as fifty feet back from the bank. Log structures will be installed at key locations to provide improved fish habitat, and the eroded bank will be stabilized with a living retaining wall constructed with on-site materials (willow posts and willow sprigs). The CCC will maintain the tree plantings for up to two years to assure successful growth, and Stimson has agreed to manage the restoration site using good conservation practices for ten years following the completion of the restoration activities. The in-stream work will be started in September, 1998, and the riparian plantings will be done between December, 1998 and February, 1999.

This cooperative restoration project will consist of the following activities and associated estimated costs, which have been developed by the CCC, reviewed and approved by WCB staff, are as follows:

| <u>Description</u> | <u>Estimated Cost</u> |
|--|---------------------------|
| Project Leader (CCC in-kind) | \$ 1,196.00 |
| Laborers (CCC Crew) | 11,520.00 |
| Technical Assistance (CCC Fish Tech.) | 385.00 |
| Staff Benefits (CCC in-kind) | 359.00 |
| Cable, clamps, rebar, adhesives, etc. | 975.00 |
| Logs, trees for planting (Stimson in-kind) | 6,700.00 |
| Equipment lease/rental | 120.00 |
| Equipment maintenance/fuel | 240.00 |
| Communication, transportation costs | <u>440.00</u> |
| <u>TOTAL ESTIMATED COSTS</u> | <u>\$21,935.00</u> |

Proposed Funding Breakdown:

| | |
|--------------------------------|-------------|
| Wildlife Conservation Board | \$13,680.00 |
| California Conservation Corps. | 1,555.00 |
| Stimson Lumber Company | 6,700.00 |

TOTAL AVAILABLE FUNDING **\$ 21,935.00**

In addition to the costs listed above, an additional \$120.00 will be required for Department of General Services' review costs, bringing the allocation necessary for the Board's portion of this project to \$13,800.00. The Department of Fish and Game has reviewed this proposal and recommends it for funding by the Board. The proposal ranked high as a suitable restoration project using, in part, the decision-support model developed with information

from the California Rivers Assessment. The project is Categorically Exempt from the California Environmental Quality Act under Section 15034, as a minor alteration to land that will enhance riparian habitat to benefit wildlife.

Staff recommended that the Board approve this allocation as proposed: authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$13,800.00 from the Habitat Conservation Fund (Section 2786 (e) and (f)) for the project and for related administrative 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, AND THE BOARD APPROVED, THIS ALLOCATION AS PROPOSED; AUTHORIZED STAFF TO ENTER INTO APPROPRIATE AGREEMENTS NECESSARY TO ACCOMPLISH THIS PROJECT; ALLOCATED \$13,800.00 FROM THE HABITAT CONSERVATION FUND (SECTION 2786 (e) AND (f)) FOR THE PROJECT AND FOR RELATED ADMINISTRATIVE COSTS, AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

*12. Lake Cuyamaca Fishing Access, San Diego County \$92,080.00

This proposal was 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 approximately 50 miles east of San Diego, off State Highway 79, about 13 miles north of Interstate 8 in San Diego County.

Lake Cuyamaca was first developed for a public fishing and duck hunting area as a cooperative project between the District and the Wildlife Conservation Board (Board) in 1968. The present lake was established in the old Cuyamaca Lake bed by constructing water transfer pumping facilities and a levee across the lake bed to impound the water for year-round recreational use. The original project restored Lake Cuyamaca to a small 110± acre permanent lake, which had previously been drained dry each year for water conservation purposes. The Board also funded a boat loading dock, parking areas, an access road, sanitary facilities and fishing floats. The recreational program administered by the District includes year-round fishing for warm water species (large mouth bass, redear sunfish, and channel catfish) and planted rainbow trout, as well as duck hunting. Some 150,000 visitor days of use was reported in 1994 (the last year figures are available). A cooperative fish stocking program has been managed for many years by the District through an agreement with the Department of Fish and Game (DFG).

The District has now requested a grant to improve the facilities with an additional parking area, restroom facilities, walkways, and a fishing platform, all of which will conform to "barrier-free" standards under the Americans with Disabilities Act. The improvements will be located in two separate areas of the lake. A walkway and restroom with concrete pad will be installed near the main entrance on the west shore of the lake to service an existing fishing float. The parking area, another walkway and an additional restroom with pad will be installed on the north shore near the levee. The walkway will extend out onto the levee and terminate at the proposed new fishing platform. This platform will extend from the levee over one of the deepest areas of the lake and, as such, will provide excellent fishing opportunities all year, even during periods when the water levels drop.

The total project costs for both sites has been estimated by the District at \$91,960.00. A breakdown of these cost estimates has been reviewed and approved by WCB staff as follows:

| <u>Description</u> | <u>Estimated Cost</u> |
|--|-------------------------------|
| <u>West Shore</u> | |
| Concrete walkways, curbing, and restroom pad | \$ 6,300.00 |
| Restroom | <u>2,000.00</u> |
| SUB-TOTAL | \$ 8,300.00 |
| <u>North Shore</u> | |
| Earthwork and roadbase gravel | \$ 4,500.00 |
| Concrete parking lot, walkways, and restroom pad | 18,100.00 |
| Restroom | 2,000.00 |
| Fishing Platform | <u>50,700.00</u> |
| SUB-TOTAL | \$ 75,300.00 |
| TOTAL (NORTH AND SOUTH SHORE) | \$ 83,600.00 |
| Contingencies | <u>8,360.00</u> |
| <u>TOTAL ESTIMATED COSTS</u> | <u>\$91,960.00</u> |

An additional \$120.00 will be needed for the Department of General Services review costs for the project, for a total cost to the State of \$92,080.00. The DFG supports the funding of these improvements as desirable to provide additional fishing opportunities at this lake. The District has prepared and completed a Negative Declaration for this project and has filed a Notice of Determination as required by CEQA. In addition, the District will obtain all necessary permits and approvals required for the project and has agreed to extend both the existing lease to the State and the Cooperative Agreement for Operation and Maintenance of the project site.

Staff recommended that the Board approve funding for the construction of this barrier-free fishing access project as proposed; allocate \$92,080.00 from the Wildlife Restoration Fund; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department to proceed substantially as planned.

IT WAS MOVED BY MISS SCHAFFER, AND THE BOARD APPROVED FUNDING FOR THE CONSTRUCTION OF THIS BARRIER-FREE FISHING ACCESS PROJECT AS PROPOSED; ALLOCATED \$92,080.00 FROM THE WILDLIFE RESTORATION FUND; AUTHORIZED STAFF TO ENTER INTO APPROPRIATE AGREEMENTS NECESSARY TO ACCOMPLISH THIS PROJECT; AND AUTHORIZED STAFF AND THE DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED

MOTION CARRIED.

- *13. Lopez Lake Fishing Access, San Luis Obispo County \$54,370.00

This proposal was to consider funding a cooperative project with the County of San Luis Obispo to install a barrier-free fishing float and upgrade the parking area at Lopez Lake. The lake is located approximately fifteen miles southeast of San Luis Obispo, on Arroyo Grande Creek.

Originally constructed to provide drinking water for five nearby cities, Lopez Lake is now also open to the public as a county park, used for recreational boating, fishing, swimming and hiking. Approximately 49,000 day use vehicles registered at the lake in 1997, and another 31,000 vehicles went there to camp. The lake has approximately 22 miles of shoreline open to the public and all 974 surface acres are available to boaters. Rainbow trout are stocked in the lake by the Department of Fish and Game, and it also contains other popular sport fish such as catfish, large and small mouthed bass, crappie, bluegill and redear sunfish.

The purpose of this proposed project is to provide a fishing float and improve parking, all of which will conform to "barrier-free" standards under the Americans with Disabilities Act. The proposed float will be located near the park's entrance, adjacent to the Valley Oak picnic area and parking lot. This location is ideal for a fishing platform as a peninsula extends from the shore at this location, the top of which is exposed at low water. The proposed project consists of constructing a six foot wide concrete walkway, which will begin at the existing parking lot and descend gradually into the water along the edge of this peninsula. This walkway will form a ramp on which a floating platform ten feet wide and forty feet long will be anchored. The float will be moved up and down the ramp as the water level in the reservoir changes. Deep water lies immediately adjacent to this peninsula, making this an ideal fishing location at all lake levels. Therefore, the fishing platform will always be in or adjacent to deep water, which should provide year-round fishing opportunities for those with disabilities. The existing gravel parking lot will be paved and striped for handicapped

access. Construction is expected to take place in the fall, after the tourist season and when the lake level is at its lowest. Restroom facilities are already located near the parking area as a part of the existing County operated recreational facility.

Cost estimates for this project, which have been developed by County staff, reviewed and approved by WCB staff, are as follows:

| <u>Description</u> | <u>Estimated Cost</u> |
|---|---------------------------|
| Fishing float and on-site assembly/installation | \$24,160.00 |
| Concrete walkway | 12,120.00 |
| Grading | 5,050.00 |
| Paving and striping | 1,800.00 |
| Signage | 580.00 |
| Contract and project administration | 8,450.00 |
| Architecture and engineering | 2,240.00 |
| Contingencies | <u>6,000.00</u> |
| <u>TOTAL ESTIMATED COSTS</u> | <u>\$60,400.00</u> |

Proposed Funding Partners:

| | |
|-----------------------------|-----------------|
| Wildlife Conservation Board | \$54,250.00 |
| San Luis Obispo County | <u>6,150.00</u> |

TOTAL AVAILABLE FUNDING **\$60,400.00**

In addition to the costs listed above, an additional \$120.00 will be required for Department of General Services' review costs, bringing the allocation necessary for the Board's portion of the project to \$54,370.00.

The Department of Fish Game has reviewed this proposal and recommends it for funding by the Board. The County will be preparing the appropriate notice as required under CEQA and has agreed to enter into a 25-year Lease and Operating Agreement to lease the site to the State and operate and manage the facilities. They will also handle the contract administration for the proposed construction.

Staff recommended that the Board approve this project as proposed; allocate \$54,370.00 from the Wildlife Restoration Fund for project costs and General Services review costs; authorize staff to enter into appropriate agreements necessary to accomplish this project; 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, AND THE BOARD APPROVED, THIS PROJECT AS PROPOSED; ALLOCATED \$54,370.00 FROM THE WILDLIFE RESTORATION FUND FOR PROJECT COSTS AND GENERAL SERVICES REVIEW COSTS; AUTHORIZED STAFF TO ENTER INTO APPROPRIATE AGREEMENTS NECESSARY TO ACCOMPLISH THIS PROJECT; AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

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

Mr. Schmidt reported that this proposal is 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.

He went on to explain that this project was originally scheduled for Board consideration during its meeting of August 14, 1997, but was withdrawn due to opposition from the Sutter County Board of Supervisors regarding flood control. It was originally felt that management of the parcels by the Department of Fish and Game (DFG) could increase the flood potential of the Feather River in and around the cities of Marysville and Yuba City. Subsequently DFG staff met with the Board of Supervisors, explaining current management practices on other DFG lands within the levee of the Feather River. These practices include strip mowing forty foot swaths paralleling the river to enhance the flow of the river during high water. Additionally, if acquired, the O'Connor Lakes Unit Expansion described below will be managed cooperatively with the U.S. Fish and Wildlife Services under a proposed Safe Harbor Agreement thereby satisfying concerns of nearby landowners. Based on these discussions, Sutter County has now passed a resolution in support of this acquisition. Mr. John Donnelly then explained the project in more detail.

The Wildlife Conservation Board and the DFG initiated the first project in this area in 1976 by accepting a donation of 108± acres from the National Wildlife Federation. Since that time, the Feather River Wildlife Area has grown to a total of 2,378± acres comprising seven management units which provide important riparian habitat for many wildlife species including several State and Federally-listed species.

The Feather River Wildlife Area is located within or adjacent to the Feather River floodplain in Sutter and Yuba Counties. The wildlife area begins just south of Yuba City and extends south along the river to the Sutter Bypass. The wildlife area is home to a host of plant and animal species. Plant communities include Great Valley Mixed Riparian and Great Valley Cottonwood Riparian forests with cottonwoods, California sycamore and valley oak providing the dominant canopy species and reaching heights of 100± feet. Subcanopy trees are white

alder, boxelder and Oregon ash with typical understory shrub layer plants consisting of wild grape, wild rose, California blackberry, blue elderberry, poison oak buttonbrush, and willows. These plant species provide habitat for a host of animals which are either State or Federally-listed including valley elderberry longhorn beetle, Swaison's hawk, western yellow-billed cuckoo, bank swallow, and bald eagle. Numerous other species are present some of which include waterfowl, doves, California quail, turkeys, raccoon, skunk and coyote.

In addition to the habitat protection benefits the acquisition of these two parcels will have for wildlife, both parcels will enhance public access to the existing wildlife area for hunting, fishing, bird watching and other recreational uses that are compatible under the current management plan for this area. Consistent with long-range planning purposes, staff of the Board present the following two proposals for Board consideration.

A. O'Connor Lakes Unit Expansion #3, Sutter County

This proposal is to acquire 107± acres of land located adjacent to the northern boundary of the O'Connor Lakes Unit of the Feather River Wildlife Area, between the river and the west levee, in Sutter County. Access to the parcel is achieved off Garden Highway and traveling east approximately 1/4 mile to the end of Star Bend Road.

Prior to the floods which occurred in January 1997, the parcel contained a peach orchard. The high water displaced the trees and back-filled the parcel with sand and river sediment. However, since the flood, natural regrowth of riparian vegetation, including cottonwood and willows, has begun to emerge on the parcel.

The owners have agreed to sell their property to the State at the approved appraised value of \$331,000.00. An additional \$7,000.00 is estimated to be required to cover the costs of appraisal, title insurance, escrow and Department of General Services review charges for a total of \$338,000.00.

B. Lake of the Woods Unit Expansion #1, Yuba County

This proposal is to acquire 36± acres located adjacent to the northern boundary of the Lake of the Woods Unit of the Feather River Wildlife Area, lying approximately 1,000 feet south of the Star Bend Fishing Access and Boat Ramp off Feather River Boulevard. The parcel sits on the east side of the river between the river's edge and the levee. Access can be achieved by parking at the boat ramp parking area and walking south on the levee, or using the river and accessing the parcel by boat.

This parcel has been left undisturbed and supports healthy riparian habitat including cottonwoods, willows, valley oaks and a host of other riparian and aquatic vegetation.

The owners have agreed to sell their property to the State at the approved appraised value of \$55,305.00. An additional \$3,695.00 is estimated to be required to cover project expenses including Department of General Services review costs, escrow and title insurance for a total of \$59,000.00.

The DFG recommends acquisition of the subject properties as a part of this major wildlife area. Potential claims to the properties by way of the State Lands Commission have been considered to have no impact on the Department's acquisitions. The acquisitions are exempt from CEQA under Class 13 of Categorical Exemptions acquisition of lands for wildlife conservation purposes.

Mr. Schmidt reported that the Board received letters of support from Sierra Pacific Products, National Audubon Society, Yuba County and two letters from Sutter County. One letter from Sutter County asked that the Department of Fish and Game address some problems with management of the adjacent areas. Mr. Churkin, an adjacent landowner, spoke regarding issues of vandalism, theft, wildfires, vagrancy, trespass resulting in drowning, and dumping that all impact adjacent landowners. Mr. Churkin requested written assurance of regular patrolling of the area and the levee road, posting private property, availability of trash containers, removal of diseased trees, periodic inspection of gates to make sure they remain closed, and that gates be installed at the end of Star Bend Road and Shannon Road. He also addressed concerns regarding the decreasing number of wildlife in the area, recommended ways to improve the habitat, and offered his time and tractor work to assist.

Miss Schafer and Ms. Pat Perkins discussed lack of staff and management in that area. Miss Schafer stated she would ask the regional manager to look into the landowners' concerns. Miss Schafer and Mr. Thieriot discussed efforts for additional funding and partnerships to improve these types of areas.

Staff recommended that the Board approve the acquisition of these properties as proposed; allocate funds as follows: \$229,683.19 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988/P-70 (Section 5907 (c)(1)(B)/\$18,838.23 and Section 5907 (c)(9)/\$210,844.00); \$167,316.81 from the Habitat Conservation Fund/P-117 (Section 2786 (b and c)); and authorize staff and the Department of Fish and Game to proceed substantially as planned.

IT WAS MOVED BY MISS SCHAFER, AND THE BOARD APPROVED, THE ACQUISITION OF THESE PROPERTIES AS PROPOSED; ALLOCATED FUNDS AS FOLLOWS: \$229,683.19 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988/P-70 (SECTION 5907 (C)(1)(B)/\$18,838.23 AND SECTION 5907 (C)(9)/\$210,844.00); \$167,316.81 FROM THE HABITAT CONSERVATION FUND/P-117 (SECTION 2786 (B AND C)); AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

15. Moore Creek Conservation Easement, Santa Cruz County \$241,357.00

Mr. Schmidt reported that this proposal was to consider the acquisition, and acceptance of a partial donation, of a conservation easement over 85± acres of wildlife habitat, including habitat for monarch butterflies, located just west of the Santa Cruz city limits. Mr. Donnelly then provided more details on the project.

More specifically, the subject property is located adjacent to, and on the south side of, State Highway 1, and is within close proximity to the University of California - Santa Cruz campus, which is located to the northeast. The property is entirely within the Moore Creek watershed, a watershed identified by the Department of Fish and Game as a Significant Natural Area. The easement will protect the entire west branch, a portion of the east branch, and part of the main stem of Moore Creek, where it crosses State Highway 1 and drains south into Antonelli Pond and Natural Bridges State Park, finally flowing into the Monterey Bay National Marine Sanctuary.

In addition to assuring permanent protection of an active monarch butterfly grove, acquisition of a conservation easement will protect other important habitats, including a mixture of riparian habitat, oak woodland, evergreen forest, grassland, and a vernal pool. Plant species associated with these types of habitats include California goldfields, California buttercup, coast live oak and California buckeye, just to name a few. Because of the diversity of habitats found on the property, a number of sensitive animal species occupy the site. These include, but are not limited to, monarch butterfly, black swift and tri-colored blackbird.

This project presents the Wildlife Conservation Board with a unique opportunity to enter into a partnership with The Land Trust of Santa Cruz County for the purposes of protecting critical habitat while expanding public recreational opportunities, environmental research and education. The Land Trust will assume management of the easement area using the funds generated by the sale of a conservation easement to the State. A portion of the proceeds will be used by The Land Trust to establish a management endowment account, and a minimum of \$100,000.00 will be maintained in the account for perpetual management of the area. In the event The Land Trust no longer maintains an interest in the property, the endowment will be turned over to the Department of Fish and Game and may be used for the continued management of the property.

The appraised value of the conservation easement, as approved by the Department of General Services (DGS), is \$496,000.00. However, The Land Trust has agreed to sell a conservation easement for \$230,000.00, thereby providing a \$266,000.00 donation to the State. It is estimated that an additional \$11,357.00 will be needed for project expenses including escrow, title insurance and DGS 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 of a conservation easement as proposed; authorize acceptance of the donation valued at \$266,000.00; allocate \$241,357.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988/P-70 (Section 5907 (c)(2)) to cover the balance of the easement value and to pay for project expenses; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt reported that letters of support were received from Senator McPherson; Assemblyman Keeley; Mardi Wormhoudt, Santa Cruz County Supervisor; Celia Scott, Mayor of Santa Cruz; George Jammal, Chair, Santa Cruz Group of the Sierra Club; and the California Native Plant Society.

Mr. Thieriot asked for clarification regarding the property being designated principally for the monarch butterfly and noted that the property is an isolated piece of ground. Mr. Schmidt advised him that The Land Trust is continuing to pursue the acquisition of additional land in this area for further protection of the monarch butterfly.

IT WAS MOVED BY MR. DEZEMBER, AND THE BOARD APPROVED, THE ACQUISITION OF A CONSERVATION EASEMENT AS PROPOSED; AUTHORIZED ACCEPTANCE OF THE DONATION VALUED AT \$266,000.00; ALLOCATED \$241,357.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988/P-70 (SECTION 5907 (C)(2)) TO COVER THE BALANCE OF THE EASEMENT VALUE AND TO PAY FOR PROJECT EXPENSES; AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

16. South Fork American River, Lower Canyon Unit, El Dorado County \$555,000.00

Mr. Schmidt reported that this proposal was to consider a grant to the Bureau of Land Management (BLM) to apply toward the acquisition of 274± acres of land along the South Fork American River. Acquisition of the land, in cooperation with BLM, will protect significant biological resources and connect other existing public lands fronting the South Fork. Mr. Donnelly then provided more details on the project.

The subject property is located in western El Dorado County, approximately 23 miles northeast of Sacramento about two miles east of Salmon Falls Road Bridge where it crosses the South Fork American River at Folsom Lake. It is bordered to the northeast, west and south by protected lands under the administration of the BLM. Acquisition of the subject property would ensure the protection of a continuous corridor encompassing 1,670± acres of habitat and nearly five miles of river frontage.

The property supports significant biological resources that include mature blue oak woodland, montane hardwood, mixed chaparral, grassland and riparian habitats. Approximately 3 percent of the subject property is known to contain federal and state-listed endangered and threatened plants associated with the gabbro and rescue soils of El Dorado County. These plant species include Stebbins' morning-glory and Layne's butterweed. The subject property is considered to be a Significant Natural Area as identified by the Department of Fish and Game's Natural Diversity Data Base and is located within the BLM's South Fork American River Conservation/Recreation Project Area.

A diverse assemblage of fish and wildlife species use the area. Resident species present include black bear, mountain lion, bobcat, coyote, blacktail deer, wild turkey, quail, golden eagle, river otter and beaver. In addition, the South Fork American River supports healthy populations of rainbow and brown trout and kokanee salmon.

When the property is purchased, the Department of Fish and Game and the BLM will enter into a Management Agreement that will identify projects to enhance and manage the wildlife resources of the property while emphasizing public recreational uses. In addition, acquisition and management of the property by BLM would ensure ecological viability of the subject site and adjacent public lands. The failure to acquire the subject property would almost certainly lead to residential development in an area of unstable and erodible soils surrounded by public lands with high ecological and public recreational value.

The BLM's purchase price for the entire parcel, based on an approved appraisal, is \$1,330,000.00. However, they have a shortfall of \$550,000.00 in available funding to complete this purchase. To date, the BLM has funded the acquisition of 202± acres of the total 274± acres. This grant, if approved, will be applied toward a phased acquisition of the remaining 72± acres valued at \$735,000.00 as approved by the Department of General Services. The \$550,000.00 grant will complete the acquisition of 32± acres and BLM has committed to secure the balance of funds needed to acquire the remaining 40± acres and complete the project by the end of next year. DFG has recommended this grant and has ranked this site among its highest priorities for public acquisition and protection. In addition to the grant funds, staff estimates that \$5,000.00 will be needed to cover administrative expenses and Department of General Services' review charges.

Staff recommended that the Board approve the issuance of a grant of \$550,000.00 to the BLM as proposed; allocate \$555,000.00 from the Safe, Clean, Reliable Water Supply Fund (P204), River Parkway Subaccount (\$550,000.00 for the grant to BLM and \$5,000.00 for project expenses); and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt reported that the Board received a letter of support on this project from Senator Leslie.

Mr. Thieriot asked for clarification regarding the use and management of this property. Mr. Donnelly informed him that this property would be managed by the Bureau of Land Management.

IT WAS MOVED BY MR. DEZEMBER, AND THE BOARD APPROVED, THE ISSUANCE OF A GRANT OF \$550,000.00 TO THE BLM AS PROPOSED; ALLOCATED \$555,000.00 FROM THE SAFE, CLEAN, RELIABLE WATER SUPPLY FUND (P204), RIVER PARKWAY SUBACCOUNT (\$550,000.00 FOR THE GRANT TO BLM AND \$5,000.00 FOR PROJECT EXPENSES); AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

17. Cosumnes River Wildlife Area Expansions # 5, 6 and 7, \$2,344,000.00
Sacramento County

Mr. Schmidt reported that this proposal was to acquire a total of 2,048.2± acres from three separate ownerships, as a cooperative project with The Nature Conservancy, CalFed and the State Lands Commission. The Cosumnes River Wildlife Area includes an area stretching from just east of Highway 99 to just west of Interstate 5, about 15 miles south of Sacramento. Mr. Heminger then provided more details on the project.

The first Cosumnes River Wildlife Area acquisition by WCB, consisting of 840± acres, was approved by the Board at its May 10, 1990 meeting. In ensuing years, through a cooperative effort with various entities including The Nature Conservancy (TNC), the U.S. Bureau of Land Management (BLM) and the County of Sacramento, the Board has completed four expansions of the Department's holdings in the wildlife area, for a total of 2,692 acres acquired to date. In addition, the Board has made a grant to Ducks Unlimited, Inc. (DU), which assisted them in the acquisition of an additional 492± acres. The area is cooperatively managed by the above noted parties together with the Department of Water Resources (another landowner), as part of the "Cosumnes River Preserve."

Acquisition of the three subject properties would protect critical habitat for Federally-listed threatened or endangered species including vernal pool fairy shrimp (threatened), tadpole shrimp (endangered), and California linderiella (threatened). Also, the State-listed endangered bald eagle and threatened greater sandhill crane will benefit from protection of these properties. At least 400 greater sandhill cranes now winter at the Cosumnes River Wildlife Area and Preserve while the bald eagle is an occasional winter visitor. In addition, other notable species found along the Cosumnes River include the Federally listed threatened valley elderberry longhorn beetle and several bird and mammal species including the Swainson's hawk (State listed threatened), giant garter snake (State listed threatened), river otter and ringtail cat.

The project area is especially rich in bird fauna with over 200 species having been sighted, with waterfowl species including white-fronted, Ross' and snow geese, cinnamon and green-winged teal, canvasback, ring-necked and wood ducks, gadwall, northern shoveler, American widegeon green, great blue and black-crowned night herons and American bittern. The thick riparian forest also provides habitat for black-headed grosbeaks, northern orioles, nuttall's woodpecker, western tangers and numerous other species.

The Cosumnes River and its environs are listed in the 1988 Annual Report of Significant Natural Areas of California prepared by the Department's Lands and Natural Areas Project. The river has also been identified in the North American Waterfowl Management Plan as a critical part of the Central Valley Habitat Joint Venture for habitat protection and enhancement, and is a candidate for National Natural Landmark designation by the National Park Service. Additionally, the Cosumnes River is one of three areas targeted in a national campaign by TNC and DU for wetland and riparian forest restoration.

The primary threat to the properties is from increasing development pressures, as evidenced by the optioning of certain property in the project area by nonagricultural interests. Development of lands within the area would increase the need for flood control structures, which would reduce river flows in the winter and early spring, reducing flooding and lowering the water table. Such changes would adversely impact the riparian areas, marshes and ponds. Any changes in agricultural use away from grains or pastures would reduce sandhill crane and Swainson's hawk food sources. Heavy livestock grazing continues to be a threat to oak seedling and sapling establishment, affecting the regeneration and age composition of the forest community. However, some continued agricultural use, including limited grazing within the project area, may be compatible with the natural habitat values now found on the property.

In addition to protecting these properties, the acquisitions would provide the opportunity for habitat restoration and enhancement. Future public use of the area may include the opportunity for fishing, duck hunting, hiking, canoeing, general wildlife observation and education. However, the area will be primarily managed for the preservation of its biological resources under the current cooperative management agreement for the Preserve. Mr. Heminger reported that Mr. Chris Unkel from The Nature Conservancy was available to answer any questions. There were none at this time.

The three proposed expansions are more specifically described as follows:

Expansion #5

This property which includes 735.3± acres is located on the west side of Highway 99 at the intersection of the highway and Dillard Road. TNC purchased the property in 1997 and has managed the farming operation during the holding period. Historically operated as a dairy, this property has most recently been used for growing annual

crops. About half of this property is located within the Cosumnes River Overflow Channel and will afford excellent opportunities for restoration to high quality riparian habitat. The remainder, although outside the overflow area, does flood periodically and lends itself to restoration and use of seasonal managed wetlands. The parcel, was appraised for \$2,450,000.00 (\$3,300/ac), an amount that has been approved by the Department of General Services. TNC has agreed to accept this amount for this proposed acquisition.

Expansion #6

This property, which is located about 3 miles southwest of the Expansion #5 proposal, contains 1225.3± acres. Access is via an unpaved roadway from the north side of Twin Cities Road, approximately 2 miles west of Highway 99. The parcel contains a 350± acre block that is dotted with numerous vernal pools of varying sizes. Another 100± acres are permanent wetlands and the remaining 775± acres are in annual grasses. It also has about a quarter mile of Cosumnes River frontage and is bounded by Laguna Creek on the southerly border, both of which provide good opportunities for riparian habitat protection and, in the case of the Laguna Creek area, restoration. The property also abuts the ownership that was acquired by the Board through action at the February 24, 1998, meeting. The owners have agreed to sell their property for the appraised value of \$3,063,350.00 (\$2,500/ac), a value which has been approved by the Department of General Services.

Expansion #7

This proposal fronts on the north side of Twin Cities Road, approximately 3 miles west of Highway 99 and 4 miles east of Interstate 5. The northern boundary is near the southern property line of the Expansion #6 proposal. The proposed acquisition contains 87.5± acres of an overall 285.1± acre parcel. The property is bordered on the east by Laguna Creek and consists entirely of degraded riparian habitat, all of which could be restored through improved grazing methods.

The remaining 197.6± acres is being purchased by the State Lands Commission and will be cooperatively managed as a part of the Reserve. The entire 285.1± acre property has an approved appraisal of \$860,000.00 (\$3,000/ac) or \$262,500.00 for the subject portion.. However, this 87.5± acres is being offered to the Board for \$218,650.00, a discount of \$43,850.00.

Funding for the proposed purchases by the Board, totaling \$5,732,000.00, is proposed to come from several sources. Of this amount, \$2,332,000.00 is proposed to come from the Habitat Conservation Fund (\$2,217,000.00 of which was specifically designated for the Cosumnes River and \$115,000.00 of which was designated for the purchase of aquatic and riparian habitat). The remaining \$3,400,000.00 is proposed to come from a CalFed grant that was recently approved for acquisitions on the Cosumnes River. This amount will be placed directly into escrow by CalFed.

It is estimated that an additional \$12,000.00 will be needed for expenses which include title, escrow and Department of General Services' review costs for the transactions, bringing the total Board allocation necessary for this purchase to \$2,344,000.00. The acquisitions are exempt from CEQA under Class 13 of Categorical Exemptions as acquisitions of land for wildlife conservation purposes. The Department will include these properties in its management plans for the area through cooperative management agreements with the Cosumnes River Preserve "Partners."

Mr. Schmidt commented that this acquisition has been a long-term project with the cooperation of many partners, involved not only in the acquisition, but also in the management of this riparian and wetland project. Mr. Thieriot asked a question regarding the long-term plan for this acquisition. Mr. Chris Unkel from The Nature Conservancy and Ms. Pat Perkins described future plans and management of the area..

Staff recommended that the Board approve the acquisition of the three subject properties as proposed; allocate \$2,344,000.00 from the Habitat Conservation Fund to cover the purchase price and related costs (\$2,229,000.00 from the amount designated for the Cosumnes River and \$115,000.00 from the amount designated for the acquisition of aquatic and riparian habitat); authorize the acceptance of \$3,400,000.00 from the CalFed grant, to be placed directly into escrow; and authorize staff and the Department to proceed substantially as planned.

IT WAS MOVED BY MR. DEZEMBER, AND THE BOARD APPROVED, THE ACQUISITION OF THE THREE SUBJECT PROPERTIES AS PROPOSED; ALLOCATED \$2,344,000.00 FROM THE HABITAT CONSERVATION FUND TO COVER THE PURCHASE PRICE AND RELATED COSTS (\$2,229,000.00 FROM THE AMOUNT DESIGNATED FOR THE COSUMNES RIVER AND \$115,000.00 FROM THE AMOUNT DESIGNATED FOR THE ACQUISITION OF AQUATIC AND RIPARIAN HABITAT); AUTHORIZED THE ACCEPTANCE OF \$3,400,000.00 FROM THE CALFED GRANT, TO BE PLACED DIRECTLY INTO ESCROW; AND AUTHORIZED STAFF AND THE DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

18. Suisun Marsh Waterfowl Production Enhancement Project, Solano County \$120,000.00

Mr. Schmidt reported that this proposal was to consider an allocation of \$120,000.00 for a grant to Ducks Unlimited, Inc. (DU), to restore managed wetlands and associated upland nesting habitat in the Suisun Marsh located south of Suisun City between San Pablo Bay and the Sacramento/San Joaquin Delta, in southern Solano County. This project reflects a cooperative effort involving the Suisun Resources Conservation District (SRCD), DU, private landowners in the marsh, the Dean Witter Foundation, the Harvey L. and Maud C. Sorensen Foundation, and the Department of Fish and Game (DFG). Ms. Cundiff then explained the project in more detail.

The Suisun Marsh consists of approximately 85,000 acres and is considered to be the largest contiguous estuarine marsh in the lower 48 states. Bays and sloughs comprise approximately 30,000 acres, and marsh and upland areas make up the remainder. Approximately 40,000 acres of the Suisun Marsh are privately owned, with 158 individually managed properties, while the remainder is owned and managed by the DFG.

The Suisun Marsh comprises almost 12 percent of the remaining natural wetlands in California. Salt marshes, tidal flats, seasonal ponds and uplands, provide critical habitat for more than 227 species of birds, 43 species of mammals, thousands of shore birds, dozens of songbird species, and seven State or Federally listed species. In addition, this area is particularly important as it provides wintering and nesting habitat for migrating waterfowl of the Pacific Flyway. Further, this area is one of three significant wintering areas in the world for tule geese and is home to a free roaming herd of tule elk.

The importance of the Suisun Marsh has been well documented by State and Federal wildlife agencies and is protected by the Suisun Marsh Preservation Act of 1974, the Act which ensures that existing wetland uses will be perpetuated. In addition, the Act required the preparation of a fish and wildlife protection plan which is designed to preserve the integrity of the marsh ecosystem and assure continued wildlife use of the area.

Recognizing the importance of public/private partnerships in preserving the Suisun Marsh, the SRCD, in conjunction with the DFG and the Soil Conservation Service (which is now the Natural Resources Conservation Service), prepared individual management plans for private wetland owners. These management plans, certified by the San Francisco Bay Conservation and Development Commission, identify specific management practices and techniques necessary to preserve and maintain the delicate balance and integrity of the Suisun Marsh.

While management plans have been developed for each individual wetland parcel, restoring and enhancing the wetlands is a very time-consuming and costly effort because of the unique soil and water characteristics of the Marsh. This proposal is designed to provide an incentive for the landowners to work on wetland restoration and enhancement projects that have been put aside due to lack of funds. Landowners interested in participating in the cost-share program must prepare a description of the proposed work, including an estimate of the project cost. DU and SRCD will jointly evaluate and approve or disapprove proposed projects. At a minimum, all proposed work must comply with the SRCD Regional Permit for the Suisun Marsh, approved by the U.S. Army Corps of Engineers.

The grant funds proposed in this effort will be matched by the individual landowners, DU, the SRCD, and the Foundations. Further, the private landowners will sign an agreement to manage and maintain the wetlands according to a specific plan for 20 years. Pre- and post-site inspections will be completed by the SRCD, DFG, DU and the landowners.

Capital improvements on individual areas will include such activities as improving interior and exterior levees, installing culverts and gates, and improving water control and conveyance systems. In addition, the funds will be used to provide additional nesting islands and upland habitat for nesting waterfowl. All landowners will be required to follow the design specifications detailed in the SRCD Local Protection Program.

For the past several years, the Wildlife Conservation Board has worked cooperatively with the SRCD to provide incentive payments to private landowners for the restoration and enhancement of the Suisun Marsh. This proposal is designed to further facilitate this partnership and, secondly, to demonstrate to other Resource Conservation Districts throughout the Central Valley that public/private partnerships can achieve resource protection efforts that otherwise may not be accomplished.

In addition, it is important to recognize that the \$120,000.00 State investment will be leveraged to attract an additional \$480,000.00 from the partnership over a two-year period, thereby resulting in \$600,000.00 being made available for restoration and enhancement projects. Leveraging limited State resources and facilitating partnerships with the private sector reflects a true conservation effort that not only makes environmental sense, but economic sense as well. Moreover, this project further highlights the effectiveness of public/private partnerships as called for in the Governor's Comprehensive Wetland Policy. Ms. Cundiff reported that Mr. Lee Lehman from the Suisun Conservation District and representatives from Ducks Unlimited, Inc. were in the audience to answer questions.

Mr. Thieriot asked if salinity was a concern in this area, possibly causing a decrease in the number of waterfowl using the marsh. Mr. Mike Bias from Ducks Unlimited, Inc., responded that it could be and that they were trying to study this concern. Ms. Cundiff noted this was an enhancement project and that salinity may be addressed.

Mr. Schmidt reported that letters of support for this project were received from Congressman George Miller and Senator Mike Thompson.

Staff recommended that the Board approve the Suisun Marsh Waterfowl Production Enhancement Project grant to DU as proposed; allocate \$120,000.00 from the Habitat Conservation Fund (P-117); \$100,855.78 from funds designated for the Inland Wetlands Conservation Program and \$19,144.22 from funds designed for wetlands (Section 2786 (d)); and authorize staff and the Department of Fish and Game to proceed substantially as planned.

IT WAS MOVED BY MR. DEZEMBER, AND THE BOARD APPROVED, THE SUISUN MARSH WATERFOWL PRODUCTION ENHANCEMENT PROJECT GRANT TO DU AS PROPOSED; ALLOCATED \$120,000.00 FROM THE HABITAT CONSERVATION FUND (P-117); \$100,855.78 FROM FUNDS DESIGNATED FOR THE INLAND WETLANDS CONSERVATION PROGRAM AND \$19,144.22 FROM FUNDS DESIGNED FOR WETLANDS (SECTION 2786 (D)); AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

19. Owens Creek Habitat Restoration, Merced County \$150,000.00

Mr. Schmidt reported that this proposal was to consider a grant to Ducks Unlimited, Inc., (DU) for a cooperative project to restore approximately 340 acres of privately owned riparian and wetland habitat, including nearly 3.5 miles of Owen's Creek. In addition to DU, this partnership project includes the landowner, the Natural Resources Conservation Service, the U.S. Fish and Wildlife Service, the Department of Fish and Game and the Wildlife Conservation Board. The project site is located approximately ten miles southwest of the City of Merced, one mile north of the Merced National Wildlife Refuge and ten miles northeasterly of the Los Banos Wildlife Area. Mr. Perrine then explained the project in more detail.

Owens Creek was straightened approximately 30 years ago and the surrounding land was leveled for agricultural purposes. Cattle have been allowed unrestricted access to most of the creek for decades, which has resulted in barren eroding banks to the water's edge. Irrigated pastures have been managed to the edge of the creek, completely eliminating the natural riparian and grassland swale communities that once existed. Together these changes have greatly reduced the wildlife diversity in the area.

To reverse past actions which have been detrimental to wildlife habitat, it is now proposed that approximately 3.5 miles of Owens Creek be reconstructed to its approximate location of thirty years ago. This location was identified from aeriels and old maps, and verified through soil tests. A new small floodplain, approximately twenty feet wide on each side of the new creek, will be built, which will be at a low enough elevation to be flooded for much of every winter, to support growth of riparian habitat. Beyond this new floodplain, historic valley swale habitat will be reconstructed, averaging 400 feet on each side of the creek. This area will be irrigated on a regular basis from tail water from surrounding pastures so that riparian habitat can be established and seasonal wetlands can be maintained. Within this floodplain, permanent oxbow wetlands will be constructed and, depending upon soil conditions, vernal pools may also be reconstructed. Beyond the swales, oxbows and vernal pools, a small setback levee will be constructed to contain even the highest floods within this 800 foot wide expanse. This new meander channel constructed in the center of this floodplain will be designed to carry summer flows, but the entire area between the setback levees will flood occasionally every normal to wet winter.

The species' richness in the proposed project site should improve dramatically once this project has had time to develop. Riparian habitat, especially in large blocks, has been nearly eliminated in this portion of the Central Valley. Mature riparian trees will provide habitat for many species of riparian obligate species, such as yellow warblers, blue grosbeaks and song sparrows, many of which are rarely found in the area now, if at all. In addition, the creation of swales and oxbows will provide wetland areas for waterfowl, shorebirds and many other wetland species.

Under a management plan, prepared by DU, with input and direction from all funding partners, as well as the Department of Fish and Game, the landowner will continue to graze much of the area once the plants have become established, in order to maintain and enhance the wildlife habitats. Fencing, to be installed as part of this project, will help to control grazing as appropriate. The landowner plans to use the area to demonstrate to other Central Valley farmers and ranchers how a working ranch can be managed to support a variety of habitat types with their attendant wildlife.

Cost estimates for this project, which have been prepared by DU and reviewed and approved by WCB staff, are as follows:

| <u>Description</u> | <u>Estimated Cost</u> |
|--|----------------------------|
| Surveys, design and management | \$50,000.00 |
| Fences | 92,000.00 |
| Pipelines and pump | 65,000.00 |
| Water control structures | 100,000.00 |
| Channel, swales and levee construction | 409,000.00 |
| Habitat plantings | 75,000.00 |
| Contingencies | <u>35,000.00</u> |
| <u>TOTAL ESTIMATED COSTS</u> | <u>\$826,000.00</u> |

Proposed funding partners are as follows:

| | |
|--|-------------------|
| Natural Resources Conservation Service | \$ 376,000.00 |
| Ducks Unlimited, Inc. | 75,000.00 |
| Landowner | 200,000.00 |
| U.S. Fish and Wildlife Service | 25,000.00 |
| Wildlife Conservation Board | <u>150,000.00</u> |

TOTAL AVAILABLE FUNDING **\$826,000.00**

The Department of Fish and Game has reviewed this proposal and recommends it for funding by the Board. Ducks Unlimited, Inc., the U.S. Fish and Wildlife Service and the landowner will obtain any permits necessary and prepare and process appropriate CEQA documentation. The landowner has agreed to maintain the site for twenty-five years pursuant to the Management Plan. If at any time during the twenty-five year life of the project the landowner is unable to manage and maintain the project improvements, the landowner will refund to the Board an amortized amount of funds based on the number of years left in the project life.

Mr. Thieriot and Mr. Perrine discussed the distance between the levees and design for restoration of the stream. Mr. Schmidt added that the Tahoe Conservancy assisted WCB in this project by visiting the site and providing input on restoring the stream to its original stream bed.

Staff recommended that the Board approve this project as proposed; allocate \$150,000.00 from the Habitat Conservation Fund; \$75,000.00 from funds designated for the Inland Wetland Conservation Program and \$75,000.00 from funds designated for Riparian habitat (Section 2786 (e) and (f);) and authorize staff and the Department of Fish and Game to proceed substantially as planned.

IT WAS MOVED BY MR. DEZEMBER, AND THE BOARD APPROVED, THIS PROJECT AS PROPOSED; ALLOCATED \$150,000.00 FROM THE HABITAT CONSERVATION FUND; \$75,000.00 FROM FUNDS DESIGNATED FOR THE INLAND WETLAND CONSERVATION PROGRAM AND \$75,000.00 FROM FUNDS DESIGNATED FOR RIPARIAN HABITAT (SECTION 2786 (E) AND (F);) AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

20. Woodbridge Ecological Reserve Habitat Enhancement, San Joaquin County \$184,000.00

Mr. Schmidt reported that this proposal was to consider a grant to Ducks Unlimited, Inc. for a project to enhance wetland habitat on the Department of Fish and Game's (Department) 352± acre Woodbridge Ecological Reserve. The reserve is located approximately ten miles northwesterly of the City of Lodi, adjacent to Woodbridge Road, on the eastern border of the Sacramento/San Joaquin River Delta. It is divided into two units, the 145± acre south unit acquired by the Wildlife Conservation Board in 1985, and the 207± acre north unit acquired by the Board in 1988. Both units abut Woodbridge Road, the north unit on the north side of the road approximately one half mile east of the south unit, which lies on the opposite side of the road. The property is managed by the Department specifically for greater sandhill cranes, a threatened subspecies that nests in northern California and southern Oregon, and winters exclusively in the Central Valley of California. Mr. Perrine then provided more details on the project.

In general, the project will rehabilitate or replace water inlet structures, reshape interior levees, reconfigure and construct water supply ditches, upgrade and construct water control structures and add gravel to existing access roads. These improvements will allow Department staff to manage the reserve to provide improved habitat for cranes and other wetland species, accomplishing this goal with less staff time than is currently required.

Several management problems on the reserve will be addressed by this project. Water inlet structures on Hog and Sycamore Sloughs will be retrofitted or replaced. All water control structures on both units will be evaluated, and those that are not functioning properly or are too small will be repaired or replaced. Improvements will also be made to the access roads on both units, including grading and gravel work, to provide all-weather access for maintenance of the reserve, as well as to provide better public access to the crane viewing facilities.

Rank, non-native vegetation has completely covered the main water supply canal from Sycamore Slough to the South Unit. This canal will be cleaned of vegetation, widened and deepened, as necessary, to provide a more fully functional canal. Interior levees within the unit will be widened and raised to facilitate management of the existing wetlands with fewer long-term maintenance problems.

The main problem facing Department managers on the North Unit is the lack of a good water conveyance system to all wetland cells. Currently, the water intake structure on Hog Slough is located a few feet from the water discharge structure, and both are supplied with flap gates. During high tides, the flap gate on the water inlet structure opens allowing water to flow into the reserve. The flap gate on the outlet remains closed. During low tides, the opposite occurs, waste water from the reserve returns to the slough, but water is blocked from flowing into the reserve through the water inlet. This system works remarkably well since the land is at sea level and the water ranges in elevation from three feet above sea level at high tide, to three feet below at low tide. However, the water is used inefficiently once it enters the reserve. Inlet water flows directly into the lowest cell, which must fill completely before water can enter the next higher cell, which in turn must fill completely before water can enter the next cell, and so on. A component of this project is to conduct a survey of the land, before beginning any onsite work, to determine if a different water delivery system would be more effective. One alternative being considered would allow high tide water to flow into a water supply ditch at the eastern edge of the unit, the highest land on the unit, resulting in cells being filled individually and directly from the supply ditch. This would allow for improved management of the property and would require much less time to irrigate the cells. These surveys will also determine the feasibility of constructing a new water inlet structure on Hog Slough and identify the best location for such a facility.

The proposed improvements will allow for more flexibility in the management of this ecological reserve. In addition, the stronger interior levees, larger water control structures, individual control of water for all cells and cleaner larger supply ditches will mean that staff can accomplish management goals faster, more efficiently and with less effort.

Cost estimates for this project, which have been prepared by Ducks Unlimited, were reviewed and approved by WCB staff, as follows:

| <u>Description</u> | <u>Estimated Cost</u> |
|--|----------------------------|
| Surveys and design | \$12,000.00 |
| Reconstruction of interior levees | 40,000.00 |
| Rehabilitate and/or add inlets | 50,000.00 |
| Interior water control structures | 9,000.00 |
| Cleaning and constructing supply ditches | 42,000.00 |
| Gravel access roads | 18,000.00 |
| Project and construction management | <u>13,000.00</u> |
| | |
| <u>TOTAL ESTIMATED COSTS</u> | <u>\$184,000.00</u> |

The Department of Fish Game has reviewed this proposal and recommends it for funding by the Board. This project is exempt from CEQA under Section 15305, as it is a minor alteration to land that will restore and enhance wildlife habitat.

Mr. Schmidt reported that prior to this Board meeting, he spoke with Mr. Mello and Mr. Cotta, adjacent landowners, regarding concerns about drainage in this area and removal of pumps. Mr. Schmidt stated that prior to commencing with this project, a meeting would be held with those landowners and staff from the Department of Fish and Game, Ducks Unlimited, Inc. and WCB to resolve these problems.

Mr. Schmidt asked Mr. Mello and Mr. Cotta if they would like to speak. Mr. Mello voiced his concern regarding drainage and management problems. Mr. Cotta also spoke, requesting assistance to resolve the drainage problem and encouraged better communication with the landowners in that area and to solicit their input on ways to correct the problem.

Staff recommended that the Board approve this project as proposed; allocate \$184,000.00 from the California Wildlife, Coastal, and Park Land Fund of 1988, Section 5907 (c) (6); and authorize staff and the Department of Fish and Game to proceed substantially as planned.

IT WAS MOVED BY MR. DEZEMBER, AND THE BOARD APPROVED, THIS PROJECT AS PROPOSED; ALLOCATED \$184,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL, AND PARK LAND FUND OF 1988, SECTION 5907 (C) (6); AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

21. Sequan Peak Ecological Reserve, Expansion #3, San Diego County \$706,000.00

Mr. Schmidt reported that this proposal was to consider the purchase, along with the acceptance of a partial landowner donation, of 249.3± acres of land containing southern mixed chaparral vegetation in further implementation of the Department's Natural Community Conservation Planning (NCCP) effort for the San Diego County area. This unimproved property is located approximately two miles northeast of the community of Jamul, in southwestern San Diego County. More specifically, it is situated between Sloan Canyon Road on the north and Lawson Valley Road on the south, roughly halfway between Interstate Highway 8 and State Route 94. Lawson Valley Road provides access to the property from the south. The subject is located near the extreme western edge of the Cleveland National Forest, immediately adjacent to the Board acquired 1,006± acre Sequan Peak Ecological Reserve and approximately three miles east of the Department of Fish and Game's (Department) McGinty Mountain Ecological Reserve, acquired by the Board in 1989. It lies immediately south of the Department's Sweetwater River Ecological Reserve, acquired by the Board in 1992. In fact, alternative access to the property could be provided through the Sweetwater River Ecological Reserve. Ms. Deborah Townsend then provided more details on the project.

The proposed acquisition area is included within a 1,555± acre section identified by the Department of Fish and Game as a Significant Natural Area (SNA), and was nominated for acquisition in its Sequan Peak Conceptual Area Acquisition Plan. Sequan Peak is a 2,801 foot-tall conical-shaped mountain with an approximate six mile radius. The proposed acquisition area discussed in the original plan included lands on the westerly side of the peak extending north to the Sweetwater River Ecological Reserve. Most of this area has now been protected through Board-approved acquisition. The primary purpose of this overall acquisition project has been to protect habitat for 42 species of rare, threatened, endangered or special concern status plants and animals. In particular, the Sequan Peak SNA contains the best example habitat for two plant species, the State-listed endangered *Dehesa nolina* and the State-listed rare Gander's butterweed. Additionally, the property is used as foraging territory by a number of raptors and birds of prey, including peregrine falcons, a State and Federally-listed endangered species, Cooper's hawks, golden eagles, prairie falcons, turkey vultures and the common barn owl. The Sequan Peak lands are part of a large, important wildlife corridor linking McGinty Mountain, to the west, with the Cleveland National Forest, to the east. As noted, this corridor includes the Sweetwater River Ecological Reserve, which adjoins the Sequan Peak Ecological Reserve on the north. Protection of the corridor would allow continued use by a number of large and small mammals that inhabit the area, including mountain lions, mule deer, coyotes, bobcats, squirrels and rabbits. The property supports several species of rare lizards as well, including the orange-throated whiptail, western whiptail and the San Diego horned lizard.

Lands on Sequan Peak were rated of "highest biological value" under the Habitat Evaluation Model developed for San Diego County's Multiple Species Conservation Plan. As indicated above, the subject acquisition would complement the Department's bioregional planning efforts and the County's open space preserve plans for Southern Coastal Sage Scrub in southwestern San Diego County, as cooperatively developed under the NCCP program for this area. The property would be managed in conjunction with the management of the Department's Sequan Peak and Sweetwater River Ecological Reserves. The acquisition is exempt from CEQA under Class 13 of categorical exemptions as an acquisition of land for wildlife conservation purposes.

The property, which has an approved fair market value of \$823,000.00, is being offered to the State for \$700,000.00, resulting in a \$123,000.00 landowner donation. Processing costs which are being requested through this action, are estimated at \$6,000.00, which includes the appraisal, title and escrow fees and the Department of General Services' various review costs, bringing the total requested allocation to \$706,000.00.

Staff recommended that the Board authorize this acquisition as proposed; allocate \$706,000.00 from the Habitat Conservation Fund; \$605,796.59 from that portion designated for the Natural Community Conservation Planning (NCCP) Program and \$100,203.41 from funds designed for Threatened and Species habitat protection (Section 2786 (b) and (c)); and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt reported that we received several letters of support on this project and no opposing comments.

IT WAS MOVED BY MR. DEZEMBER, AND THE BOARD AUTHORIZED THIS ACQUISITION AS PROPOSED; ALLOCATED \$706,000.00 FROM THE HABITAT CONSERVATION FUND; \$605,796.59 FROM THAT PORTION DESIGNATED FOR THE NATURAL COMMUNITY CONSERVATION PLANNING (NCCP) PROGRAM AND \$100,203.41 FROM FUNDS DESIGNED FOR THREATENED AND SPECIES HABITAT PROTECTION (SECTION 2786 (B) AND (C)); AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

22. Napa Marsh, Camp Two, Sonoma County \$847,569.00

Mr. Schmidt reported that this proposal was to consider the acquisition of 528.4± acres of diked historic wetlands, currently used for oat-hay production. This purchase would allow for wetland habitat restoration, enhancement and preservation as part of the Department of Fish and Game's (Department) ongoing acquisition and restoration efforts in the northern San Francisco Bay Area. It is also proposed that the Board accept a contribution from the

Shell Oil Spill Litigation Settlement Trustee Committee, in the amount of \$358,000.00, to assist in the acquisition. The parcel proposed for acquisition is located approximately five miles south of the town of Sonoma, and is bounded by Sonoma Creek on the west and south, the Northwestern Pacific Railroad on the east, and an 80-acre, privately owned parcel on the north. Lands to the east of the project are owned by the Department and commonly known as the Steamboat Slough Unit of the Napa Marsh complex. The property can be accessed by traveling in a southerly direction on County-maintained Millerick Road from its juncture with State Highway 121. Ms. Deborah Townsend then provided more details on the project.

The subject property is located within an approximate 48,000 acre complex of tidal sloughs, rivers and reclaimed marshes known as the Napa Marsh. The boundaries of the present Napa Marsh complex are formed by the cities of Sonoma and Napa to the north, State Highway 121 on the west, San Pablo Bay on the south and the Napa River on the east. Approximately 100 years ago, Napa Marsh was one of the largest wetland systems in the San Francisco Bay area, providing habitat for millions of migratory waterfowl and shore birds. An estimated 83 percent of the San Francisco Bay wetlands have been lost to industrial, commercial, agricultural and residential development since the mid-1800s.

Today, the Napa Marsh complex is composed of reclaimed marsh lands used for agriculture, diked historic wetlands, formerly used for solar salt production, and open water or marsh lands. The open water, marshes and sloughs provide primary habitats for fish and water birds, including the endangered California clapper rail, and are home to the endangered Salt-marsh harvest mouse. The diked agricultural lands provide seasonal wetland habitats during heavy rain periods. Historically, these wetland habitats were available at the upper reaches of the marsh and in low depressions in the surrounding uplands. However, in recent years these freshwater and seasonal wetland areas have been greatly reduced, primarily due to development activities. Presently, crops planted in diked areas, such as oat-hay, are harvested in early fall, allowing winter rains to pond in the depressions creating "wetlands" during the winter months when large numbers of waterfowl and shore birds are present in the area. Early migrating waterfowl, primarily pintail, start arriving in late August to early September, when the diked wetland habitats are least available. Acquisition and enhancement of the subject will provide much-needed additional managed wetlands for these early migrations, as well as increased habitat on a year-round basis.

Department-owned or controlled lands in the Napa Marsh complex now total approximately 12,000 acres, including over 9,400± acres of former salt production ponds acquired pursuant to Board action in 1994. The subject property will be managed in conjunction with the adjacent Steamboat Slough property and other Department lands in the Napa Marsh Wildlife Area for wetland habitat enhancement and preservation.

The subject property is the larger of the two ownerships which comprise the Camp Two Island. The owners have agreed to sell the 528.4± acre property at the approved appraised fair market value of \$1,190,000.00. Processing costs are estimated to be \$15,569.00, which

includes the appraisal, title and escrow fees and Department of General Services' review costs, bringing the total allocation necessary to \$1,205,569.00. In addition to the \$847,569.00 remaining in the California Wildlife, Coastal and Park Land Conservation Fund (Proposition 70), Section 5907 (c)(10) for the acquisition of Sonoma County wetlands, the Shell Oil Spill Litigation Settlement Trustee Committee has approved a contribution toward the Board's purchase in the amount of \$358,000.00, to provide the balance of funds necessary to complete this acquisition. The terms of the proposed Memorandum of Understanding with the Trustee Committee provides, among other things, that the funds will be deposited directly into an escrow account for the acquisition.

Potential State claims have been considered and their effect on the fair market value has been taken into consideration in the appraisal. The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition for wildlife conservation purposes.

Mr. Schmidt reported that the Board received faxes from Mr. Harvey Goldberg stating his concern and opposition to this project, and from Mr. Bisso, adjacent landowner, expressing his concern. Mr. Goldberg was in the audience and addressed his concerns regarding this project. Mr. Goldberg stated that he wanted whatever he said to be under testimony and not comment, for permanent record. Mr. Schmidt advised him that the minutes would not be verbatim, but would be tape-recorded. Mr. Goldberg presented a certified copy of a document referencing the "Huichica area" going back to the year 1848, and that this land was "patented title allodial private property". Mr. Goldberg requested that this document be entered into evidence. Mr. Goldberg also presented a certified copy from the Bureau of Land Management, that covered his area, showing everything from Novato to Petaluma, requesting this also be entered into evidence for future reference. He stated this had been updated with a declaration of assignment. Mr. Goldberg also presented a copy of the Supreme Court Reporter referencing a "landmark" case in 1984 where Summa Corporation sued the State of California. The outcome of this case, as Mr. Goldberg explained, was that this land is covered by treaty law that cannot be violated. Mr. Goldberg expressed his concern that government agencies are conspiring to take over land. He referred to communism and that the first step to communism was to take over private land and bring it into public ownership. Mr. Goldberg added that, in his opinion, the State was paying too little for the property. He also read into the record the faxes that he and Mr. Bisso had sent to the Board. (Copies of all exhibits presented by Mr. Goldberg are being retained in the permanent file for this project.)

Staff recommended that the Board approve the acquisition of this property as proposed; accept the contribution from the Shell Oil Spill Litigation Settlement Trustee Committee, in the amount of \$358,000.00, to be deposited directly into escrow; allocate \$847,569.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (P-70), Section 5907 (c)(10); and authorize staff of the Department of Fish and Game to proceed substantially as planned.

IT WAS MOVED BY MR. DEZEMBER, AND THE BOARD APPROVED, THE ACQUISITION OF THIS PROPERTY AS PROPOSED; ACCEPTED THE CONTRIBUTION FROM THE SHELL OIL SPILL LITIGATION SETTLEMENT TRUSTEE COMMITTEE, IN THE AMOUNT OF \$358,000.00, TO BE DEPOSITED DIRECTLY INTO ESCROW; ALLOCATED \$847,569.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 (P-70), SECTION 5907 (C)(10); AND AUTHORIZED STAFF OF THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

23. Heenan Lake Water and Storage Rights, Alpine County \$1,111,000.00

Mr. Schmidt reported that this proposal was to consider the purchase of 440± acre feet of water and storage rights in Heenan Lake to provide for additional protection of the Lahonton cutthroat trout fishery and egg taking operation at this lake, together with an option to acquire an additional 2,008± acre feet of Heenan Lake water. The option period extends to September 30, 2000, to purchase all or any portion of the remainder. Mr. Frank Giordano then provided more details on the project.

Heenan Lake is located in the northeast portion of Alpine County, about seven miles east of Markleeville. State Highway 89 provides the main access to the subject area. Continuing east over Monitor Pass from Heenan Lake, Highway 89 joins U.S. Highway 395 in Antelope Valley (Mono County), just south of Topaz Lake. The immediate neighborhood of the project area is a combination of steep mountainous terrain with some forest cover, sloping lands with sage brush and juniper cover, and fairly level mountain meadow lands. Elevations in the neighborhood range from about 6,500 feet to almost 9,000 feet.

The major water feature of this immediate area is Heenan Lake, which occupies about 130 surface acres in the northwest portion of a 1652± acre parcel owned by the State of California and controlled by the Department of Fish and Game (Department). This lake, which has a storage capacity of approximately 3,200 acre feet, was created by an earthfill dam constructed on the lower end of Heenan Creek in 1923. This dam is just south of existing Highway 89. During most years the reservoir can be filled from runoff originating from the Heenan Creek drainage.

The Department currently uses Heenan Lake for egg taking purposes in connection with its Lahontan cutthroat trout fishery program. The lake is a high priority for the Department as it is the only egg source for this species in the State of California. In fact, the Lahontan National Fish Hatchery in Nevada is also supplied some eggs from this lake and, on occasion, so is the State of Nevada.

The first acquisition of the Heenan Lake property was approved at the Board's November 29, 1982 meeting wherein the Board authorized the purchase of 1652± acres of land, which included the lake bottom, but no water rights. In January of 1985, the Board approved funding for fishery facilities (egg taking operation) to be built on the property. At its meeting of September 17, 1985, the Board approved the purchase of the outstanding timber rights on the land acquired in 1982. During these prior negotiations, staff obtained the landowner's agreement to maintain a minimum pool of 500 acre feet in the lake to afford minimal protection of the lake's important fishery, but as noted, no ownership of rights to the water were able to be acquired.

As a part of this proposed transaction the State would, in addition to purchasing 440± acre feet of water, also acquire the right to purchase the sellers' remaining water rights. However, if the State does not acquire at least an additional 360 acre feet of water and storage rights within the option period, the owner would, as a condition of the option, have the right to repurchase all water rights purchased under this agreement. If the State does purchase the additional 360 acre feet of water and storage rights, the owners will donate to the State the 500 acre feet of the water and storage rights that comprise the current minimum pool in the lake.

The water and storage rights have been appraised at \$2,500.00 per acre foot, a value approved by the State's Department of General Services. This value is applicable to both the first phase purchase and the future option purchase(s). The owners have agreed to sell the subject 440± acre feet at the total approved value of \$1,100,000. An additional \$11,000.00 is estimated to be necessary for appraisal, escrow and Department of General Services' review costs.

The purchase would be categorically exempt from CEQA requirements under Class 13, as acquisition of lands or other property rights for wildlife conservation purposes.

Staff recommended that the Board approve the acquisition of the 440± acre feet of water and storage rights; approve the option to purchase additional water and storage rights; allocate \$1,111,000.00 from the California Wildlife, Coastal and Park Land Conservation Fund; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Thieriot requested clarification on the original purchase of the land, minimum pool requirements, outflow and use of outflow. Mr. Giordano and Mr. Aaron Peskin, private consultant, further explained the water rights, into storage and out, and possible future usage of the outflow.

IT WAS MOVED BY MR. DEZEMBER, AND THE BOARD APPROVED, THE ACQUISITION OF THE 440± ACRE FEET OF WATER AND STORAGE RIGHTS; APPROVED THE OPTION TO PURCHASE ADDITIONAL WATER AND STORAGE RIGHTS; ALLOCATED \$1,111,000.00 FROM THE CALIFORNIA WILDLIFE,

COASTAL AND PARK LAND CONSERVATION FUND; AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

24. San Joaquin River Ecological Reserve, Expansion #7, Fresno County \$398,000.00

Mr. Schmidt reported that this proposal was to consider the acquisition of 33.6± acres of land located in northerly Fresno County, along the San Joaquin River. The purpose of this acquisition is to preserve and restore riparian habitat and for inclusion in the proposed San Joaquin River Parkway. Access to the subject is from Herndon Avenue on the east side of State Highway 99 to Valentine Avenue, which then leads northerly through an access gate to the river and subject property. The State will receive an access for public purposes over the private dirt road to the subject. Herndon Avenue is a major east/west avenue which connects Highway 99 with Highway 41 and continues through the cities of Fresno and Clovis. This proposed transaction has primarily been negotiated by the San Joaquin River Parkway and Conservation Trust in cooperation with Board staff and staff of the American Farmland Trust, which is in the process of negotiating an agricultural preservation easement over 95± acres of adjoining land within the subject property's larger ownership. Mr. Jerry Heminger then provided more details on the project.

The first purchase for the San Joaquin River riparian habitat program was the Milburn Unit, which was approved by the Wildlife Conservation Board at its November, 1988, meeting. Since then the Board has approved the Willow Unit (Ball Ranch) in two phases and the Rank Island Unit, bringing the Board's total acquisitions in this program to 796± acres.

The subject property is located along the San Joaquin River and consists of riparian, wetlands and upland habitat. It is generally flat, with a high water table and a potential for flooding. The opportunity exists to increase existing fish, mammal, waterfowl and bird populations through a properly planned and executed management plan. Historically, the property was utilized for the refinement of near surface layers of sand and gravel. Due to the concentration of such use, wildlife numbers are much reduced from historical accounts. Beaver have been noted along the river as well as raccoon, opossum, coyote, snowy egret, and great blue heron. Various species of songbirds also inhabit the area and could be expected to diversify and expand with a proper management program. As gravel operations declined, borrow pits filled with seepage from the San Joaquin River, providing a permanent source of water, and riparian vegetation subsequently became reestablished on the banks.

Currently there is minimal public or private enjoyment of the fish and wildlife resources found on this property. Hunting opportunities are not possible as the area is within the County "No Shooting" zone. The proposed management of this area, from a fisheries viewpoint, is to protect and expand the existing riparian habitat and to provide access and

recreational angling opportunities to the general public. This can occur within both the existing gravel ponds and the San Joaquin River. The opportunity also exists for a variety of educational experiences including conservation and ecology. Nonconsumptive uses could also include sightseeing, birding, photography, hiking and picnicking. Nature trails, if incorporated into a parkway plan and properly routed, could allow for greater wildlife diversity and enhanced recreational experiences.

Interim management would be provided by the Department of Fish and Game. However, it is anticipated that an agreement would eventually be entered into with the San Joaquin River Conservancy for operation and maintenance as part of an overall riparian habitat and San Joaquin River Parkway complex. Improvements could be made to the extent necessary to provide public access to the property and to permit passive uses compatible with the conservation and enhancement of existing wildlife and natural habitat values.

The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes. The 33.6± acre property has an approved appraised fair market value of \$392,207.00 and the owners have agreed to sell it to the State for this price. Any potential State Lands claims have been considered in the appraisal. Expenses of sale, including escrow charges, title insurance, appraisals and Department of General Services review costs, are expected to be about \$5,793.00, bringing the total recommended allocation to \$398,000.00. Mr. Heminger reported that Mr. Dave Koehler from the San Joaquin River Parkway and Conservation Trust was available to answer questions.

Mr. Thieriot inquired as to the specific range of priorities and goals in the protection of this area. Mr. Koehler stated that this particular project would protect habitat. Mr. Schmidt added that this project would also provide public access and trails in the area and that Mr. Koehler's organization has been instrumental in the development of these trails.

Staff recommended that the Board approve the acquisition of the San Joaquin River Ecological Reserve, Expansion #7, property in Fresno County as proposed; allocate \$398,000.00 for this purchase; \$365,241.55 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 [P-70, Section 5907 (c)(5)] and \$32,758.45 from the Habitat Conservation Fund (Section 2786 (e) and (f)); and authorize staff and the Department of Fish and Game to proceed substantially as planned.

IT WAS MOVED BY MR. DEZEMBER, AND THE BOARD APPROVED, THE ACQUISITION OF THE SAN JOAQUIN RIVER ECOLOGICAL RESERVE, EXPANSION #7, PROPERTY IN FRESNO COUNTY AS PROPOSED; ALLOCATED \$398,000.00 FOR THIS PURCHASE; \$365,241.55 FROM THE CALIFORNIA

WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 [P-70, SECTION 5907 (C)(5)] AND \$32,758.45 FROM THE HABITAT CONSERVATION FUND (SECTION 2786 (E) AND (F)); AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

Closed Executive Session

Pursuant to the authority of Government Code Section 11126 (q), the Board met in Closed Executive Session at 12:40 p.m. to consider settlement of pending litigation to which the Department of Fish and Game was a party as follows:

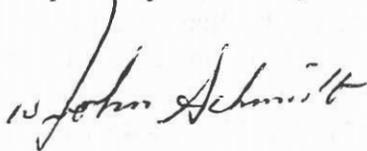
Eugene R. Crippa, et al, vs. The State of California, Department of Fish and Game, et al,
re: Cottonwood Creek Mitigation Bank, Shasta County.

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|----------------|------------------|------------------|
| In Attendance: | Richard Thieriot | Jim Sarro |
| | Robin Dezember | Chris Beale |
| | W. John Schmidt | Russell Hildreth |
| | Maureen Rivera | Terri Muzik |

Closed Executive Session was adjourned at 12:55 p.m.

There being no further business, the meeting adjourned at 12:55 p.m.

Respectfully submitted,



W. John Schmidt
Executive Director

PROGRAM STATEMENT

At the close of the meeting on May 21, 1998, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$403,778,587.23. 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 Sport Fish Restoration 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, the Safe, Clean, Reliable Water Supply Act of 1996, the Natural Resources Infrastructure Fund and the Wildlife Restoration Fund.

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|-----|---|------------------|
| A. | Fish Hatchery and Stocking Projects | \$16,006,219.06 |
| B. | Fish Habitat Preservation, Development & Improvement | 21,993,152.93 |
| 24. | Reservoir Construction or Improvement | \$ 4,174,613.05 |
| 25. | Stream Clearance and Improvement | 14,700,451.69 |
| 26. | Stream Flow Maintenance Dams | 547,719.86 |
| 27. | Marine Habitat | 646,619.07 |
| 28. | Fish Screens, Ladders and Weir Projects | 1,923,749.26 |
| C. | Fishing Access Projects | 37,064,107.16 |
| 1. | Coastal and Bay | \$ 2,992,860.08 |
| 2. | River and Aqueduct Access | 9,159,212.13 |
| 3. | Lake and Reservoir Access | 6,997,074.69 |
| 4. | Piers | 17,914,960.26 |
| D. | Game Farm Projects | 146,894.49 |
| E. | Wildlife Habitat Acq., Development & Improvement | 316,008,483.51 |
| 1. | Wildlife Areas (General) | \$180,662,105.29 |
| 2. | Miscellaneous Wildlife Habitat Dev. | 4,671,641.76 |
| 3. | Wildlife Areas/Eco Reserves, (Threatened, Endangered or Unique Habitat) | 121,476,580.51 |
| 4. | Land Conservation Area | 30,705.00 |
| 5. | Inland Wetlands Conser. Grants & Easements | 3,881,298.18 |
| 6. | Riparian Habitat Conser. Grants & Easements | 3,118,457.89 |
| 7. | Other Wildlife Habitat Grants | 2,167,994.88 |
| F. | Hunting Access Projects | 484,898.57 |
| G. | Miscellaneous Projects (including leases) | 10,403,879.29 |
| H. | Special Project Allocations | 616,464.79 |
| I. | Miscellaneous Public Access Projects | 1,018,095.63 |
| 1. | State Owned | \$917,735.63 |
| 2. | Grants | 100,360.00 |
| J. | Sales and/or exchanges | <u>36,391.80</u> |
| | Total Allocated to Projects | \$403,778,587.23 |