

DEPARTMENT OF FISH AND GAME

WILDLIFE CONSERVATION BOARD

801 K STREET, SUITE 806
 SACRAMENTO, CALIFORNIA 95814
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State of California
 The Resources Agency
 Department of Fish and Game
Wildlife Conservation Board

Minutes
 August 13, 1998

1. Roll Call	1
2. Funding Status - Informational	3
3. 1997/98 Habitat Conservation Fund Transfers to Other Departments	4
4. Proposed Consent Calendar (Items 5 - 15)	4
*5. Approval of Minutes - May 21, 1998	5
*6. Recovery of Funds	5
*7. Project Planning	8
*8. Land Exchange Pooling Agreement	9
*9. Pine Hill Ecological Reserve, Salmon Falls Unit Land Transfer/Exchange, El Dorado County	11
*10. Daugherty Hill Wildlife Area, Expansion #3 Easement Exchange, Yuba County	13
*11. Bridge Arbor Public Access, Lake County	14
*12. Jewett Creek Riparian Restoration, Humboldt County	14
*13. Lake Earl Wildlife Area, Expansion #21, Del Norte County	16
*14. Battle Creek Wildlife Area Public Access, Shasta County	18
*15. Wetlands Restoration (Kern Flyway Ranch), Kern County	21
16. Pardee Reservoir Public Access (Blue Heron Point), Amador County	23
17. Central Valley Fish Hatchery/Upper Cosumnes River Wildlife Area Exchange, Sacramento, El Dorado and Amador Counties	26
18. Humboldt Bay Wildlife Area, Lower Janes Creek Unit, Humboldt County	29
19. Rancho Jamul Ecological Reserve, Expansion #1, San Diego County	31
20. Lakeside Linkages, San Diego County	34
21. Wetland Habitat Restoration and Enhancement, (Santa Cruz Land and Cattle), Merced County	37
22. Staff Report - Sale of Department of Fish and Game Property, Modoc and Lassen Counties	40
23. Staff Report - Easement Transfers	41
Program Statement	43

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August 13, 1998

The Wildlife Conservation Board met at the State Capitol, Room 113, Sacramento, California on August 13, 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
L. Ryan Broddrick, Chief Deputy Director
Vice, Jacqueline Schafer, Member
Director, Department of Fish and Game

JOINT LEGISLATIVE INTERIM ADVISORY COMMITTEE

Senator Jack O'Connell
Gavin Payne, Vice, Senator Jack O'Connell
Assemblywoman Debra Bowen
Lawrence Lingbloom, Vice, Assemblywoman Debra Bowen
Assemblyman Mike Machado
Kristin Halstenrud, Vice, Assemblyman Mike Machado

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:

Daniel Connolly, Ducks Unlimited
Jack Sprague
R. Bieber
Scott Ferguson, The Nature Conservancy
Robert Locatelli, Santa Cruz Land and Cattle
Joe Hobbs, Ducks Unlimited
Tim Burton, Department of Fish and Game, Region 1
Banky Curtis, Department of Fish and Game, Region 2
Dave Patterson, California Waterfowl Association
Duke Foster
Mike Farmer
Marcel Moranton, East Bay Municipal Utilities District
Bill Curtis, Northern California Water Association
Chris Vrame, Conservation Resources
David Martinez
Jack Molodanof
Gail Presley, Department of Fish and Game, ESD
Thomas Oberbauer, County of San Diego
Bill Tippetts, Department of Fish and Game, Region 5
Corey Brown, Trust for Public Land
Russ Kuhn
Rich Hunter, California Wilderness Coalition
Pat O'Brien, Department of Fish and Game, Region 2
Holly Andree, Ducks Unlimited
Ron Stromstad, Ducks Unlimited

2. Funding Status as of June 30, 1998 (Informational)

(This item reflected funding status as of June 30, 1998. It did not include the proposed 1998/99 State budget.)

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

Governor's Budget - Land Acquisition	\$275,000.00
Plus Budget Revision-Reimbursement	247,710.00
Less Previous board Allocations	(2,750.00)
Unallocated Balance	\$519,960.00

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

Governor's Budget - Land Acquisition	\$300,000.00
Less Previous Board Allocations	(102,489.09)
Unallocated Balance	\$197,510.91

Governor's Budget - Major Development	\$500,000.00
Less Previous Board Allocations	(500,000.00)
Unallocated Balance	\$0.00

(c) 1997-98 California Wildlife, Coastal and Park Land Conservation Fund Capital Outlay Budget

Governor's Budget - Land Acquisition	\$2,961,000.00
Less Previous Board Allocations	(2,611,000.00)
Unallocated Balance	\$350,000.00

(d) 1997-98 Habitat Conservation Fund Capital Outlay Budget

Governor's Budget	\$16,598,000.00
Plus Mid-year Adjustment	250,000.00
Less Previous Board Allocations	(11,579,126.21)
Unallocated Balance	\$5,268,873.79

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

Governor's Budget	\$10,047,000.00
Less Previous Board Allocations	(7,228,727.24)
Unallocated Balance	\$2,818,272.76

(f) 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

(g) 1997-98 Safe, Clean, Reliable Water Supply Fund, River Parkway Subaccount Capital Outlay Budget

Governor's Budget	\$9,800,000.00
Less Previous Board Allocations	(3,865,000.00)
Unallocated Balance	\$5,935,000.00

RECAP OF FUND BALANCES

Wildlife Restoration Fund	\$717,470.91
CA Wildlife, Coastal & Park Land Conservation Fund of 1988	\$350,000.00
Habitat Conservation Fund	\$8,087,146.55
Environmental License Plate Fund	\$338,000.00
Safe, Clean, Reliable Water Supply Fund, River Parkway Subaccount ...	\$5,935,000.00

Mr. Schmidt reported that this item did not reflect the 98/99 State budget and that the new information would be provided to the members as soon as the budget was passed.

3. 1998/99 Habitat Conservation Fund Transfers to Other Departments (Informational)

Mr. Schmidt reported that information on the 1998/99 Habitat Conservation Fund transfers would not be available until the budget was passed. Mr Schmidt stated this information would be provided to the members as soon as it became available.

At this time, Mr. Schmidt welcomed Mr. Gavin Payne from Senator O'Connell's office.

4. PROPOSED CONSENT CALENDAR (Items 5 - 15)

Mr. Schmidt reported that the Consent Calendar consisted of Items 5 - 15. Staff recommended that the Board approve the Consent Calendar as presented, absent any objection. There were no comments or objections.

IT WAS MOVED BY MR. RYAN BRODDRICK THAT THE WCB APPROVE CONSENT ITEMS 5 - 15 AS PROPOSED IN THE INDIVIDUAL AGENDA EXPLANATIONS, INCLUDING FUNDING AS NOTED THEREIN.

MOTION CARRIED.

*5. Approval of Minutes

Approval of the minutes of May 21, 1998, meeting of the Wildlife Conservation Board was recommended.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MR. RYAN BRODDRICK THAT THE MINUTES OF THE WCB MEETING OF MAY 21, 1998 WCB MEETING BE APPROVED AS WRITTEN.

MOTION CARRIED.

*6. Recovery of Funds

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

\$ 240.00 to the Wildlife Restoration Fund,
\$79,081.59 to the Habitat Conservation Fund
\$ 0.00 to the Fish and Wildlife Habitat Enhancement Fund
\$ 6,166.00 to the CA Wildlife, Coastal and Park Land Fund of 1988
\$ 1,207.58 to the Inland Wetlands Conservation Fund

WILDLIFE RESTORATION FUND

Bear River Fishing Access, Placer County

Allocation	\$120.00
Expended	<u>-120.00</u>
Amount for Recovery	\$ 0.00

Coalinga Mineral Springs Public Access, Fresno County

Allocation	\$120.00
Expended	<u>-120.00</u>
Amount for Recovery	\$ 0.00

Nimbus Shoals Public Access, Sacramento County

Allocation	\$120.00
Expended	<u>- 0.00</u>
Amount for Recovery	\$ 120.00

Three Rocks Fishing Access, Fresno County

Allocation	\$120.00
Expended	<u>- 0.00</u>
Amount for Recovery	\$120.00

Total Wildlife Restoration Fund Recoveries \$ 240.00

HABITAT CONSERVATION FUND

Carrizo Plains Ecological Reserve, Exp. #2, San Luis Obispo County

Allocation	\$5,000.00
Expended	<u>- 1,992.00</u>
Amount for Recovery	\$3,008.00

Eel River Wildlife Area, Exp. #5, Humboldt County

Allocation	\$230,400.00
Expended	<u>-216,703.75</u>
Amount for Recovery	\$ 13,696.25

Loch Lomond Vernal Pool Ecological Reserve, Exp. #2, Lake County

Allocation	\$5,000.00
Expended	<u>-2,266.00</u>
Amount for Recovery	\$2,734.00

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

Allocation	\$227,319.00
Expended	-108,109.91
Previous Partial Recovery	<u>-108,882.99</u>
Amount for Recovery	\$ 10,326.10

Noyes Valley Ecological Reserve, Exp. #5, Siskiyou County

Allocation	\$5,000.00
Expended	<u>-3,103.00</u>
Amount for Recovery	\$1,897.00

Sacramento River Wildlife Area Riparian Enhancement (Pine Creek Unit),
Butte and Glenn Counties

Allocation	\$ 150,000.00
Expended	<u>-150,000.00</u>
Amount for Recovery	\$ 0.00

Rancho Jamul Ecological Reserve, San Diego County

Allocation	\$1,065,000.00
Expended	<u>-1,057,605.00</u>
Amount for Recovery	\$ 7,395.00

San Jacinto Wildlife Area, Exp. #8 (Mystic Lake, Phase 3), Riverside County

Allocation	\$2,320,000.00
Previous Partial Recovery	-200,000.00
Expended	<u>-2,114,195.63</u>
Amount for Recovery	\$5,804.37

Thermalito Afterbay Habitat Restoration, Butte County

Allocation	\$ 94,521.00
Expended	<u>-61,300.13</u>
Amount for Recovery	\$33,220.87

Wetland Habitat Restoration, (Elworthy Brothers), Merced County

Allocation	\$40,386.00
Expended	<u>-39,386.00</u>
Amount for Recovery	\$ 1,000.00

Total Habitat Conservation Fund \$ 79,081.59

FISH AND WILDLIFE HABITAT ENHANCEMENT FUND

Coyote Creek Habitat Enhancement, Santa Clara County

Allocated	\$15,909.00
Expended	<u>-15,909.00</u>
Balance for Recovery	\$ 0.00

Total Fish and Wildlife Habitat Enhancement Fund \$ 0.00

CA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988

Grizzly Island Wildlife Area, Garibaldi Unit, Solano County

Allocation	\$7,000.00
Expended	<u>-834.00</u>
Amount for Recovery	\$6,166.00

Total CA Wildlife, Coastal and Park Land Conservation Fund of 1988 \$6,166.00

INLAND WETLANDS CONSERVATION FUND

Wetland Conservation Easement Program (DFG) Rancho Rio Oso, Exp. #1,
Yuba County

Allocation	\$217,200.00
Expended	<u>-215,992.42</u>
Amount for Recovery	\$ 1,207.58

Total Inland Wetlands Conservation Fund \$ 1,207.58

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MR. RYAN BRODDRICK THAT THE WCB RECOVER FUNDS FOR THE PROJECTS LISTED ON PAGES 6 - 8 OF THESE MINUTES AND CLOSE THE PROJECT ACCOUNTS. RECOVERY TOTALS INCLUDE \$240.00 TO THE WILDLIFE RESTORATION FUND; \$79,081.59 TO THE HABITAT CONSERVATION FUND; \$6,166.00 TO THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND FUND OF 1988 AND \$1,207.58 TO THE INLAND WETLANDS CONSERVATION FUND.

MOTION CARRIED.

*7. Special Project Planning Account (Informational)

(This planning account item assumes the 1998/99 State budget is passed with funding consistent with these account amounts.)

The Board has historically used a special project account to provide working funds for staff evaluation (appraisals, engineering, preliminary title reports, etc.) of proposed projects. Upon Board approval of a project, all expenditures incurred and recorded in the Special

Project Planning Account are transferred to the Board approved project account which reduces the Special Project Planning Account expenditures. This procedure, therefore, acts as a revolving account for the pre-project expenses.

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

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

Wildlife Restoration Fund	\$ 4,700.00
Habitat Conservation Fund	\$20,000.00
Harbors and Watercraft Revolving Fund	\$3,250.00
General Fund	\$50,000.00

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MR. RYAN BRODDRICK THAT THE WCB APPROVE THE ALLOCATION OF FUNDS TO PROVIDE WORKING FUNDS FOR STAFF EVALUATION (APPRAISALS, ENGINEERING, PRELIMINARY TITLE REPORTS, ETC.) AS PROPOSED; ALLOCATE \$4,700.00 FROM THE WILDLIFE RESTORATION FUND; \$20,000.00 FROM THE HABITAT CONSERVATION FUND; \$3,250.00 FROM THE HARBORS AND WATERCRAFT REVOLVING FUND; AND \$50,000.00 FROM THE GENERAL FUND; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

*8. Land Exchange Pooling Agreement

-0-

This proposal was to consider entering into a "Land Exchange Pooling Agreement" with the U.S. Bureau of Land Management (BLM) to facilitate future exchanges of land which may be identified by the Department (DFG) or BLM as being appropriate to accommodate their respective programs. In past years the DFG has identified several parcels of land that it felt had marginal wildlife benefits and should be disposed of, or would be more appropriately managed by another public agency. The Board has, as necessary, directed staff to dispose of these parcels in an appropriate manner and report the disposition at a later meeting.

In working with staff from the DFG to identify an appropriate means of disposing of the properties recommended for disposal, staff of the Board and DFG have found that many would be excellent candidates for transfer to, and management by, BLM rather than place them on the open market and lose the public benefits that they may provide. In addition, on occasion throughout the years BLM has been in a position to transfer property to the DFG for similar reasons. As both agencies require that fair market value be obtained unless special circumstances are present, the problem that has arisen in many of these potential transfer cases has been the inability to identify an appropriate exchange parcel at the exact value, justify a transfer at no cost or find the funding necessary to equalize the value of the exchanged lands.

In order to provide an ongoing and more economical means of transferring lands between the BLM and DFG, your staff has initiated discussions with staff from the BLM in an attempt to develop a "Land Exchange Pooling Agreement" which would allow for the immediate transfer of land between these two agencies, with credit for the value of the transfer being calculated and "banked" to be used for future transfers. Unless otherwise directed by the Board when it approves a land disposal, the value of the credit for lands disposed of, or acquired, pursuant to this agreement would be the fair market value, as approved by the State Department of General Services (DGS). No transfer of DFG property would take place without the Board first acting upon the recommendation from DFG to dispose of the property. While this exchange process would, unavoidably leave an imbalance in exchange values or credits, either to the benefit of BLM or to the DFG at any given time, efforts will be taken to limit the amount of imbalance so that neither agency is receiving undue benefit from these exchanges.

Typical types of properties which might be considered for disposal under this agreement are DFG lands located adjacent or in close proximity to BLM lands, where it is felt by both parties that management by BLM would be more appropriate for some reason. For example, it may be more economical for BLM to assume management. The reverse of this could also be true where BLM may own the property and desire to have DFG assume ownership and management. Another example would be where DFG desires to dispose of a parcel with marginal wildlife values, but BLM may find that the property serves their needs and therefore should remain in public ownership.

These procedures will simplify the means of exchanging lands between DFG and BLM, will provide for more appropriate and economical management of lands by respective agencies and will certainly provide for quicker transfers between organizations, thereby reducing holding costs and land transfer costs for both organizations. Again, in no event would any transfer take place without the recommendation of the Director of the Department of Fish and Game and the approval of the Board. Of course, as noted above, all transfers would also require the final approval of the DGS.

It was therefore recommended that the Board authorize staff to continue to negotiate with the Bureau of Land Management to develop a "Land Exchange Pooling Agreement", substantially as described above, and authorize the Executive Director to execute this agreement on behalf of the Board.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MR. RYAN BRODDRICK THAT THE BOARD AUTHORIZE STAFF TO CONTINUE TO NEGOTIATE WITH THE BUREAU OF LAND MANAGEMENT TO DEVELOP A "LAND EXCHANGE POOLING AGREEMENT," SUBSTANTIALLY AS DESCRIBED, AND AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THIS AGREEMENT ON BEHALF OF THE BOARD.

MOTION CARRIED.

- *9. Pine Hill Ecological Reserve, Salmon Falls Unit Land Transfer/Exchange, \$5,000.00
El Dorado County

This proposal was to consider authorization to transfer or exchange 40± acres of land, owned and recommended for disposal by the Department of Fish and Game (DFG), to the Bureau of Land Management (BLM). The property would then be managed together with adjacent BLM lands for sensitive species habitat, including rare plants, and for public access to the South Fork American River.

The subject property is located approximately 3 miles north of the community of Cameron Park in western El Dorado County. It lies about 1.5 miles upstream from the Salmon Falls Road Bridge crossing on the east side of Folsom Lake. The South Fork American River flows east to west through roughly the center of the parcel and the confluence of Weber Creek is located just inside the eastern border of the parcel.

The Wildlife Conservation Board approved acquisition and allocated funding for the purchase of this property during its meeting of November 1, 1990. Since that time, the Department has established the Pine Hill Ecological Reserve and has secured an additional 266± acres, either through Wildlife Conservation Board action or DFG mitigation agreements. All of the 266± acres are contiguous to one another and are located approximately one mile northwest from the property being considered for transfer in this transaction. Consequently, management needs of this smaller disjunct parcel are nearly the same, and just as costly as, the rest of the ecological reserve.

In addition to high management costs associated with this parcel, potential legal costs associated with an unauthorized access road leading from adjacent private property, crossing the State property and ending at the river could also be extremely high. Should the property be transferred to the BLM, they will work with the property owner to develop access on adjacent BLM property and therefore eliminate or minimize the State's legal costs.

The BLM owns approximately 1,000 acres adjacent to the subject property, as well as other acreage in the vicinity along the South Fork of the American River. The Bureau has very similar management goals for its adjacent land and has demonstrated a strong commitment to pursuing those management goals through habitat surveys, prescribed burning program and coordination of research projects with a number of graduate students from California State University at Sacramento and University of California at Davis. BLM has described this area as one of national botanical significance in its goal setting "Fish and Wildlife 2000" program.

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

Should the Board approve the exchange agreement between the BLM and the Board, as presented in Agenda Item #8, this property will merge into that agreement for "banking" purposes. If, however, the Board chooses not to approve the exchange agreement at this time, or should staff be unsuccessful in negotiating the final agreement, then staff proposes that the property be transferred to the BLM without monetary consideration. In this case, the DFG will realize equal value through savings in annual management costs and potential legal costs associated with the access issue mentioned above.

It is estimated that the State's costs related to processing this land transfer will be \$5,000.00, which includes Department of General Services' review charges. The proposed transfer is exempt from CEQA under Class 25 of Categorical Exemptions as a transfer of ownership of interest in land to preserve open space.

Staff recommended that the Board approve the exchange or transfer of this property to the BLM as proposed; allocate \$5,000.00 from Wildlife Restoration Fund to cover project expenses; 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 MR. RYAN BRODDRICK THAT THE BOARD APPROVE THE EXCHANGE OR TRANSFER OF THIS PROPERTY TO THE BLM AS PROPOSED; ALLOCATE \$5,000.00 FROM WILDLIFE RESTORATION FUND TO COVER PROJECT EXPENSES; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

*10. Daugherty Hill Wildlife Area, Expansion #3, Easement Exchange, Yuba County -0-

This proposal was to consider the exchange and relocation of an access easement to a portion of the State's Daugherty Wildlife Area, as a convenience for both the State and the owner of the property over which the easement is located.

One of the access points (currently undeveloped) to the wildlife area is obtained by crossing over the property of one of the adjacent landowners, the same owners who previously donated the portion of the wildlife area served by this easement to Department of Fish and Game. Recently, when they received an offer to purchase a portion of their remaining lands, they discovered that the access easement that they had granted to the State, as part of their donation, ran through the middle of the property to be sold, impacting its value and usability. They have therefore requested that the Department agree to a relocation of this easement to an area which would more appropriately serve all parties.

The Department's Region 2 staff made an on-site evaluation and determined that this proposal would benefit both the new buyers, by not having their lot split by the Department's easement, and the Department by providing slightly more direct access and less potential problems by not accessing the Department lands through the middle of its neighbors' lands.

The only costs related to this transaction will be Department of General Services' review costs which are estimated to be \$1,500.00 and which the adjacent landowners have agreed to pay. This project is exempt from CEQA as a minor alteration of an existing public access way.

Staff therefore recommended that the Board approve the relinquishment of the Department's existing easement, to the underlying property owners and acceptance of a new access easement from the owners; 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 MR. RYAN BRODDRICK THAT THE BOARD APPROVE THE RELINQUISHMENT OF THE DEPARTMENT'S EXISTING EASEMENT, TO THE UNDERLYING PROPERTY OWNERS AND ACCEPTANCE OF A NEW ACCESS EASEMENT FROM THE OWNERS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

*11. Bridge Arbor Public Access, Lake County \$120.00

(This proposal was subject to funding being provided in the 1998/99 State budget)

This proposal was to consider approval of a new Operating Agreement with the County of Lake to continue their operation and maintenance of the Bridge Arbor Public Access area. The site is located approximately 2 miles south of the community of Upper Lake and provides fishing access along Rodman Slough, Middle Creek, and Scotts Creek, at the north end of Clear Lake, in Lake County.

The Department of Fish and Game acquired this two acre parcel at no cost from the Reclamation Board in 1963. In 1964, the Wildlife Conservation Board funded improvements to the site including a sign, a gravel parking area, sanitary facilities, a vehicle access road and perimeter fencing. The County agreed to operate and maintain the completed project under an Operating Agreement that expired in 1994.

The Bridge Arbor Public Access area is a popular shore fishing location for warmwater fish (mainly catfish and black bass), with some 3,000 visitor use days recorded in 1995 (the last year figures are available). When water levels are high, the project provides some boat launching for those with cartop boats or canoes. The County of Lake has now agreed to enter into a new Operating Agreement with the Board to continue their operation and maintenance of the project for an additional twenty five years.

Staff recommended that the Board approve the Cooperative Agreement with the County of Lake; allocate \$120.00 for General Services' review costs from the Wildlife Restoration Fund; and authorize staff to proceed substantially as planned.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MR. RYAN BRODDRICK THAT THE BOARD APPROVE THE COOPERATIVE AGREEMENT WITH THE COUNTY OF LAKE; ALLOCATE \$120.00 FOR GENERAL SERVICES' REVIEW COSTS FROM THE WILDLIFE RESTORATION FUND; AND AUTHORIZE STAFF TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

*12. Jewett Creek Riparian Restoration, Humboldt County \$50,000.00

This proposal was to consider a grant to the Pacific Coast Fish, Wildlife and Wetlands Restoration Association (Association) for a cooperative project to stabilize and restore riparian habitat to approximately one mile of Jewett Creek, on privately owned land. Partners involved in this project include the Association, the landowners, the National Fish and Wildlife Foundation, the California Conservation Corps (CCC), the Department of Fish and Game, and the Board. The subject site is located approximately fifteen miles east of the City of Garberville, in southern Humboldt County.

Jewett Creek, a tributary to the mainstem Eel River, is approximately six miles long and drains a watershed of more than 16 square miles. This watershed has historically been managed for cattle grazing and timber, with development limited to a few rural residences. Coho and chinook salmon spawn in the lower reaches of the creek, while steelhead trout are known to spawn in the higher reaches in many years. The proposed project is located in the upper reaches of the creek, starting approximately four miles upstream from its confluence with the Eel River, then continuing upstream approximately 5600 feet. The valley at the project site is flatter and wider than the rest of the Jewett Creek valley, and once supported a much wider and more diverse riparian corridor. Over the last 150 years, grazing activity has been concentrated in this portion of the watershed resulting in the loss of much of the wide riparian corridor. The resultant erosion has widened and deepened the creek, warmed the water and inundated downstream spawning gravels with sediment.

To reverse the habitat degradation that has occurred here for many decades, approximately one mile of the creek will be fenced to exclude cattle. Two creek crossings will be constructed to allow cattle access to water and to pastures on both sides of the creek. Eroded areas at thirteen sites within the one mile of creek will be stabilized, totaling approximately 1680 linear feet of boulder riprap. Vertical banks will be sloped and large boulder riprap will be placed at the bases of the erosion pockets to prevent further undercutting. Instream structures will be installed, including four shingled log structures to create bank armor, eight digger logs to create scour pools, and two log cover structures to provide shelter for adult and juvenile steelhead. All fences, instream structures and riprap will be constructed and placed according to Department of Fish and Game specifications.

Upon completion of the stream stabilization, all disturbed areas will be planted with woody riparian species native to the area. This will include the planting of approximately 6000 trees on one-foot centers, including alder and Douglas fir seedlings from a CCC nursery. Willow cuttings will be gathered from existing trees on the property and added to this planting mixture.

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

<u>Description</u>	<u>Estimated Cost</u>
Construction Labor	\$17,448.00
Materials:	
Stream stabilization materials	13,240.00
Fencing	5,135.00
Tree seedlings and mulch	3,030.00
Equipment operation	59,670.00
Overhead and contingency	<u>9,852.00</u>
<u>TOTAL ESTIMATED COSTS</u>	<u>\$108,375.00</u>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$50,000.00
National Fish and Wildlife Foundation	32,630.00
Landowners	17,145.00
California Conservation Corps	<u>8,600.00</u>

TOTAL AVAILABLE FUNDING **\$108,375.00**

The Department of Fish and Game has reviewed this proposal and recommends it for funding by the Board. The Association will obtain any necessary permits and prepare and process the appropriate CEQA documentation. The landowners have agreed to maintain the site for ten years. If at any time during the ten year life of the project, the landowners are unable to manage and maintain the project improvements, they will refund to the Board an amortized amount of the funds based on the number of years left in the project life.

Staff recommended that the Board approve this project as proposed; allocate \$50,000.00 from the Habitat Conservation Fund (Section 2786 (e) and (f)); 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 MR. RYAN BRODDRICK THAT THE BOARD APPROVE THIS PROJECT AS PROPOSED; ALLOCATE \$50,000.00 FROM THE HABITAT CONSERVATION FUND (SECTION 2786 (E) AND (F)); 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.

MOTION CARRIED.

*13. Lake Earl Wildlife Area, Expansion #21, Del Norte County \$36,000.00

This proposal was to acquire a 1± acre inholding in the Lake Earl Wildlife Area to enable the Department of Fish and Game to clean up the parcel and to facilitate better management of this major State Wildlife Area. The property, which is located on the southwest side of the wildlife area, fronts on Old Mill Road, and is located about 500 yards from the Lake Earl Visitor Center. In fact, visitors pass by this property, which contains a vacant, vandalized single family residence, on their way to the visitors center. Since the property is surrounded on three sides by the State Wildlife Area and on the fourth by the road, visitors are certainly led to believe that this parcel is, in fact, part of the State's ownership and is not being properly maintained, a situation which will be rectified by this acquisition.

The Lakes Earl & Talawa area is located on the Smith River Plain, which extends southward from the mouth of the Smith River to Crescent City, the county seat of Del Norte County. The Smith River Plain is an integral part of the coastal arm of the Pacific Flyway. The waters of Lakes Earl and Talawa and the lands in this proposal include habitat that is critical to the existence of significant waterfowl populations, such as the Aleutian Canada goose, which is presently listed by the State and the U.S. Fish and Wildlife Service as endangered. The waters of Lake Earl also support the highest wintering population of canvasback ducks north of San Francisco Bay. The overall flood plain, lakes and surrounding uplands support over 250 species of birds, most of them water-associated, and 58 species of mammals.

The Board, at its June 22, 1979, meeting approved the concept of acquiring certain lands to protect and preserve Lakes Earl and Talawa, as proposed by the Department of Fish and Game, in coordination with the Department of Parks and Recreation and the State Lands Commission. In accordance with specific authorizations made by the Board over the last 19 years, staff has acquired over 2,715± acres in fee and easements within or adjacent to Lakes Earl and Talawa. An additional 2,600 acres have been leased from the State Lands Commission, placing a total of over 5,315± acres under Department of Fish and Game management.

The proposed acquisition has been highly recommended by the Department of Fish and Game to allow for better management of the wildlife area and to present a better image to those visiting this area. As noted earlier, visitors to the area pass by this small inholding on their way to the visitors center. While the parcel has been cleaned up by the current owners (a credit union) it has for some time served as an unofficial dump to many, who have dumped junked vehicles and trash on the property. Not only has this detracted from the values of the Wildlife Area and from the enjoyment of the area's users, but because of its location "within" the Wildlife Area, it has also been viewed by some as "the State not taking care of its property." The Department would like to see the property acquired, remove the dwelling and any remaining trash, preserve its fish and wildlife values, which includes wetland and coastal sand dunes, and make it an attractive approach to the Wildlife Area.

The owner has agreed to sell this property for its approved appraised value of \$27,000.00. Costs of appraisal, escrow and administrative costs of the Department of General Services are estimated to be an additional \$4,000.00. In addition to the purchase price and review expenses, the Department has requested \$5,000.00 as initial start-up costs to cover the demolition of the building, foundation removal and any remaining clean-up which may be necessary. Any CEQA requirement for the demolition will be completed and filed by the Department. A total allocation of \$36,000.00 is therefore recommended by your staff. The acquisition is categorically exempt from CEQA under Class 13, acquisition of land for wildlife conservation purposes.

Staff recommended that the Board approve this acquisition; allocate a total of \$36,000.00 from the Wildlife Restoration Fund to pay the purchase price and related costs of purchase; 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 MR. RYAN BRODDRICK THAT THE BOARD APPROVE THIS ACQUISITION; ALLOCATE A TOTAL OF \$36,000.00 FROM THE WILDLIFE RESTORATION FUND TO PAY THE PURCHASE PRICE AND RELATED COSTS OF PURCHASE; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

*14. Battle Creek Wildlife Area Public Access, Shasta County \$25,400.00

(This proposal was subject to funding being provided in the 1998/99 State budget)

This proposal was to consider funding to expand and upgrade the existing public access facilities at the Department of Fish and Game (Department) owned Battle Creek Wildlife Area. The 505± acre wildlife area is located on Battle Creek, approximately six miles east of the town of Cottonwood and within one mile of the Coleman National Fish Hatchery.

The Fish and Game Commission designated the Battle Creek Wildlife Area in 1983 after over 100 acres of land were acquired pursuant to action of the Wildlife Conservation Board. Since 1983, more than 400 acres of additional lands along Battle Creek have been acquired by the Board, in both Shasta and Tehama Counties, with the last acquisition being completed in 1996. The primary purpose of these acquisitions was to protect fisheries, riparian and wetland habitats and to provide public access to the creek. The wildlife area is composed of a mixture of habitats including riparian forest, wetlands, small ponds, open pasture, riverine, blue oak woodlands and grasslands. Existing access facilities include a gravel entrance road and a dirt parking area. A small barn and open storage shed line the parking lot perimeter which provides parking for access to a maintained pedestrian loop trail that curves through the riparian forest and runs along the Battle Creek frontage.

The Department currently operates a public information and education program within the wildlife area for local schools, utilizing volunteers to assist staff with the program. The volunteer program, initiated in 1990, has helped with special events on the wildlife area including the annual "Return of Salmon Festival" held in October and the annual fourth grade school tours. The Salmon Festival is a one-day event providing an educational and recreational opportunity for the surrounding communities. As part of the festival, a natural history "museum" is set up within an existing barn building on site, and is staffed by volunteers. During the festival, the parking area is filled to capacity with overflow vehicles having to park on Coleman Hatchery Road. Attendance at last year's festival was estimated to be more than 12,000 people.

The annual fourth grade tours are held each spring and fall. Both volunteer-lead tours and self-guided tours are available on the loop trail system that runs through the wildlife area and along the creek. In 1997, approximately 600 students and more than 100 adults participated in 13 field trips to the wildlife area. Unfortunately, the existing parking lot is too small to accommodate school buses which must park at the entrance gate, requiring the passengers to walk into the wildlife area. In addition to special events, the general public uses the wildlife area for year-round activities such as hiking and sightseeing.

The wildlife area and the nearby Coleman National Fish Hatchery are featured as "Watchable Wildlife" viewing sites in the California Wildlife Viewing Guide. As an outgrowth of this Watchable Wildlife program, a cooperative planning effort between the Department, the Bureau of Land Management, the U.S. Fish and Wildlife Service and the Federal Bureau of Reclamation has resulted in a proposal to connect the wildlife area with the hatchery via an interpretive trail system. The proposed trail system will join the existing loop trail and tell the story of hatchery operations and the surrounding ecosystem. The planned parking area expansion would provide additional parking for the visitors to this new trail system.

The existing parking area contains approximately 6,750 square feet and is accessed via a 25 foot wide compacted gravel access road. A barbed wire fence lines the entrance road and parking area perimeter and an overhead power line that bisects the site provides electrical and phone service to the existing buildings. A water conveyance ditch runs adjacent to the west boundary fence. The proposed project would expand the parking area to 23,250 square feet and upgrade the road base on the parking area and entrance road to accommodate school buses. Additional components of the project include reconfiguring the electrical and phone service facilities, installing new fencing around the perimeter of the expanded parking area, rerouting the water conveyance ditch and constructing and installing an informational kiosk.

Department of Fish and Game (Department) staff have designed the project, with the help of Shasta College, and will be obtaining the necessary permits, managing the construction as well as providing material and in-kind labor to complete the project. The Department has identified a total of 0.14 acre of wetlands which will be impacted by the project and will be providing mitigation through the purchase of mitigation credits from the Cottonwood Creek Mitigation Bank. A Negative Declaration has been prepared and will be filed by the Department as required under CEQA.

Cost estimates for this project, which were developed by the Department staff, have been reviewed and approved by WCB staff as follows:

<u>Description</u>	<u>Estimated Cost</u>
Engineering & Site Preparation	\$ 4,000.00
Fencing Material	400.00
Kiosk and Material	19,500.00
Inmate Labor (5 days)	250.00
Miscellaneous Supplies	300.00
Mitigation Credit	3,600.00
Utilities Relocation	4,500.00
Equipment Rental, transportation & fuel	2,600.00
Road Base	16,000.00
Subtotal	\$51,150.00
Contingencies	\$ 2,300.00
<u>TOTAL ESTIMATED COSTS</u>	<u>\$53,450.00</u>

Shasta College would provide labor for engineering and site preparation for the project while the Department proposes to provide the fencing and kiosk materials, inmate labor costs, miscellaneous supplies and the required mitigation credit purchase. The breakdown of the proposed contributions of the partners is as follows:

Shasta College (Donation)	\$ 4,000.00
Department of Fish & Game	24,050.00
Wildlife Conservation Board	25,400.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$53,450.00</u>

Staff recommended that the Board approve this cooperative project, for the construction of the expanded parking facilities at the Battle Creek Wildlife Area as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$25,400.00 from the Wildlife Restoration Fund for project 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 MR. RYAN BRODDRICK THAT THE BOARD APPROVE THIS COOPERATIVE PROJECT, FOR THE CONSTRUCTION OF THE EXPANDED PARKING FACILITIES AT THE BATTLE CREEK WILDLIFE AREA AS PROPOSED; AUTHORIZE STAFF TO ENTER INTO APPROPRIATE AGREEMENTS NECESSARY TO ACCOMPLISH THIS PROJECT; ALLOCATE \$25,400.00 FROM THE WILDLIFE RESTORATION FUND FOR PROJECT COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

*15. Wetlands Restoration (Kern Flyway Ranch), Kern County \$28,740.00

This proposal was to consider an allocation for a grant to the California Waterfowl Association (CWA) for a cooperative project to enhance and restore approximately 200 acres of wetlands and associated uplands for waterfowl and other water dependent wildlife species. Proposed partners for this project, which is on privately-owned land, include the CWA, the landowner, the Department of Fish and Game and the Wildlife Conservation Board (WCB). The project is located in the Tulare Basin, adjacent to the Kern National Wildlife Refuge, approximately twenty miles west of the City of Delano.

The subject site, which consists of leveled fields surrounded by small levees, has been farmed or ranched for many years. At various times over the years, the land produced sorghum, barley, corn, wheat, cotton and irrigated pasture, and was flooded each fall for waterfowl hunting. For the last few years, the site has been used solely for spring grazing due to increased pumping costs that have made farming and winter flooding in dry years uneconomical. The proposed project will reestablish a more natural seasonal wetland and grassland complex on 140± acres of the site by creating swales in the fields and using the excavated material to build new levees that follow the topography of the landscape. Once the new levees are constructed, the ponds will be seeded with native wetland grass that provide food for waterfowl. The balance of the site, some 60± acres of adjacent uplands, will be enhanced and managed to provide cover for resting birds and other wildlife species.

In addition to the swale and levee construction, a new diesel pump will be installed to lift water from the Fowler canal on the south boundary of the site. Six flash board risers and a screw gate will also be installed to distribute the water to the ponds. Three quarters of a mile of fencing will be constructed to allow for managed grazing on site.

The site will be managed as seasonal wetlands with a primary goal to provide wildlife habitat. In dry years, winter rains will pond on site, stimulating wetland plant growth in the swales and creating a mosaic of upland and wetland habitats. Class II water, which is available in average or wetter years, will be used to irrigate the seasonal wetlands in spring and early summer, and flood the ponds in the winter. Grazing on upland areas will be timed to provide upland nesting cover for waterfowl, pheasants, and other ground nesting birds. Closely controlled grazing in the wetlands will remove rank vegetation which will improve wetland habitat for waterfowl and many other species.

Wetland habitat with adjacent uplands, as described herein, are known to support a wide variety of wildlife species. Many species of waterfowl will benefit from these improvements, and other bird species, such as rails, yellowthroats, song sparrows, herons and egrets will also inhabit the marshes and seasonal wetlands. The uplands provide habitat for grassland species such as meadowlarks, and provide foraging areas for hawks. Mammals supported by this habitat matrix include voles, deer mice, and muskrats, which are prey for coyotes and raptors. Two endangered species, the blunt-nosed leopard lizard and the Tipton

kangaroo rat are known to exist nearby but are not found on this site as it has been leveled, farmed and seasonally flooded. De-leveling the fields may once again allow these two species to inhabit this site.

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

<u>Description</u>	<u>Estimated Cost</u>
Levee construction	\$6,864.00
Water control structures and screw gate	7,334.00
Fencing	5,742.00
Lift pump and meter	13,750.00
Discing, seeding and planting	1,900.00
CWA project design and management	3,479.00
Contingency (10%)	<u>3,907.00</u>
<u>TOTAL ESTIMATED COSTS</u>	<u>\$42,976.00</u>
<u>Proposed Funding Breakdown:</u>	
Wildlife Conservation Board	\$28,740.00
Kern Flyway Ranch	<u>14,236.00</u>
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$42,976.00</u>

The landowner has agreed to manage and maintain the property for twenty-five years, pursuant to the terms and conditions of a Department-approved habitat management plan. Pursuant to the Grant Agreement, if at any time during the twenty-five year life of the project, the landowners are unable to manage and maintain the project improvements, they would be required to refund to the Board an amortized amount of funds based on the number of years left in the project life.

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.

Staff recommended that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$28,740.00 from the Habitat Conservation Fund, (Section 2786 (d)); 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 MR. RYAN BRODDRICK THAT THE BOARD APPROVE THIS PROJECT AS PROPOSED; AUTHORIZE STAFF TO ENTER INTO APPROPRIATE AGREEMENTS NECESSARY TO ACCOMPLISH THIS PROJECT; ALLOCATE \$28,740.00 FROM THE HABITAT CONSERVATION FUND, (SECTION 2786 (D)); AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

16. Pardee Reservoir Public Access (Blue Heron Point), Amador County \$157,120.00

(This proposal was subject to funding being provided in the 1998/99 State budget)

Mr. Schmidt reported that this proposal was to consider funding a cooperative project with the East Bay Municipal Utilities District (District) to install a barrier-free fishing float, two shoreline fishing trails, restroom facilities, and fish habitat improvements at Pardee Reservoir. The reservoir is located in Amador County, approximately ten miles southwest of Jackson, along the Mokelumne River. Mr. Peter Perrine indicated Mr. Duke Foster, who presented this project to the Board, and Mr. Marcel Moranton, from the East Bay Municipal Utilities District were in the audience. He then explained the project in greater detail.

Pardee Reservoir was first developed for a public fishing area as a cooperative project between the District and the Wildlife Conservation Board (Board) in 1957. The original project was the first of its kind on a water supply reservoir in California and consisted of a concrete boat ramp, parking area, restroom, an access road, and fencing. In 1977 the Board funded improvements to the boat ramp, the construction of a fishing pier and access to an island on the opposite shore of the reservoir for fishing purposes and improved fish habitat. Then, in 1986 the Board assisted in funding the construction of additional parking and barrier-free fishing access.

The District administers a recreational program at the reservoir which includes fishing for rainbow trout and kokanee. Nearly 80,000 visitor days were recorded at the reservoir in 1997. A cooperative fish stocking program has been managed for many years by the District through an agreement with the Department of Fish and Game to stock catchable rainbow trout and kokanee fingerlings each year. In addition, the reservoir supports populations of smallmouth and largemouth bass, channel catfish, bluegill and crappie, all of which are popular with the public.

The District has now requested a grant to improve fishing access at two locations on the reservoir. All access facilities to be constructed will conform to "barrier free" standards under the Americans with Disabilities Act. A trail along the shoreline, a restroom, underwater fish habitat structures and a fishing float are proposed to be constructed at an area

known as Blue Heron Point. The trail will extend north along the lake to Rainbow Point. A second trail will be constructed at a location known as Porcupine Point, just to the north of Rainbow Point, near the Jackson Creek Spillway. Both trails will be constructed at the elevation of highest water to allow those with disabilities to fish from the shore when the reservoir is full. The reservoir is open to the public for nine months each year, with the greatest number of anglers visiting the site between February and June, a time of year when the water elevation is at its peak. Bank fishing from the proposed trail should be popular during this peak water period. The trails will be constructed of a material made from pine sap that binds with any soil, sand or gravel, resulting in a surface similar to asphalt but which will not leach toxic material.

The fishing float, which will be designed so that it can be raised and lowered as water levels fluctuate, will be constructed at one of the deeper areas on the lake. It is also proposed that fish habitat improvements (rock cairns) will be constructed near the float to improve fishing opportunities at this site. The rock cairns will consist of pyramids of rock approximately three feet high and five wide at the base. The District will maintain the facilities pursuant to an amendment to an existing Lease and Operating Agreement with the Board and will be contributing labor and equipment to complete the project.

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

<u>Description</u>	<u>Estimated Cost</u>
Excavation and Trail Preparation	\$16,800.00
Environ Emulsion Soil Stabilizer (22,200 sq. ft. @ \$2/sq. ft.)	44,400.00
ADA protective fencing (500 ft. @ \$7/ft.)	3,500.00
Erosion control/bank stabilization	19,600.00
ADA fishing float, gangway and concrete walkway	66,000.00
ADA restroom with pad	6,500.00
Rock cairns	3,600.00
Engineering, design and administration	29,000.00
<u>TOTAL ESTIMATED COSTS</u>	<u>\$189,400.00</u>
<u>Proposed Funding Breakdown:</u>	
Wildlife Conservation Board	\$157,000.00
East Bay Municipal Utilities District	<u>32,400.00</u>
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$189,400.00</u>

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 \$157,120.00.

The Department of Fish Game has reviewed this proposal and recommends it for funding by the Board. The District will be preparing the appropriate notice as required under CEQA, has agreed to extend the existing Lease and Operating Agreement to the year 2023 and will also handle the contract administration for the proposed construction.

Staff recommended that the Board approve this project as proposed; allocate \$157,120.00 from the Wildlife Restoration Fund for project costs and General Services' review costs; approve the extension of the existing Lease and Operating Agreement; 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.

Mr. Thieriot asked a question about accessibility to fishing by people in wheelchairs. Mr. Perrine explained that the path is at the water's edge, providing good access at the time of year when the reservoir is most often used, and the ramp moves with the water level to provide access at all times. Mr. Broddrick added that it was his understanding the water level remains fairly stable in this reservoir. He asked Mr. Moranton of the East Bay Municipal Utilities District about the demand for this project from local organizations and individuals that are ADA qualified. Mr. Moranton stated that Mr. Duke Foster, a consultant they have been working with, sent letters to organized groups in the area and these groups are widely in favor of this project. He also stated that at Pardee Reservoir, the District has made great progress in providing facilities for the disabled, but fell short in trail access. Mr. Broddrick commented that there is a huge demand for projects providing access for the handicapped, referencing a recent activity for children at the Aerojet ponds. Mr. Schmidt reported that the Board received a letter from the Mother Lode Chapter of Disabled Sports, USA, encouraging handicapped access in the area and that there is a lot of support for this type of project.

IT WAS MOVED BY MR. RYAN BRODDRICK THAT THE BOARD APPROVE THIS PROJECT AS PROPOSED; ALLOCATE \$157,120.00 FROM THE WILDLIFE RESTORATION FUND FOR PROJECT COSTS AND GENERAL SERVICES' REVIEW COSTS; APPROVE THE EXTENSION OF THE EXISTING LEASE AND OPERATING AGREEMENT; 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.

MOTION CARRIED.

At this time Mr. Schmidt welcomed Ms. Kristin Halstenrud, from Assemblyman Machado's office, and Mr. Lawrence Lingbloom, from Assemblywoman Bowen's office.

17. Central Valley Fish Hatchery/Upper Cosumnes River \$30,000.00
Wildlife Area Exchange, Sacramento, Amador and El Dorado Counties

Mr. Schmidt reported that this proposal was to consider a sale/exchange of 37± acres of the Department of Fish and Game's (DFG) 39± acre Central Valley Fish Hatchery (CVH) site, located in Elk Grove. As consideration, the Department would receive a build-to-suit screen shop facility, a 130± acre parcel located northeast of Plymouth, and cash to equalize the consideration between the parties. The exchange parcel to be acquired through this proposal is located at the confluence of the south and middle forks of the Cosumnes River, lying in El Dorado and Amador Counties. The new screen shop facility will be located at the Department's Yolo Bypass Wildlife Area. Staff anticipates that after applying credits for this new facility and the 130± acres the State will receive, there will be some remaining funds due the State, which funds, less sales expenses, will be deposited into either the Wildlife Restoration Fund or the Fish and Game Preservation Fund, as will be determined by the Board in accordance with Section 1355 of the Fish and Game Code. Mr. Frank Giordano then explained the project in greater detail.

Hatchery Property

The CVH property consists of 39± acres and is located on the southwest corner of Elk Grove-Florin Road and Bond Road in the unincorporated area of Elk Grove in the southerly portion of Sacramento County. A portion of Laguna Creek, which runs through the DFG property and contains a variety of riparian and wetland habitats values will be preserved through the retention of a conservation easement as part of this proposal.

For the past 60± years, the CVH property has been utilized by the Department of Fish and Game for a fish hatchery, with a DFG screen shop and toxicology laboratory also utilizing portions of the property. The hatchery operation was closed in 1993 when funding from the striped bass stamp became unavailable. However, the Department continues to use the site for a screen shop and the laboratory.

The CVH property is improved with a number of older structures, most of which are estimated to be more than 50 years of age. Some of the structures once served the Department's fish hatchery operation, while others are now used for the fish screen operation and the laboratory. In addition, there are a number of dirt lined rearing ponds that have been dug on the property, taking up a majority of the total property area. These ponds were supplied with water by three wells, two of which are proposed to be sold with the property. The third well and pump was previously sold to the Elk Grove Community Services District. All structures, except the laboratory and its necessary support buildings, would be sold under this proposal.

Exchange Property

As previously noted, the exchange property (property to be acquired by the State) is located at the confluence of the south and middle forks of the Cosumnes River, lying in both Amador and El Dorado Counties. The Bureau of Land Management (BLM) owns properties adjacent to, and to the northeast, west and south of the subject property. This proximity to existing government lands increases the site's value to the Department, since a larger contiguous block of habitat would be protected. A portion of the property is accessible via County Road E16 to Upton Road and the remainder lies across the Cosumnes River, adjacent to the BLM lands. The property is also located within the Cosumnes River watershed and could benefit CalFed goals for watershed protection as an upstream extension of those protection efforts currently ongoing in lower reaches, such as at the Cosumnes River Preserve in Sacramento County. The exchange parcel is mostly covered by a diversity of habitat types, including cismontane woodland (blue oak series dominant in some areas), lower montane coniferous forest, riparian forest and manzanita chaparral. Much of the area has been protected from grazing impacts and has maintained significant amounts of understory vegetation. The diversity of the habitats on the site would be expected to support a diverse list of plant and animal species. Species typical of mid-elevation Sierra Nevada forests include Cooper's hawk, western screech owl, acorn woodpecker and California thrasher. Species associated with chaparral habitats include scrub jay, California towhee, Bewick's wren, coast horned lizard, rattlesnake and Anna's hummingbird. Hunttable species expected to occur on the site would include turkey, valley quail, band-tailed pigeon and blacktail deer.

The Department indicates that the acquisition of this property is highly desirable due to its habitat and species diversity, its proximity to existing preserved lands and its strategic location within the Cosumnes River watershed. The site also has good potential to increase hunting opportunities in the foothill area, an area with limited access to most hunters since much of the land in this area is privately owned.

Conceptual Agreement for Sale/Exchange

While all details, cost estimates and final valuations of property are not completed, the basic terms and conditions have been negotiated and are as follows:

- 1) The State will sell/exchange its ownership to the buyers for its fair market value. A prior appraisal indicates a range of \$1,150,000.00 to \$2,245,000.00, depending on zoning and development entitlements. In view of the recent upswing in real estate activity and prices, staff is obtaining a current appraisal to assure the correctness of the value, but the tentative commitment of the buyers is \$1,825,000.00.
- 2) The buyers shall, as a portion of the compensation for the State property, transfer 130± acres of property, known as the Upper Cosumnes River Wildlife Area, to the State. The value of the 130± acres is estimated to be between \$475,000.00 and \$550,000.00. The final appraisal value, when reviewed and approved by the Department of General Services, shall be credited toward the buyers' purchase price of the State property.

- 3) The State will provide the buyers with plans and specifications for a new screen shop facility. The buyers shall pay for and construct a build-to-suit screen shop facility for the State at the Yolo Bypass Wildlife Area. The cost to construct the facility, as approved by the Department, shall also be credited toward the purchase price of the CVH.
- 4) The buyer shall allow the present screen shop facility to remain in operation, at no rental cost to the State, until the new shop is accepted by the State as being fully operational.
- 5) The State will retain its laboratory located on the property and will retain title to this 2± acre site and its various improvements. The State will, however, provide the buyers with the first of right of refusal to purchase the site should the State decide to dispose of it in the future. Any future sale shall be at fair market value, as approved by the State, at the time of the proposed sale.
- 6) The State will retain a conservation easement over the Laguna Creek riparian area for the protection of its wildlife habitat values. This area will be determined by a survey provided by buyers.
- 7) The buyers will sign a note in the amount of the approved fair market value of the State property less the amounts to be credited as outlined above. In the first three years, the buyers would pay interest only on the note. Interest shall be based on an appropriate interest rate for transactions of this nature. The note shall be due and payable in three years or 90 days after rezoning approval is received, whichever occurs first.
- 8) The new screen shop shall be completed and ready for occupancy not later than 90 days after the date the buyers' note is due, or within one year of the date the State provides the buyers its plans and specifications for the facility, whichever occurs later.

All property values will be approved by the Department of General Services. This sale/exchange is exempt from CEQA under Class 13, Section 15313 and Class 12, Section 15312. It is estimated that \$30,000.00 will be needed for General Services' review, appraisal and title costs.

Mr. Giordano reported that one of the buyers, Mr. Chris Vrame, was in the audience. Mr. Schmidt reported that Mr. Banky Curtis and Mr. Pat O'Brien from the Department of Fish and Game were also in the audience and available to answer questions. Mr. Schmidt went on to explain that by law the sale proceeds from any fish hatchery shall be deposited in the Wildlife Restoration Fund (Wildlife Conservation Board fund) or the Fish and Game Preservation Fund (Department of Fish and Game fund), as determined by the Board, and shall be available for acquisition, enhancement, restoration or construction projects for the benefit of wildlife. Mr. Schmidt asked that if the decision was made for the proceeds to go to the Fish and Game Preservation Fund, that it include a provision for up to \$30,000.00 be reimbursed to the Wildlife Conservation Board for the cost of this transaction. Mr. Thieriot

asked for clarification regarding the use of the sale proceeds. Mr. Schmidt and Mr. Broddrick explained ways in which the funds could be used and both agreed they would rather see the proceeds go to the Fish and Game Preservation Fund.

Staff recommended that the Board approve and authorize the sale/exchange of the hatchery site and acceptance of the 130± acre Cosumnes River property and the build-to-suit screen shop facility on terms and conditions substantially as outlined above; authorize staff to enter into appropriate agreements necessary to accomplish this proposal; allocate \$30,000.00 from the Wildlife Restoration Fund to cover all necessary sales expenses; and authorize staff and the Department to proceed substantially as planned.

IT WAS MOVED BY MR. RYAN BRODDRICK THAT THE BOARD APPROVE AND AUTHORIZE THE SALE/EXCHANGE OF THE HATCHERY SITE AND ACCEPTANCE OF THE 130± ACRE COSUMNES RIVER PROPERTY AND THE BUILD-TO-SUIT SCREEN SHOP FACILITY ON TERMS AND CONDITIONS SUBSTANTIALLY AS OUTLINED ABOVE; AUTHORIZE STAFF TO ENTER INTO APPROPRIATE AGREEMENTS NECESSARY TO ACCOMPLISH THIS PROPOSAL; ALLOCATE \$30,000.00 FROM THE WILDLIFE RESTORATION FUND TO COVER ALL NECESSARY SALES EXPENSES; AUTHORIZE ALL CASH PROCEEDS FROM THIS SALE TO BE DEPOSITED INTO THE FISH AND GAME PRESERVATION FUND, OF THIS UP TO \$30,000.00 SHALL BE DEPOSITED AS REIMBURSEMENT TO THE WILDLIFE RESTORATION FUND FOR COSTS INCURRED IN THIS EXCHANGE; AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

18. Humboldt Bay Wildlife Area, Lower Janes Creek Unit, Humboldt County \$137,000.00

Mr. Schmidt reported that this proposal was to consider an allocation for a grant to the City of Arcata to be applied toward the acquisition of 75± acres of Humboldt Bay frontage and an adjacent riparian corridor that borders the east side of Janes Creek. Acquisition of the land will allow the city to restore and preserve saltwater and freshwater wetlands and riparian habitat along Janes Creek. Mr. Jim Sarro then explained the project in greater detail.

The subject property is located just west of the City of Arcata, adjacent to the northern edge of Humboldt Bay, in Humboldt County. It is bordered by State Route 255 to the north and Humboldt Bay to the south, with Janes Creek defining the property's western boundary. Acquisition of the subject property would expand both the city's existing Janes Creek Riparian Corridor and the adjacent 154± acre Arcata Marsh Wildlife Sanctuary, while also helping to alleviate upstream flooding. In addition, the property would provide a critical link from the wildlife sanctuary to the Department of Fish and Game's (DFG) adjacent holdings on McDaniel Slough (508 acres acquired in 1989), located on the west side of Janes Creek.

The Janes Creek corridor is part of the larger Humboldt Bay ecosystem that provides critical habitat for waterfowl, diving birds, wading birds and shorebirds as well as various passerines and raptors. A number of species found in and along the bay use the subject property. Birds that frequent this area include the great blue heron, great egret and snowy egret. Coastal cutthroat trout, a California Species of Special Concern, inhabits Janes Creek despite the tide gate that restricts passage of anadromous fish.

The proposed acquisition will enable the city to enhance habitat values on both the subject property and a portion of the adjacent DFG property. Enhancements proposed under their program will improve habitat and water quality values for the above mentioned species by restoring natural flows on the creek, restoring 100 to 150 acres of former saltwater and/or fresh water wetlands and revegetating 5,000 feet of the riparian corridor. The enhancements should also improve habitat for the tidewater goby, a federally endangered species, and re-establish coho salmon and steelhead populations in Janes Creek. The city's public use goals include passive natural resource related activities, including nature study, bird watching, photography and hiking. The city will also encourage scientific and educational uses.

The city's purchase price for the entire parcel, based on a State-approved appraisal, is \$385,000.00. The city is receiving \$250,000.00 from the Environmental Enhancement and Mitigation Program for the proposed project, leaving a shortfall of \$135,000.00 in available funding to complete this purchase. 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 \$2,000.00 will be needed to cover administrative expenses, including Department of General Services' review charges.

Mr. Schmidt reported that the Board received letters of support from Assemblywoman Virginia Strom-Martin, Senator Mike Thompson and Humboldt County Supervisor John Woolley. No opposing letters or telephone calls were received regarding this project.

Staff recommended that the Board approve the award of a grant of \$135,000.00 to the City of Arcata as proposed; allocate \$137,000.00 from the Wildlife Restoration Fund (\$135,000.00 for the grant to the city and \$2,000.00 for project expenses); and authorize staff of the Department of Fish and Game to proceed substantially as planned.

IT WAS MOVED BY MR. RYAN BRODDRICK THAT THE BOARD APPROVE THE AWARD OF A GRANT OF \$135,000.00 TO THE CITY OF ARCATA AS PROPOSED; ALLOCATE \$137,000.00 FROM THE WILDLIFE RESTORATION FUND (\$135,000.00 FOR THE GRANT TO THE CITY AND \$2,000.00 FOR PROJECT EXPENSES); AND AUTHORIZE STAFF OF THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

19. Rancho Jamul Ecological Reserve, Expansion #1, San Diego County \$610,000.00

Mr. Schmidt reported that this proposal was to consider completion of the multi-agency purchase of the 4,748± acre Rancho Jamul property to further implement the Department of Fish and Game's (DFG) Natural Community Conservation Planning (NCCP) efforts in the county as part of this multi-party, public and private cooperative venture. Acquisition of the first phase of this project was approved by the Board at its meeting in November, 1997.

Mr. Jim Sarro then explained the project in greater detail.

The Rancho Jamul property is located in southwestern San Diego County, in a zone where the coastal plains grade into the foothill mountains. The property is traversed by Dulzura and Jamul Creeks, which flow down the watershed into Lower Otay Lake, and is bisected by Otay Lakes Road. The site has gently rolling hills and open valleys and contains a diverse mixture of vegetative communities and habitat features. Elevation of the site ranges between 615 and 1,250 feet. Access to the property is obtained from two separate locations along State Highway 94, which borders the property along the northeastern boundary for approximately seven miles.

Completion of the acquisition of the Rancho Jamul property offers an opportunity to preserve and manage declining sensitive species and habitat in one of the largest blocks of contiguous land available in the County's Multiple Species Conservation Program (MSCP) open space planning area. Furthermore, the acquisition provides valuable public recreation opportunities, including hunting, hiking and nature study. Rancho Jamul is considered an important component of the MSCP preserve and the State's NCCP program for the area.

Seven major vegetation communities occur on the property, including coastal sage scrub (2,250± acres), with significant stands of transitional chaparral/coastal sage scrub (180± acres), chaparral (160± acres), grassland (465± acres), oak woodland (25± acres), riparian habitat (38± acres) and freshwater marsh (25± acres). Additionally, Rancho Jamul offers numerous opportunities for restoration, such as the 190± acres of disturbed riparian habitat and the 830± acres of idle agricultural land that is already recovering to grassland.

Aside from Rancho Jamul's extensive coastal sage scrub community, there are significant acres of other biological communities supporting sensitive species. For example, marsh/riparian habitat appears to be suitable for southwestern pond turtles, a State species of special concern, and Jamul and Dulzura creeks are likely suitable for reintroduction of the federally-endangered arroyo toad. The riparian drainages also harbor suitable willow scrub habitat for least Bell's vireo. In fact, downstream, 1996 surveys documented the existence of 22 pairs of these State and federally-listed endangered species. These pairs could serve as a core population to repopulate any future restoration/enhancement of riparian habitat. California ground squirrels were observed in the recovering grassland areas, indicating suitable cover and prey base for burrowing owls and other raptors. Burrowing owl habitat could also be enhanced by the construction of artificial burrows.

The completion of the acquisition of Rancho Jamul would produce several benefits beyond preserving and protecting sensitive plant and animal species and wide swaths of contiguous sensitive habitat. First, the purchase is consistent with the MSCP and Subarea Plan. Secondly, it would commit an identified, centralized core area to the proposed preserve in perpetuity and would enhance surrounding conserved lands through linkages and corridors. Finally, the purchase of Rancho Jamul would make an effective demonstration of the State of California's continuing commitment to the progressive open space planning techniques developed through the Multiple Species Conservation Program.

Through lengthy negotiations between the landowner, Wells Fargo Bank and the Trust for Public Land (TPL), the property was acquired by TPL for transfer to public agencies as available funding would permit. The property is zoned for the potential of 8-acre lots. While the threat of such development is not immediate, the action by TPL assured that the property would not be acquired for speculation in the very strong San Diego County market.

The property has been appraised with an overall approved fair market value of \$11,000,000.00 (\$2,317.00 per acre). It was, however, offered to the NCCP/MSCP participating agencies in phases over two fiscal years for a total of \$7,900,000.00 (\$1,664.00 per acre). As noted above, the first phase, 2,275± acres, was carried out through Board action in November, 1997, using WCB funds (\$1.11 million) and federal Section 6 funds (\$2.75 million), with title to that portion now being held by the State. The current proposal anticipates a cooperative effort between WCB, the U.S. Fish and Wildlife Service (FWS), the U.S. Bureau of Land Management (BLM) and the State Coastal Conservancy (SCC) to complete the purchase of the balance of the ranch, another 2,473± acres in all.

Under this proposal, BLM would purchase and hold as federal lands approximately 1,088 acres lying in the southerly most area of the property. WCB, using \$600,000.00 in funds designated in its budget for Rancho Jamul, together with \$1,600,000.00 of FWS Section 6 funds and \$200,000.00 of SCC funds, would acquire the remaining 1,385± acres of the property, a total purchase price of \$2,400,000.00. The acreage to be acquired by WCB has an approved fair market value of \$3,209,000.00, thereby resulting in a donation of over \$800,000.00. It is estimated that in addition to the WCB's \$600,000.00 contribution to the purchase, the amount of \$10,000.00 will be needed to cover escrow, closing and Department of General Services' review costs. Title to the property would vest in the State, subject only to federal conditions that the property be operated and managed by the State in accordance with NCCP and MSCP goals. DFG concurs in the conditions and will assume management responsibility for the property accordingly.

There is another interesting aspect of this transaction. In consultation with the Department, TPL has entered into an agreement with Wildlands, Inc., a private conservation/mitigation banking firm. Under the agreement, Wildlands will take all necessary steps to design and obtain a permit for the operation of a mitigation bank on approximately 150 acres of the subject property. If and when approved, the mitigation credits that are eventually sold by Wildlands would provide revenues, a portion of the credits' sales price, to the owner of the

land. As successor-owner of the property, the State would become entitled to receive these revenues for use in acquiring additional habitat and for restoration and maintenance of the subject property.

This proposed purchase is categorically exempt from CEQA as an acquisition of land for wildlife habitat conservation purposes and the appropriate Notice of Exemption is on file. Funding of \$600,000.00 is available for this acquisition from the Natural Resources Infrastructure Fund (NRIF) as specifically designated for Rancho Jamul. The amount estimated for costs and administrative expenses, \$10,000.00, is available in the Habitat Conservation Fund (HCF) as specifically designated for NCCP acquisitions.

Mr. Schmidt reported that the Board received six personal letters of support for this project in addition to letters of support from the Endangered Habitat League and the Audubon Society. Mr. Schmidt stated that Ms. Gail Presley and Mr. Bill Tippets from the Department of Fish and Game were in the audience should there be any questions about the NCCP Program or this particular parcel.

Mr. Thieriot asked about the total number of acres acquired through the NCCP program. Mr. Tom Oberbauer, from the County of San Diego, stated that approximately 70,000 to 80,000 acres have been acquired or set aside, with a goal of 172,000 acres over the 30-year plan. Mr. Bill Tippets added that the 70,000 to 80,000 acres are existing Bureau of Land Management, State Parks and Department of Fish and Game lands, previously committed to open space, and that approximately 6,000 acres have been acquired by the state and federal governments since 1994 and 1995, which is building toward the reserve system. He added that there is an expectation through mitigation that approximately 50,000 acres are going to be added through the normal land use regulatory process and the actual acquisition that is needed by all parties to fill the reserve system is approximately 27,000 acres. Of that, about one-half will be contributed by state and federal governments and the other one-half by local government. The state and federal governments have already contributed about one-half.

Staff recommended the Board authorize the purchase of the 1,385± acre property as described above including the acceptance, into escrow, of funds from partners as described herein; allocate \$600,000.00 from the NRIF and \$10,000.00 from the Habitat Conservation Fund/NCCP to cover the purchase price and associated acquisition costs of the property; and authorize staff and the Department to proceed substantially as planned.

IT WAS MOVED BY MR. RYAN BRODDRICK THAT THE BOARD AUTHORIZE THE PURCHASE OF THE 1,385± ACRE PROPERTY AS DESCRIBED ABOVE INCLUDING THE ACCEPTANCE, INTO ESCROW, OF FUNDS FROM PARTNERS AS DESCRIBED HEREIN; ALLOCATE \$600,000.00 FROM THE NRIF AND \$10,000.00 FROM THE HABITAT CONSERVATION FUND/NCCP TO COVER THE PURCHASE PRICE AND ASSOCIATED ACQUISITION COSTS OF THE PROPERTY; AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

20. Lakeside Linkages, San Diego County

\$790,000.00

Mr. Schmidt reported that this proposal is to consider an allocation for a grant to the County of San Diego to be applied toward its acquisition of three real properties, totaling 93± acres, located in the community of Lakeside. The proposed acquisitions would protect some of the last remaining natural habitat linkage connecting major populations of the California gnatcatchers in southern San Diego County and allow for management of this habitat in a manner consistent with other lands already included in the county's Multiple Species Conservation Program (MSCP) Reserve. The acquisitions would further implement the Department of Fish and Game's (DFG) Natural Community Conservation Planning (NCCP) efforts in the county. Ms. Debra Townsend then explained the project in more detail.

As noted above, this proposal is for a grant to the County of San Diego, which has agreed to partnership with the Board on the purchase of these three parcels. Not only will they fund 50 percent of the total cost for the purchases, but they have also agreed to accept title to the lands and provide future management of the area. The proposal therefore represents the type of partnership envisioned with the creation of the NCCP program.

The MSCP recognizes the importance of and need for connectivity between major blocks of conserved habitat. In particular, DFG has identified the Lakeside Linkage as very important to the continued existence of the California gnatcatcher populations in San Diego County. This linkage may ultimately comprise a series of semi-isolated but nearby "islands" of habitat. These semi-isolated patches of habitat would enable gnatcatchers and other flying and wind-dispersed species to remain as interbreeding populations. The subject properties support coastal sage scrub, grassland and riparian vegetation communities, as well as known breeding sites for the California gnatcatcher and other sensitive animal and plant species.

Lakeside is an unincorporated portion of San Diego County, north of the City of El Cajon and about twenty miles east of the San Diego Airport. The area of the properties proposed for acquisition is bounded on the south by Interstate 8, on the north and west by State Highway 67, and on the north and east by Lake Jennings Park Road. The properties wind through the community of Lakeside from the Crestridge Conservation Area, that is south of Interstate 8, to Lake Jennings to the northeast. These properties (some joined by existing open space easements on developed property) form the backbone of the last remaining habitat in the area.

The locations of the individual properties are all north of Interstate 8. The first property, consisting of 47± acres, is on the east side of Los Coches Road, about one-eighth of a mile north of Ha-Hana Road. The northern end of the site is one of the last natural land connections that physically connects to the open space conservation easements of a recently approved residential development. This property is an important feature for a viable habitat corridor. It presently has a development plan for 76 single family dwellings and is at high risk for development. The approved, appraised fair market value of this parcel is \$800,000.00. The proposed grant would contribute \$400,000.00 toward its purchase.

The second property, consisting of 13± acres, is located at the end of Calle Lucia Terrace. It offers connectivity to holdings northerly and easterly of the first property, and is also quite important to the overall linkage. The approved, appraised fair market value of this parcel is \$270,000.00, with the proposed grant providing \$135,000.00 toward its acquisition.

The third property, consisting of 33± acres, is located on the west side of Los Coches Road, directly across from the first property. The principal habitat is about 28 acres, with the remainder both native and non-native grassland. The approved, appraised fair market value of this parcel is \$490,000.00, with a proposed \$245,000.00 award under the grant.

The county's management objectives for the subject properties would be to preserve the key open space habitat land in the area, continue the process of protecting a critical wildlife corridor, and protect rare, threatened and endangered plant and animal species that currently use this habitat. All of these properties abut existing development. Limited habitat restoration of the properties, including some minor foot trails that traverse the area, may be considered as long-term management goals.

The Board's proposed grant, if approved, will provide \$780,000.00 to the county for use as a 50 percent match toward the \$1,560,000.00 purchase price of the subject properties. It is estimated that an additional \$10,000.00 will be needed for administrative expenses, including Department of General Services' review costs, bringing the total allocation for this proposal to \$790,000.00. The proposal is exempt from CEQA, under Class 13 of Categorical Exemption, as an acquisition of land for wildlife conservation purposes.

The terms and conditions of the proposed grant provide that staff will review all proposed title documents, appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds directly into an escrow or escrows. The grant will also require that maintenance and monitoring of the properties be accomplished by the county in conformance with their MSCP Framework Management Plan and relevant Area Specific Management Directives.

Ms. Townsend stated that Ms. Gail Presley and Mr. Bill Tippets from the Department of Fish and Game, Mr. Tom Oberbauer, representing the County of San Diego, and Mr. Scott Ferguson, representing The Nature Conservancy, were in the audience and available to answer questions. Mr. Schmidt reported that the Board received several letters of support including seven personal letters and letters from the Endangered Habitat League, Buena Vista Audubon Society, San Diego State University and the Director of San Diego County Parks and Recreation Department. Mr. Tom Oberbauer presented to the Board a letter of support from Supervisor Diane Jacob. Mr. Schmidt stated that Mr. Jack Sprague and Mr. Tom Oberbauer requested to speak on this project. Mr. Jack Sprague addressed the Board, stating that he had active applications for the development of about 65 acres in this area and requested that the property for the extension of Calle Lucia Terrace be excluded from the purchase, by the County of San Diego, and sold to him to complete the road extension and/or make a provision

in the grant that allows the County of San Diego to sell the property to him for the extension. Mr. Tom Oberbauer explained that since 1991 the County of San Diego participated in the preparation of a Multiple Species Conservation Program (MSCP) in the San Diego County region and that during the preparation and negotiations for the MSCP, it became apparent that the preservation of a chain of habitats, referred to as Lakeside Linkages, was critical for the plan and critical to species that inhabit the area. In preparation of this plan, it was found that the disruption of the linkage area would result in the local extinction of the gnatcatcher. Therefore, for the plan to be a success, this area was identified as a critical area to preserve. Mr. Oberbauer stated that on July 21, 1998, the San Diego County Board of Supervisors unanimously approved the Lakeside Linkages proposal that includes the appropriation of \$800,000.00 of funds from the County, and provided a copy of the Minute Order to the Board. He also had copies of a report on the area that was prepared by UC Davis students for The Nature Conservancy, indicating the importance of the linkage connection. Mr. Oberbauer emphasized that all properties involved were from willing sellers, that the County of San Diego felt this was a very important proposal and requested the Board's support. He added that in regard to Mr. Sprague's application, the application was submitted to the County of San Diego for a subdivision on August 1, 1988, for the adjacent 65 acres which had a proposal for 129 lots, including 166 dwelling units, showing parcels on the Yunis property as well as the extension of Calle Lucia Terrace. The plan also showed other access points from another road on the other side. Mr. Oberbauer stated that in response to Mr. Sprague's original proposal, the County wrote a letter to him in September of 1988 requesting the acquisition of the property now owned by Mr. Yunis and indicated that the project would have a condition for improvements to Calle Lucia Terrace, because he had the road shown on his map and also showed lots in that area. Mr. Oberbauer added since that time, there had been no activity on that project. The County had not approved the project and there was no environmental impact document prepared to address the project. This 1988 application occurred prior to the 1993 listing of the California gnatcatcher as threatened and prior to the preparation of the regional open space programs for the area. Mr. Oberbauer stated that under current conditions, it was highly unlikely that a project, with the intensity of development that was shown on Mr. Sprague's project, would be approved. In addition, if the County did approve such a project, it would be in jeopardy of violating the MSCP agreements with the wildlife agencies. Mr. Oberbauer reiterated that the San Diego County Board of Supervisors and the Supervisor for this District support this proposal. Mr. Thieriot asked Mr. Tippetts if these linkages were enough land to make a solid wildlife corridor, as the properties do not appear very large on the map. Mr. Tippetts responded that the area was analyzed biologically and is the last remaining piece linking existing habitat areas north and south of the property. Mr. Broddrick stated that the biological standpoint, the perspective of the Department, and the standpoint of the participation of the County, were well established. Addressing Mr. Sprague, he further explained why he would not support a provision in the grant and that it would be inappropriate for the Board to establish conditions of this grant that predispose the process that is left to the local government in terms of land use planning and environmental documentation. Mr. Thieriot, addressing Mr. Sprague and expressing appreciation for his efforts, stated that since Mr. Sprague never had real approval for the

development of the property, and taking into consideration the need for preservation of this area, that he also would not support his position. Mr. Sprague responded that the first plans that were submitted were reviewed by the Environmental Department and the Public Works Department, who asked for some changes. His engineer made those changes and was given, not at a hearing, somewhat approval of the project. He also stated that he consulted with a specialist and that it was his opinion that a road would not prevent the gnatcatcher from traveling through the area.

Staff recommended that the Board approve the award of a grant to the County of San Diego to be applied to the acquisition of the three parcels, as proposed; allocate \$790,000.00 from the Habitat Conservation Fund/NCCP; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

IT WAS MOVED BY MR. RYAN BRODDRICK THAT THE BOARD APPROVE THE AWARD OF A GRANT TO THE COUNTY OF SAN DIEGO TO BE APPLIED TO THE ACQUISITION OF THE THREE PARCELS, AS PROPOSED; ALLOCATE \$790,000.00 FROM THE HABITAT CONSERVATION FUND/NCCP; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

21. Wetland Habitat Restoration and Enhancement, \$65,000.00
(Santa Cruz Land and Cattle), Merced County

Mr. Schmidt reported that this proposal was to consider an allocation of \$65,000.00 for a grant to Ducks Unlimited, Inc. (DU) for a cooperative project, to restore and enhance approximately 1,440 acres of wetlands and associated upland habitat on privately-owned land in Merced County. Partners involved in this project include DU, the landowner, the Department of Fish and Game and the Board. Consistent with the goals and objectives of the Central Valley Habitat Joint Venture plan (CVHJV), this project is designed to contribute to the CVHJV objective of enhancing wetlands and waterfowl habitat on 291,555 acres of public and private wetlands. Ms. Marilyn Cundiff then explained the project in greater detail.

The subject property, which is known as the Santa Cruz Land and Cattle property, is located within the Grassland Water District and the Grasslands Resource Conservation District, just south of the City of Los Banos. Originally purchased from Miller and Lux in 1928, the entire property is strategically located within the boundaries of the Grassland Ecological Area. In addition, approximately 5,000 acres of wetlands surround the project site, and are managed under the Department of Fish and Game's Presley Program. Under this program, landowners agree to manage and maintain wetlands for 10 years pursuant to a specific plan developed by the Department. In return, the landowners receive an annual payment designed to offset some of the management costs associated with maintaining the wetlands.

This proposed restoration and enhancement project will provide a mosaic of diverse moist soil habitat and provide quality vegetation for wintering waterfowl, wading birds, and shore birds. In addition, nesting areas and brood ponds for breeding waterfowl and other resident wetland related wildlife will be provided. When completed, the project will benefit mallards, gadwall, American green-winged teal, cinnamon teal, northern pintail, northern shoveler, American wigeon, white faced ibis, and the long billed curlew.

While wetlands and upland habitat are scattered throughout the 1,440 area, the inability to properly manage the water has undermined the quality of the vegetation, the amount and diversity of waterfowl food crops, and utilization of the area by migrating waterfowl and resident wetland species. The restoration and enhancement components include building three new brood ponds on approximately 76 acres of non-managed areas. In addition, new drainage channels and ditches will be constructed so that each of the wetland units can be independently managed and water properly controlled. New levees and channels will also be constructed, pipe will replace old dysfunctional screw gates, and new water control structures will be installed.

Cost estimates for the construction of the new water delivery and drainage system, brood ponds and other improvements, which were developed by DU and DFG staff, have been reviewed and approved by WCB staff as follows:

<u>Description</u>	<u>Estimated Cost</u>
Levee Construction	\$23,935.00
Excavate Water Ditch & Channels	19,913.00
Site Preparation & Labor	10,000.00
Install 9 Flash Board Risers	1,870.00
Install Headwall	720.00
Install 13 Pipe Adaptors	990.00
Install 25 Screwgates & Pipe	15,492.00
Habitat Enhancement (planting)	2,800.00
Brood Pond Water (in-kind for 10 years)	15,000.00
Survey & Design (in-kind)	9,000.00
Engineering (in-kind)	9,000.00
Contingency	9,280.00
<u>TOTAL ESTIMATED COSTS</u>	<u>\$118,000.00</u>
<u>Proposed Funding Breakdown:</u>	
Ducks Unlimited	\$25,500.00
Landowner	27,500.00
Wildlife Conservation Board	65,000.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$118,000.00</u>

To protect the State's investment, the landowners have agreed to manage and maintain the property to benefit waterfowl and other wetland dependent species for 25 years in accordance with a detailed management plan. If during the 25-year life span of this project, the landowners determine they are no longer able to manage and maintain the property to benefit wetlands and waterfowl, they have agreed to reimburse the State an amortized cost of the project.

Recognizing that approximately 70 percent of the remaining wetlands in the Central Valley are located on private lands, this project further exemplifies the importance of public/private partnerships and the Governor's Wetland Policy that calls for providing incentives to private landowners. In addition, this project is consistent with the Fish and Game Commission's policy to provide incentives and assistance to landowners in developing wetland habitat, since most of the California's wildlife is located on non-State owned areas. Consistent with the provisions of CEQA, this project is exempt from CEQA under Section 15301, Class 1 (i) maintaining fish and wildlife habitat to protect wildlife resources.

Ms. Cundiff reported that Mr. Robert Locatelli, one of the property owners in this project, and Mr. Joe Hobbs, representing Ducks Unlimited, were in the audience to answer questions. Mr. Schmidt recognized other Ducks Unlimited employees: Mr. Dan Connelly, Mr. Ron Stromstad, Director of Operations for the Western Regional Office, and Ms. Holly Andree. Mr. Schmidt added that this is a great cooperative project, operated and maintained by the landowners under a 25-year agreement, and benefits waterfowl without continuing cost to the State. Mr. Thieriot asked if this is an area that we are trying to expand by acquiring adjacent property and if there is a long-term goal. Ms. Cundiff explained that The Central Valley Habitat Joint Venture has an acreage goal, and that the entire area surrounding the property, approximately 5,000 to 6,000 acres is protected under the Presley Program, which is a management program operated by the Department of Fish and Game, where landowners sign a 20-year agreement to manage and maintain wetlands in return for an annual payment. She added that in addition to this program, half of the private wetlands in the area are protected in perpetuity through a Fish and Wildlife Service easement. Mr. Schmidt added that just north of the area, but not adjacent to, the Department has a Mud Slough Wildlife Area, and there are proposals to expand ownership, thereby creating more wetlands in the area.

Staff recommended that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish the project; allocate \$65,000.00 from the Habitat Conservation Fund (Section 2786 (d)), as designated for the Inland Wetland Conservation Program; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

IT WAS MOVED BY MR. RYAN BRODDRICK THAT THE BOARD APPROVE THIS PROJECT AS PROPOSED; AUTHORIZE STAFF TO ENTER INTO APPROPRIATE AGREEMENTS NECESSARY TO ACCOMPLISH THE PROJECT; ALLOCATE \$65,000.00 FROM THE HABITAT CONSERVATION FUND (SECTION 2786 (D)), AS DESIGNATED FOR THE INLAND WETLAND CONSERVATION PROGRAM; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

22. Staff Report--Sale of Department of Fish and Game Property, Modoc and Lassen Counties Informational

Mr. Schmidt reported that pursuant to previous Wildlife Conservation Board authorization, staff has now completed the sale of three parcels of land, two of which were acquired with the express intent of a later disposal after meeting certain conditions, and the third declared in excess of the Department's needs. In authorizing these disposals, which were each recommended by the Department of Fish and Game, the Board also requested staff to report the disposal details to them at a future Board meeting. All of the sales prices described herein are at or above the minimum sales price as approved by the Department of General Services. Mr. Schmidt explained the sales as follows:

Ash Creek (Big Valley) Wildlife Area Expansion #3, Modoc and Lassen Counties

On November 9, 1995, the Board authorized the acquisition of 739± acres adjacent to the Ash Creek Wildlife Area for protection of high quality riparian and wet meadows lying on both sides of Ash Creek and to secure water rights to improve the management and development potential of the entire wildlife area. As part of this approval, the Board also approved the disposal of 440± acres of the area being acquired which contained lesser habitat values, but had to be acquired as part of the complete purchase. In addition, the Board also approved the disposal of approximately 229 acres of the then existing wildlife area, portions that also contain marginal habitat and are located on the periphery of the wildlife area. To provide for the best return to the State, as well as to better facilitate the disposal of the four parcels previously approved for disposal, staff split several of them, resulting in the creation of eight sale parcels.

Through a public bid sale and negotiations, staff has previously disposed of and reported on three parcels for a total of 195.7± acres. WCB staff has now been successful in disposing of three additional parcels through negotiated sales, with a fourth sale pending. Sale details are as follows:

Parcel #1

The sale of 30± acres, previously declared as excess to Department needs, was completed on July 16, 1998. The property was acquired for \$16,200.00 (\$541/acre) and ultimately sold for \$25,000.00 (\$833/acre), via a negotiated sale, at an interest rate of 9 percent per year. This is a five-year term sale with annual payments due the State.

Parcel #2

The cash sale of this 1± acre parcel was completed on July 2, 1998. It was acquired for \$900/acre and ultimately sold for \$2,500 via a negotiated sale to the Adin Cemetery District for use as an expansion of their existing cemetery. The property was sold without water rights and is landlocked to all but the cemetery district.

Parcel #3

The five-year term sale (9 percent interest per year) of this 171± acre parcel was completed on July 20, 1998. The property was acquired for \$153,900.00 (\$900/acre) and ultimately sold for \$69,255.00 (\$405/acre) via a negotiated sale. The sale price reflects a reduction in value for the State's retention of water rights and an access easement to adjacent Department land. Additionally, the State is retaining a conservation easement over the property, limiting its development and allowing the Department to use certain areas for habitat restoration. The value of the conservation easement is estimated at \$100 per acre, resulting in a net return to the State of \$86,355.00, or \$505 per acre.

23. Staff Report—Easement Transfers

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Mr. Schmidt reported that at the February 24, 1998 Wildlife Conservation Board meeting, the Board authorized the Executive Director to transfer less-than-fee interests (easements, rights of ways, etc.) in Department of Fish and Game or Wildlife Conservation Board controlled lands, where the value of the interest is less than \$50,000. This was done to improve service to the public and to reduce the cost of processing these transfers.

In addition, the Board placed two conditions on this delegation of authority, the first of which is that in all cases the grant of a less-than-fee interest would be made at the request or with the recommendation of the Department of Fish and Game to assure adequate consideration of impacts on habitat and programs. Secondly, any grant made under this authority would be reported as an informational item at the next available meeting of the Board.

Mr. Schmidt explained that pursuant to the above described process, the following easement transfer was completed by staff:

<u>Project Title</u>	<u>Transfer Type</u>	<u>Grantee</u>	<u>Size</u>	<u>Consideration</u>
Yolo Bypass Wildlife Area	Reciprocal easement for joint use of access roads, water delivery system and irrigation pump	Glide Family Trust	n/a	-0-

There being no further business, the meeting adjourned at 11:55 a.m.

Respectfully submitted,



W. John Schmidt
Executive Director

PROGRAM STATEMENT

At the close of the meeting on August 13, 1998, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$405,626,392.06. 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.

A.	Fish Hatchery and Stocking Projects	\$16,006,219.06
B.	Fish Habitat Preservation, Development & Improvement	21,993,152.93
	1. Reservoir Construction or Improvement	\$ 4,174,613.05
	2. Stream Clearance and Improvement	14,700,451.69
	3. Stream Flow Maintenance Dams	547,719.86
	4. Marine Habitat	646,619.07
	5. Fish Screens, Ladders and Weir Projects	1,923,749.26
C.	Fishing Access Projects	37,221,227.16
	1. Coastal and Bay	\$ 2,992,860.08
	2. River and Aqueduct Access	9,159,212.13
	3. Lake and Reservoir Access	7,154,194.69
	4. Piers	17,914,960.26
D.	Game Farm Projects	146,894.49
E.	Wildlife Habitat Acq., Development & Improvement	317,664,168.34
	1. Wildlife Areas (General)	\$180,672,438.67
	2. Miscellaneous Wildlife Habitat Dev.	4,696,741.76
	3. Wildlife Areas/Eco Reserves, (Threatened, Endangered or Unique Habitat)	122,073,443.51
	4. Land Conservation Area	28,808.00
	5. Inland Wetlands Conser. Grants & Easements	3,934,446.68
	6. Riparian Habitat Conser. Grants & Easements	3,231,794.84
	7. Other Wildlife Habitat Grants	3,026,494.88
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>71,391.80</u>
	Total Allocated to Projects	\$405,626,392.06