

DEPARTMENT OF FISH AND GAME

**WILDLIFE CONSERVATION BOARD**

701 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**

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November 3, 1998

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Minutes  
November 3, 1998

The Wildlife Conservation Board met at the State Capitol, Room 113, Sacramento, California on November 3, 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. Thieriot announced that Mr. W. John Schmidt, was attending his 100<sup>th</sup> meeting of the Wildlife Conservation Board and acknowledged the work and time Mr. Schmidt has spent on behalf on California's wildlife. Mr. Schmidt expressed his appreciation and pleasure for having the opportunity to work on many projects with good staff and good partnerships. He then introduced the Board members that were present. Mr. Schmidt explained that Mr. Ryan Broddrick was attending on behalf of the Director of Fish and Game, and would be sitting in for information and discussion purposes only, but would not be voting, and that Mr. Robin Dezember, Chief Deputy Director of Finance, would provide the official vote.

1. Roll Call

WILDLIFE CONSERVATION BOARD MEMBERS

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

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: Ron Pfahler  
Greg Lowther  
Jason Maschmeyer  
Jeff Thomson, Tulare Basin Wetlands Association  
Bud Thrapp, Department of Water Resources  
Holly Andree, Ducks Unlimited, Inc.  
Dave Patterson, California Waterfowl Association  
Bill Gaines, California Waterfowl Association  
Tom Paulek, Department of Fish and Game  
Ed Smith, Department of Fish and Game  
Jim Swanson, Department of Fish and Game  
Banky Curtis, Department of Fish and Game  
Glenn Rollins, Department of Fish and Game  
Steve Taylor, Department of Fish and Game

2. Funding Status as of November 3, 1998 Informational

(a) 1998-99 Wildlife Restoration Fund Capital Outlay Budget

Governor's Budget - Land Acquisition .....	\$200,000.00
Less Previous Board Allocations .....	<u>(2,000.00)</u>
Unallocated Balance .....	\$198,000.00

Governor's Budget - Minor Projects .....	\$1,198,000.00
Less Previous Board Allocations .....	<u>(182,640.00)</u>
Unallocated Balance .....	\$1,015,360.00

(b) 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 .....	<u>(15,939.09)</u>
Unallocated Balance .....	\$506,770.91

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

Governor's Budget - Land Acquisition .....	\$300,000.00
Less Previous Board Allocations .....	<u>(300,000.00)</u>
Unallocated Balance .....	\$0.00

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

(d) 1998-99 Habitat Conservation Fund Capital Outlay Budget

Governor's Budget .....	\$17,960,000.00
Less Previous Board Allocations .....	<u>(20,000.00)</u>
Unallocated Balance .....	\$17,940,000.00

(e) 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 .....	<u>(12,365,414.23)</u>
Unallocated Balance .....	\$4,482,585.77



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

Governor's Budget .....	\$10,047,000.00
Less Previous Board Allocations .....	(7,376,887.22)
Unallocated Balance .....	\$2,670,112.78

(g) 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

(h) 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

(i) 1998/99 General Fund Capital Outlay Budget

Governor's Budget .....	\$4,850,000.00
Less Previous Board Allocations .....	(50,000.00)
Unallocated Balance .....	\$4,800,000.00

**RECAP OF FUND BALANCES**

<u>Wildlife Restoration Fund</u> (a), (b) and (c) .....	\$1,720,130.91
<u>Habitat Conservation Fund</u> (d), (e) and (f) .....	\$25,092,698.55
<u>Environmental License Plate Fund</u> (g) .....	\$338,000.00
<u>Safe, Clean, Reliable Water Supply Fund, River Parkway Subaccount</u> (h) .....	\$5,935,000.00
<u>General Fund</u> (i) .....	\$4,800,000.00

Mr. Schmidt explained the above information and asked if there were any questions. There were none.

3. 1998/99 Habitat Conservation Fund Budget Transfers Informational

Mr. Schmidt reported that the following items were specifically itemized in the 1998/99 Wildlife Conservation Board's Habitat Conservation Fund (P-117) for funding transfers to the Department of Fish and Game:

A. Support

\$725,000 for the Yolo Bypass area, consistent with the requirements of the Natural Resources Infrastructure Fund.

\$2,000,000 for the Comprehensive Wetlands Habitat Program, consistent with the requirements of the Natural Resources Infrastructure Fund.

B. Capital Outlay

\$449,000 for minor capital outlay projects consistent with the requirements of the Natural Resources Infrastructure Fund.

Mr. Schmidt asked if there were any questions. There were none.

4. PROPOSED CONSENT CALENDAR (Items 5 - 14)

Mr. Schmidt reported that the Consent Calendar consisted of items 5 - 14 and absent any objection, recommended approval of the Consent Calendar. There were no objections.

IT WAS MOVED BY MR. ROBIN DEZEMBER THAT THE BOARD APPROVE CONSENT CALENDAR ITEMS 5 - 14 AS PROPOSED IN THE INDIVIDUAL AGENDA EXPLANATIONS, INCLUDING FUNDING AS NOTED THEREIN.

MOTION CARRIED.

\*5. Approval of Minutes--August 13, 1998 Meeting (CONSENT CALENDAR)

Approval of the minutes of the August 13, 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. ROBIN DEZEMBER THAT THE MINUTES OF THE AUGUST 13, 1998 WCB MEETING BE APPROVED AS WRITTEN.

MOTION CARRIED.

\*6. Recovery of Funds (CONSENT CALENDAR)

The following projects previously authorized by the Board have been completed, some of which 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:

\$3,511.76 to the Wildlife Restoration Fund

\$0.00 to the Habitat Conservation Fund

\$0.00 to the CA Wildlife, Coastal and Park Land Fund of 1988

WILDLIFE RESTORATION FUND

Land Exchange, (Doyle, Bass Hill & Hallelujah Junction WLA), Lassen County

Allocation	\$ 10,000.00
Expended	- 6,488.24
Amount for Recovery	\$ 3,511.76

Scotts Flat Reservoir Fishing Access, Nevada County

Allocation	\$159,218.00
Expended	-159,218.00
Amount for Recovery	\$ 0.00

Total Wildlife Restoration Fund Recoveries ..... \$ 3,511.76

HABITAT CONSERVATION FUND

San Joaquin River Riparian Habitat, Exp. #6, Fresno County

Allocation	\$200,000.00
Expended	-200,000.00
Amount for Recovery	\$ 0.00

Total Habitat Conservation Fund ..... \$ 0.00

**CA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988**

Elwood Monarch Butterfly Grove, Santa Barbara County

Allocation	\$200,000.00
Expended	<u>-200,000.00</u>
Amount for Recovery	\$ 0.00

**Total CA Wildlife, Coastal and Park Land Conservation Fund of 1988 . . . . . \$0.00**

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MR. ROBIN DEZEMBER THAT THE WCB RECOVER FUNDS FOR THE PROJECTS LISTED ON PAGES 6 AND 7 OF THESE MINUTES AND CLOSE THE PROJECT ACCOUNTS. RECOVERY TOTALS INCLUDE \$3,511.76 TO THE WILDLIFE RESTORATION FUND; \$-0- TO THE HABITAT CONSERVATION FUND; AND \$-0- TO THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND FUND OF 1988.

MOTION CARRIED.

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

The Board has historically used a special project planning 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 an information item at the next meeting. Accordingly, a planning account has been set up as follows:

Habitat Conservation Fund . . . . . \$20,000.00

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MR. ROBIN DEZEMBER THAT THE WCB APPROVE THE ALLOCATION OF FUNDS TO PROVIDE WORKING FUNDS FOR STAFF EVALUATION (APPRAISALS, ENGINEERING, PRELIMINARY TITLE REPORTS, ETC.) AS PROPOSED; ALLOCATE \$20,000.00 FROM THE HABITAT CONSERVATION FUND; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

\*8. Susan River Parkway Fishing Access, Lassen County \$3,690.00

This proposal was to consider an allocation for a cooperative project with the City of Susanville and the Lassen Land and Trails Trust to improve an existing trail and fishing platform located in the City of Susanville. The site is located within the Susan River Natural Area, on the south bank of the Susan River.

The fishing platform and ramp were constructed in August, 1997 by students from Lassen Union High School. Funding for the improvements came from a community "March for Parks" event and a grant from the California Greenways Grant Program which the Lassen Land and Trails Trust applied for on behalf of the City. Additional funds for the original project were obtained from the Urban Streams Restoration Grant Program. Students from the Lassen Union High School participated in project design, trail construction and revegetation efforts on the project which was designed to restore the riverbank to its natural contour, revegetate it with native plants, control vehicle access to prevent habitat destruction and improve non-motorized public access through trail development.

The proposed project will replace the existing gravel walkway leading to the fishing platform with a concrete ramp constructed in compliance with the Americans with Disabilities Act (ADA). In addition, a removable handrail will be installed on the fishing platform to allow for removal during high river flows, hence reducing potential platform damage. The City intends to designate the barrier-free fishing platform for use by the physically-impaired. They have also agreed to enter into a ten-year Operating Agreement with the Board to maintain the facilities. Costs estimates for this proposal have been reviewed by staff and are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Construct concrete ramp (Materials and Labor)	\$ 3,000.00
Handrail materials	300.00
Construct and install handrail	800.00
Project administration	<u>450.00</u>
<b><u>TOTAL ESTIMATED COSTS</u></b>	<b><u>\$ 4,550.00</u></b>

Proposed Funding Breakdown:

City of Susanville	\$ 1,100.00
Wildlife Conservation Board	<u>3,450.00</u>

<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$ 4,550.00</u></b>
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An additional \$240.00 will be required for General Services' review costs for the project bringing the total allocation necessary for the Board's portion of this project to \$3,690.00. The District will prepare the appropriate environmental documentation as required by CEQA and will obtain any permits needed to install the improvements.

Staff recommended that the Board approve the project as proposed; allocate \$3,690.00 from the Wildlife Restoration Fund for project costs and General Services' review fees; 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. ROBIN DEZEMBER THAT THE BOARD APPROVE THE PROJECT AS PROPOSED; ALLOCATE \$3,690.00 FROM THE WILDLIFE RESTORATION FUND FOR PROJECT COSTS AND GENERAL SERVICES' REVIEW FEES; 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.

\*9. Donner Lake Fishing Access, Restroom Facilities, Nevada County \$15,865.00

This proposal was to consider an allocation for a cooperative project with the Truckee Donner Recreation and Park District (District) to install a barrier-free restroom facility at the Donner Lake Fishing Access site. The site is located midway on the north shore of Donner Lake, adjacent to Donner Pass Road, at Shoreline Park.

On May 1, 1997, the Board approved funding to develop the Donner Lake Fishing Access area with a parking lot, pathway, floating dock and gangway, all to be constructed in compliance with the Americans with Disabilities Act. These improvements are currently under construction and should be completed by November 30, 1998. The District has entered into a Lease and Operating Agreement with the Board to operate and maintain the site for a 25-year period, which ends January 31, 2021.



The proposed project will further improve this public access area through the installation of a barrier-free restroom facility. This vault type facility, which is prefabricated, includes wood exterior walls and metal roofing that will withstand the heavy winter snowfalls that occur in the Donner area. In addition to the purchase and installation of the restroom, work will include site preparation, clean-up and debris removal. The District has agreed to contribute to the costs to acquire and install the restroom facility, and to amend the existing Lease and Operating Agreement with the Board to include the proposed improvements as part of the project improvements requiring maintenance. Total costs to complete this project are estimated to be \$19,625.00. A breakdown of the proposed funding is as follows:

Truckee Donner Recreation and Park District	\$ 4,000.00
Wildlife Conservation Board	<u>15,625.00</u>
<b><u>TOTAL AVAILABLE FUNDING:</u></b>	<b><u>\$19,625.00</u></b>

An additional \$240.00 will be required for General Services' review costs for the project, bringing the total allocation necessary for the Board's portion of the project to \$19,865.00. The District will prepare the appropriate environmental documentation as required by CEQA and will obtain any permits needed to install the facility.

Staff recommended that the Board approve the project as proposed; allocate \$15,865.00 from the Wildlife Restoration Fund for project costs and General Services' review costs; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MR. ROBIN DEZEMBER THAT THE BOARD APPROVE THE PROJECT AS PROPOSED; ALLOCATE \$15,865.00 FROM THE WILDLIFE RESTORATION FUND FOR PROJECT COSTS AND GENERAL SERVICES' REVIEW COSTS; AUTHORIZE STAFF TO ENTER INTO APPROPRIATE AGREEMENTS NECESSARY TO ACCOMPLISH THIS PROJECT; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

\*10. Paynes Creek Wetlands #3, Tehama County \$20,000.00

This proposal was to consider an allocation for a grant to Ducks Unlimited, Inc., (DU) for a partnership project to restore approximately 13± acres of wetlands and enhance an additional 85± acres of wetlands for waterfowl and other water dependent wildlife. The proposed partners in this project include DU, the Bureau of Land Management (BLM), the

Bureau of Reclamation, the Department of Fish and Game (DFG), and the Wildlife Conservation Board (Board). The wetlands to be restored are located on BLM land, while the wetlands to be enhanced are located on BLM and DFG lands. The project area is located in northern Tehama County, less than ten miles north of the City of Red Bluff, near the community of Bend.

The subject site lies within a flood terrace near the mouth of Paynes Creek. In 1983, the Board acquired a 48-acre parcel within the project area, on behalf of the DFG, consisting of 15 acres of wetlands and 33 acres of grassland and oak savannah. This 48-acre parcel is surrounded by BLM property and is now managed by the BLM under agreement with the DFG as the Paynes Creek Management Area. The Board previously funded wetland enhancement projects in the management area in 1988 and again in 1993. These cooperative projects with BLM have improved nearly 85 acres of wetlands, providing approximately 50,000 waterfowl use-days each year.

The proposed project will restore approximately 13 acres of wetlands on some of the federal land that was previously grazed and farmed. In addition, the existing wetlands on both federal and state lands, will be enhanced by installing pipelines to provide a reliable water supply which will be delivered even in the driest of years. Water control structures will be installed to maintain water levels to benefit many wildlife species. When the work is completed, a total of nearly 100 acres of improved wetlands will provide much needed wintering habitat for migrating waterfowl and shorebirds and breeding habitat for mallards, Canada geese, cinnamon teal, and many other wetland dependent species. The proposed improvements should add about 15,000 waterfowl use-days, with comparable increases for other wetland associated wildlife. Special status species in the area that should benefit from these improvements include vernal pool tadpole shrimp, slender orcutt grass, bald eagles, Cooper's hawks, golden eagles, and greater sandhill cranes.

In addition to being a popular waterfowl hunting area, hiking trails surround the site and an educational kiosk has been constructed by the BLM at the parking area for wildlife viewing visitors. The increase in wildlife use in the area will provide additional recreational benefit to many people in the region.

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

<u>Description</u>	<u>Estimated Cost</u>
Levee construction and enhancement	\$8,625.00
Water control structures	8,000.00
Pipelines	40,400.00
Surveys, design and management	<u>9,000.00</u>
<b><u>TOTAL ESTIMATED COSTS</u></b>	<b><u>\$66,025.00</u></b>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$20,000.00
Bureau of Land Management	20,000.00
Bureau of Reclamation	20,000.00
Ducks Unlimited, Inc.	<u>6,025.00</u>

**TOTAL AVAILABLE FUNDING** **\$66,025.00**

The Bureau of Land Management has agreed to manage and maintain the property for a ten-year period, pursuant to the terms and conditions of the habitat management plan. 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 \$20,000.00 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. ROBIN DEZEMBER THAT THE BOARD APPROVE THIS PROJECT AS PROPOSED; AUTHORIZE STAFF TO ENTER INTO APPROPRIATE AGREEMENTS NECESSARY TO ACCOMPLISH THIS PROJECT; ALLOCATE \$20,000.00 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.

- \*11. Heenan Lake Water and Storage Rights, Expansion # 1, \$360,000.00  
Alpine County

This proposal was to consider a cooperative project with the Department of Fish and Game (Department), to purchase 360± acre feet of water and storage rights, and to accept the donation of an additional 500± acre feet of water and storage rights, in Heenan Lake to provide for the protection of the Lahonton cutthroat trout fishery and egg taking operation at this lake. The Wildlife Conservation Board (WCB) at its meeting of May 21, 1998, approved the acquisition of 440± acre feet of Heenan Lake water and storage rights and approved the acceptance of an option to purchase an additional 2008 acre feet of said rights. The option allowed that if the State purchased at least 360 additional acre feet of water and storage rights, the owners would donate an additional 500 acre feet of said rights, which 500 acre feet is referred to as the "minimum pool water." The option period extends to September 30, 2000, should further purchase of all or any portion of the remainder be considered necessary.

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

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

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

The first acquisition of the Heenan Lake property was approved at the Board's November 29, 1982 meeting wherein the Board authorized the purchase of 1652± acres of land, which included the lake bottom, but no water rights. In January of 1985, the Board approved funding for fishery facilities (egg taking operation) to be built on the property. At its meeting of September 17, 1985, the Board approved the purchase of the outstanding timber rights on the land acquired in 1982. During these prior negotiations, staff obtained the landowner's agreement to maintain a minimum pool of 500 acre feet in the lake to afford at least minimal protection of the lake's important fishery, but as noted, no ownership of rights to the water were able to be acquired until the Board's 1998 purchase of the 440 acre feet noted above.

The water and storage rights have been appraised at \$2,500.00 per acre foot, or \$900,000.00 for the 360 acre feet being proposed for purchase, a value approved by the State's Department of General Services. This value is applicable to both this purchase and any future option purchase(s). The owners have agreed to sell the subject water and storage rights for this amount and to donate their rights in the 500 acre feet at no additional cost to the state. \$350,000.00 is being proposed as WCB's portion of the total purchase price. An additional \$10,000.00 is estimated to be necessary for appraisal, escrow and Department of General Services' review costs, bringing the WCB proposed allocation to a total of \$360,000.00.

The 1998/99 Department budget includes a \$550,000.00 appropriation intended for the purchase of Heenan Lake water rights. Expenditure of these funds is subject to the approval of the State Public Works Board. The WCB staff will work with staff from the Department of General Services to obtain expenditure authority for these funds on behalf of the Department.

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

Staff recommended that the Board approve the acquisition of the 360± acre feet of water and storage rights; authorize the acceptance of the additional 500 acre feet; allocate \$360,000.00 from the Wildlife Restoration Fund; 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. ROBIN DEZEMBER THAT THE BOARD APPROVE THE ACQUISITION OF THE 360± ACRE FEET OF WATER AND STORAGE RIGHTS; AUTHORIZE THE ACCEPTANCE OF THE ADDITIONAL 500 ACRE FEET; ALLOCATE \$360,000.00 FROM THE WILDLIFE RESTORATION FUND; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

\*12. North Bay Riparian Station, Marin and Sonoma Counties \$250,000.00

This proposal, which was specifically authorized in the 1998/99 budget, was to consider an allocation for a grant to The Bay Institute (TBI) for a project to establish the North Bay Riparian Station (NBRS) at the Bay Model Visitor Center in Sausalito. The proposed grant funds will be used to provide staff, riparian restoration supplies and educational materials to carry out the following described work. The NBRS will coordinate riparian restoration projects in the North Bay counties of Marin and Sonoma, provide a centralized data location for riparian information, and provide riparian educational opportunities for North Bay teachers and students.

To coordinate riparian restoration efforts in the North Bay, the NBRS will develop an inventory of existing student and community based creek studies, restoration projects and water quality monitoring programs throughout the North Bay. The results will then be compiled into an interactive computer network of projects. NBRS and TBI staff will use this information to help evaluate the success of these projects and provide information and technical support for additional riparian restoration efforts.



In addition to coordinating riparian restoration projects and providing a centralized data source for riparian information, the NBRS will train high school students in the latest ecological restoration methods and technologies. They will also provide intensive workshops for 20 middle and high school teachers, both in the classroom and in the field. Finally, they will develop a website that students and members of the community can use to learn of these processes and efforts.

The NBRS will also develop riparian restoration projects in creeks, wetlands, and watersheds throughout Marin and Sonoma counties. Initial work will build upon successful restoration efforts in Stemple Creek, located in Sonoma County, and the Arroyo Corte Madera del Presidio, Miller Creek and Corte Madera Creek, located in Marin County. NBRS will prepare any required environmental documents and will obtain any permits needed relative to the activities funded under the grant.

Staff recommended that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$250,000.00 from the General Fund (1998/99 Specific Budget Item); 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. ROBIN DEZEMBER THAT THE BOARD APPROVE THIS PROJECT AS PROPOSED; AUTHORIZE STAFF TO ENTER INTO APPROPRIATE AGREEMENTS NECESSARY TO ACCOMPLISH THIS PROJECT; ALLOCATE \$250,000.00 FROM THE GENERAL FUND (1998/99 SPECIFIC BUDGET ITEM); AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

- \*13. San Joaquin River (San Joaquin River Conservancy #1-Caglia), \$320,000.00  
Fresno County

The Wildlife Conservation Board's 1997/98 Budget contained \$5,000,000.00 in funding from the River Parkway Subaccount/Prop. 204 (Safe, Clean, Reliable Water Supply Act), with control language directing that these funds "shall be used for the San Joaquin River Parkway in furtherance of the mission of the San Joaquin River Conservancy." After several public meetings of the San Joaquin River Conservancy (SJRC) Board, where this proposed purchase was discussed, and consistent with the intent of the budget act, the SJRC Board voted to recommend that the Wildlife Conservation Board (WCB) use \$320,000.00 of these funds to purchase the following described property.



This proposal, presented on behalf of the SJRC, was to consider the acquisition of 2.64± acres, and the acceptance of the owners' interest in an additional 4.16± acres of land located on the east (left) bank of the San Joaquin River, at the intersection of Friant Road and North Fork Road, in the town of Friant. The purpose of this acquisition was to provide an easily accessible area for staging and parking along the proposed San Joaquin River Parkway, an appropriate project under Section 78682.2(e)/Proposition 204; "River Parkway Projects."

In 1988 the WCB began an acquisition program along the San Joaquin River, between the Friant Dam and Highway 99, using funds specifically designated for this purpose in Proposition 70, a voters' approved bond act. The first purchase under this program, the 286± acre Milburn Unit, was completed in November, 1988. Since that time, the WCB has approved and staff has completed direct acquisitions, or made grants to enable the purchase, of an additional 596± acres. These purchases, when combined with the WCB's purchase of the 75± acre Lost Lake property in 1957, brings the total WCB protected area along this stretch of the San Joaquin River to 957± acres.

In addition to providing an area for parking and some habitat restoration, it is proposed that this area will also serve as a "put in" location for canoes and kayaks for short trips to Lost Lake Park, a joint Fresno County/WCB Public Access project, or for those wanting to extend their trips to "take out" areas located further down the river. The site, which could provide parking for up to 75 cars, if needed, currently provides undeveloped parking for fishing the river, provided at the generosity of the landowners. The SJRC will be considering other uses for the property, which could include restrooms and interpretive facilities. It is proposed that once this property is acquired that it be transferred to the SJRC through a "Transfer of Control and Possession." Management will therefore be the responsibility of the SJRC.

The SJRC has applied for, and received approval of, an Intermodal Surface Transportation Enhancement Activities grant in the amount of \$369,000.00 toward the acquisition and development of this property. Fresno County has also approved a grant to the SJRC for \$363,000.00 for this project. These grants are contingent upon the completion of an Environmental Impact Report for development. Reimbursements under these grants will not be possible until this document is completed and accepted. The acquisition, however, is exempt from CEQA under Categorical Exemptions since no development has been approved by the SJRC at this time. Staff does anticipate applying for a reimbursement of all or portions of the acquisition costs for this proposal from the approved grants.

The 2.64± acres have an approved appraised value of \$315,000.00, while the remaining 4.16± acres, a portion of which may be subject to State Lands Commission claims, have not been appraised. The owners have agreed to convey the entire 6.8± acres to the state for the \$315,000.00 value placed on the smaller portion. An additional \$5,000.00 is estimated to be required for costs, including Department of General Services' review fees, escrow charges, title insurance and appraisal costs, bringing the total allocation necessary to complete this purchase to \$320,000.00.

The San Joaquin River Conservancy Board passed a motion recommending that the Wildlife Conservation Board approve the acquisition of the 2.64± acre parcel and accept title to the remaining 4.16± acres, as described herein; allocate \$320,000.00 from the River Parkway Subaccount/Proposition 204; authorize the transfer of the property to the San Joaquin River Conservancy through a "Transfer of Control and Possession;" 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. ROBIN DEZEMBER THAT WE ACCEPT THE RECOMMENDATION OF THE SAN JOAQUIN RIVER CONSERVANCY BOARD, AND APPROVE THE ACQUISITION OF THE 2.64± ACRE PARCEL AND ACCEPT TITLE TO THE REMAINING 4.16± ACRES, AS DESCRIBED IN THE AGENDA; ALLOCATE \$320,000.00 FROM THE RIVER PARKWAY SUBACCOUNT/PROPOSITION 204; AUTHORIZE THE TRANSFER OF THE PROPERTY TO THE SAN JOAQUIN RIVER CONSERVANCY THROUGH A "TRANSFER OF CONTROL AND POSSESSION," OR OTHER APPROPRIATE DOCUMENT; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

- \*14. San Joaquin River (San Joaquin River Conservancy #2-Beck), \$1,650,000.00  
Fresno County

The Wildlife Conservation Board's 1997/98 Budget contained \$5,000,000.00 in funding from the River Parkway Subaccount/Proposition 204 (Safe, Clean, Reliable Water Supply Act), with control language directing that these funds "shall be used for the San Joaquin River Parkway in furtherance of the mission of the San Joaquin River Conservancy." After several public meetings of the San Joaquin River Conservancy (SJRC) Board, where this proposed purchase was discussed, and consistent with the intent of the budget act, the SJRC Board voted to recommend that the Wildlife Conservation Board (WCB) use \$1,650,000.00 of these funds to purchase the following described property.

This proposal, presented on behalf of the SJRC, was to consider the acquisition of 105.9± acres of land, including the acceptance of a partial donation, located on the easterly side (left bank) of the San Joaquin River, just south of the town of Friant. In addition to the proposed purchase, this proposal was also to consider the acceptance of a one-year option to acquire the remaining portion of this ownership, containing 150.9± acres.

In 1988 the WCB began an acquisition program along the San Joaquin River, between the Friant Dam and Highway 99, using funds specifically designated for this purpose in Proposition 70, a voters' approved bond act. The first purchase under this program, the 286± acre Milburn Unit, was completed in November, 1988. Since that time the WCB has

approved and staff has completed direct acquisitions, or made grants to enable the purchase, of an additional 596± acres. These purchases, when combined with the WCB's purchase of the 75± acre Lost Lake property in 1957, brings the total WCB protected area along this stretch of the San Joaquin River to 957± acres.

The subject property has access to the San Joaquin River and to Friant Road, a major County road serving Fresno and areas to the east. The subject is generally flat, with a high water table. Acquisition will provide the opportunity to increase the fish and wildlife values of the area as well as provide public access through a properly planned and executed management plan. Historically, the property was utilized for gravel mining purposes. Due to the concentration of such use and its resultant damage to the land, fish and wildlife values of the property have been greatly reduced. However, beaver have been noticed along the river as well as raccoon, opossum, coyote, snowy egret and great blue heron. Various species of songbirds also inhabit the area and bird usage could be expected to diversify and expand with a proper management program.

This proposed acquisition would allow for the expansion of the Lost Lake Park, a joint Fresno County/WCB Public Access Project, and allow for the restoration and protection of wetland and riparian habitat values of this area as part of the proposed San Joaquin River Parkway. While plans have not yet been adopted for the restoration and development of this property, the SJRC has authorized the creation of a management and development plan for this property, a plan which is expected to be completed soon. Tentative proposals for use of this property include the restoration of several ponds located on the property (remnants of the old gravel mining activities) into areas for wildlife habitat and public use. Uses could include fishing, bird watching, educational activities, canoeing, kayaking, hiking, picnicking and general outdoor enjoyment of the area.

It is proposed, once this property is acquired, that it be transferred to the SJRC through a "Transfer of Control and Possession." Management will be the responsibility of the SJRC. Acquisition of this property is categorically exempt from CEQA as an acquisition of land for wildlife habitat conservation purposes and the appropriate Notice of Exemption has been filed.

The subject property has been appraised for \$1,800,300.00, an amount approved by the Department of General Services. The owners have agreed to sell this portion for \$1,641,662.00 resulting in a donation to the state of \$158,638.00. Any potential State Lands claims have been considered in the appraisal. Costs to carry out this purchase, which include General Services' review cost, appraisal costs, title insurance costs and escrow fees are estimated at \$8,338.00. Therefore, the total allocation necessary to complete this purchase is \$1,650,000.00.

The San Joaquin River Conservancy Board passed a motion recommending that the Wildlife Conservation Board approve the acquisition of the 105.9± acre parcel, and accept an option to acquire the remaining 150.9 ± acres, as described above; allocate \$1,650,000.00 from the River Parkway Subaccount/Proposition 204; authorize the transfer of the property to the San Joaquin River Conservancy through a "Transfer of Control and Possession;" 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. ROBIN DEZEMBER THAT WE ACCEPT THE RECOMMENDATION OF THE SAN JOAQUIN RIVER CONSERVANCY BOARD, AND APPROVE THE ACQUISITION OF THE 105.9± ACRE PARCEL, AND ACCEPT AN OPTION TO ACQUIRE THE REMAINING 150.9± ACRES, AS DESCRIBED IN THE AGENDA; ALLOCATE \$1,650,000.00 FROM THE RIVER PARKWAY SUBACCOUNT/PROPOSITION 204; AUTHORIZE THE TRANSFER OF THE PROPERTY TO THE SAN JOAQUIN RIVER CONSERVANCY THROUGH A "TRANSFER OF CONTROL AND POSSESSION," OR OTHER APPROPRIATE DOCUMENT; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

15. Swiss Ranch, Expansion #2 (Conservation Easement), \$479,000.00  
Calaveras County

Mr. Schmidt reported that this proposal was to consider the acquisition of a conservation easement over 1,160± acres of critical winter range for the Railroad Flat Deer Herd in Calaveras County. The property is located in central Calaveras County, at the end of Banner Road approximately 18± miles northeast of San Andreas, between the communities of Mountain Ranch and Railroad Flat. Mr. John Donnelly then explained the project in more detail.

The Board allocated funding, in 1985 and again in 1988, for the purpose of acquiring conservation easements on lands immediately south of the subject property. A total of 900± acres were protected by the Board's action, and when considered along with adjacent Bureau of Land Management lands, protects over 1,200 acres of contiguous critical deer winter range benefitting the Railroad Flat deer herd. If approved, this project will bring the total contiguous acreage protected to approximately 2,300 acres.

The key species benefitting from this proposed conservation easement are migrant California mule deer. Virtually the entire property provides winter habitat for large numbers of migrant deer. However, the ranch also supports a variety of wildlife, including black bear, mountain lion, bobcat, coyote and California quail. In addition, two ponds located on the property support a number of waterfowl species, including mallards, teal, golden eye and Canada geese. Additionally, the Department has documented golden eagles and ringtails nesting within the immediate vicinity.



The principal habitat type can best be described as nonserpentine gray pine-chaparral woodland. The overstory is composed of interior live oak and gray pine with an extensive annual grassland and scattered buck brush understory. The ridge areas are composed of lava flows with shallow soils dominated by scrubs like buck brush. Low areas have a heavier covering of oaks. In addition, Esperanza Creek flows east to west through the center of the property and provides important riparian resources for riparian dependent species.

According to the Department of Fish and Game's (Department) Railroad Flat deer herd management plan, 75 percent of the winter range for this herd is privately owned. Land uses in the area are gradually changing from large acreage cattle ranches to small acreage ranchettes, potentially reducing the property's wildlife values, making public protection critical to protection of this herd.

This project provides the Department with an opportunity to protect critical habitat, benefitting a host of wildlife species, while incurring very little management costs. It is estimated that 1-2 person days per year would be needed to conduct an onsite inspection to monitor the conservation easement area.

The proposed acquisition is exempt from CEQA under Class 13 of Categorical Exemptions. Class 13 consists of the acquisition of lands for fish and wildlife conservation purposes.

The landowners have agreed to sell a conservation easement over their property and have agreed to sell at the approved fair market value of \$464,000.00. An additional \$15,000.00 is estimated to be required for related acquisition costs, including appraisal, title insurance, escrow and Department of General Services' review charges.

Staff recommended that the Board approve the acquisition of this conservation easement as proposed; allocate \$479,000.00 from the Habitat Conservation Fund/Section 2786 (a) to cover acquisition and related costs; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Thieriot, while looking at photographs of the project area, commented that this was a particularly beautiful piece of property.

IT WAS MOVED BY MR. ROBIN DEZEMBER THAT THE BOARD APPROVE THE ACQUISITION OF THIS CONSERVATION EASEMENT AS PROPOSED; ALLOCATE \$479,000.00 FROM THE HABITAT CONSERVATION FUND/SECTION 2786 (A) TO COVER ACQUISITION AND RELATED COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

16. Antelope Valley Wildlife Area, Expansion #3, 4 and 5, Sierra County \$255,000.00

Mr. Schmidt reported that this proposal was to consider three separate acquisitions totaling 160± acres of critical deer habitat as additions to the Antelope Valley Wildlife Area located in Sierra County. Acquisition of these parcels would enhance and protect the integrity of the wildlife area by eliminating a private inholding, virtually in the center of the wildlife area. Mr. John Donnelly then explained the project in greater detail.

The Wildlife Conservation Board (Board) and the Department of Fish and Game (Department) initiated the first project at Antelope Valley in 1980 which consisted of the acquisition of 2,080± acres. Since that time, the Board has allocated funding for two expansions bringing the total acreage of the wildlife area to 5,480± acres.

The Antelope Valley Wildlife Area is located about four miles southwest of Loyalton, on the southern edge of Sierra Valley, at an elevation of approximately 5,000 feet and is surrounded by United States Forest Service lands of the Tahoe National Forest (TNF). Access to the area is from State Highway 49 and Antelope Valley Road. The watershed, including Antelope Valley Creek, is a tributary to the Middle Fork of the Feather River, a federally designated Wild and Scenic River.

The wildlife area is winter and intermediate range for the Sierra Valley sub-unit of the Loyalton-Truckee deer herd. Upper elevations are used as a migration route for deer that summer south and west of the wildlife area and then migrate through the area on their way to Petersen Mountain and the Sand Hills area in the State of Nevada. In addition to deer, the wildlife area supports a variety of other wildlife species including, black bear, bobcat, mountain lion, coyote, California and mountain quail, grouse and doves.

The large number of deer and other wildlife species using the area is a result of the diversity of habitats found on site. These include eastside pine, juniper, bitterbrush and sagebrush. Some seasonally wet meadow consisting of Modoc-Great Basin willow scrub is found on the wildlife area and mountain mahogany provides an important understory at higher elevations.

The wildlife area and surrounding TNF lands support a number of recreational uses, some of which include hunting, birdwatching and hiking. The wildlife area is located within deer zone X7A and is considered by sportsmen and the Department as one of the premier hunting zones in the State. Because of the large numbers of deer located on and migrating through the area during the winter months, local residents have enjoyed photographing the large herds for generations.

A Coordinated Resource Management Plan was signed by the Department, the U.S. Soil Conservation Service, U.S. Forest Service and most of the private landowners in the Antelope Creek drainage in 1985. This plan encompasses approximately 21,000 acres and identifies deer and the deer winter range as important resources within this area. Under the



Plan, some portions of the wildlife area have been control burned and planted back to bitterbrush to improve the deer winter range capability. The resultant grasses and increase in bitterbrush density has improved the winter range for deer.

Acquisition of the property being considered in this proposal would enhance and protect the integrity of the wildlife area by bringing the lands into public ownership. Conversely, development of these privately-owned lands would result in degradation of the existing wildlife area through loss of habitat on the private land and result in unnecessary disturbance of wintering deer on the private lands, on the wildlife area and on the adjacent TNF lands. Therefore, consistent with long-range planning purposes, staff of the Board present the following three proposals for Board consideration:

Antelope Valley Wildlife Area, Expansion #3

This was a proposal to acquire 40± acres of habitat which is bounded by national forest lands on the south and west side and by private property to the north and east. The owner has agreed to sell his property to the State at the approved appraised value of \$60,000.00. An additional \$5,000.00 is estimated to be required to cover the costs of appraisal, title insurance, escrow and Department of General Services' review charges for a total of \$65,000.00.

Antelope Valley Wildlife Area, Expansion #4

This was a proposal to acquire 40± acres of habitat which is bounded by State property to the east and south and by private property to the north and west. A portion of the property has been cleared and plans to construct a home on the property are being considered by the landowner should the property not be acquired by the State. The owner has agreed to sell the property to the State at the approved appraised value of \$60,000.00. An additional \$5,000.00 is estimated to be required for title insurance, escrow and other project costs including Department of General Services' review charges for a total of \$65,000.00.

Antelope Valley Wildlife Area, Expansion #5

This was a proposal to acquire 80± acres of habitat which is bounded on the south by the properties described in the above expansions and by State property to the north and east. The property is fronted by Antelope Valley Road on its eastern boundary. Because of the parcel's access and its relatively gentle sloping topography, development of the property into a homesite is very likely. Should this occur, it would adversely impact the integrity of the wildlife area.

The owners have agreed to sell their property to the State at the approved appraised value of \$120,000.00. An additional \$5,000.00 is estimated to be required to cover project expenses including Department of General Services' review costs, escrow and title insurance for a total of \$125,000.00.

The Department recommends acquisition of the subject properties as a part of this major wildlife area. The acquisitions are exempt from CEQA under Class 13 of Categorical Exemptions as acquisitions of land for wildlife conservation purposes.

Mr. Schmidt reported that Mr. Banky Curtis, from the Department of Fish and Game, Region 2, was in the audience to answer any questions.

Staff recommended that the Board approve the acquisition of these properties as proposed; allocate \$255,000.00 from the Habitat Conservation Fund/Section 2786(a) to cover acquisition costs and project expenses; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

IT WAS MOVED BY MR. ROBIN DEZEMBER THAT THE BOARD APPROVE THE ACQUISITION OF THESE PROPERTIES AS PROPOSED; ALLOCATE \$255,000.00 FROM THE HABITAT CONSERVATION FUND/SECTION 2786(A) TO COVER ACQUISITION COSTS AND PROJECT EXPENSES; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

Mr. Thieriot commented that he sensed some of the deer herds were threatened, and asked if the Department was using this as criteria in deciding what areas to protect. Mr. Broddrick, deferring to Mr. Curtis, commented that it was his understanding that these properties and the subject property in the previous agenda item had been identified as critical winter range and serves as important migratory corridors. Mr. Curtis stated that this project and the previous project in Calaveras County will not only provide more winter range but will also allow for enhancement of habitat for both the Truckee-Loyalton deer herd and the Railroad Flat deer herd, respectively. Mr. Broddrick added that in prior deliberations of this Board, we have accomplished some transfers between the Bureau of Land Management and the Forest Service to consolidate and provide consolidated ownership within key migratory corridors and winter range. He added that the Department is trying to manage and improve deer herds with ownership of less than one percent of the deer habitat in California. Mr. Schmidt commented that we have been very fortunate in regard to the Calaveras County project, as there is a land trust in that area that has been working with the Board to preserve some of the land.

17. Napa Marsh, Camp Two North, Sonoma County \$127,000.00

Mr. Schmidt reported that this proposal was to consider the acquisition of 80± acres of diked historic wetlands, in Sonoma County. The purchase will allow for wetland habitat restoration, enhancement and preservation as part of the Department of Fish and Game's (Department) ongoing acquisition and restoration efforts in the northern San Francisco Bay

Area. It is also proposed that the Board authorize the acceptance of a grant from the Shell Oil Spill Litigation Settlement Trustee Committee, in the amount of \$80,000.00, to assist in the acquisition.

The parcel proposed for acquisition is located approximately five miles south of the town of Sonoma, and is bounded on the west by Sonoma Creek, on the east by Northwestern Pacific Railroad, on the north by Railroad Slough and on the south by the 528.4± acre property acquired by the Board earlier this year. Lands to the east of the property are owned by the Department and are commonly known as the Wingo Unit of the Napa Marsh complex. The property can be accessed by traveling in a southerly direction on Millerick Road from its juncture with State Highway 121. Ms. Debra Townsend then explained the project in more detail.

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

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

Department owned or controlled lands in the Napa Marsh complex now total approximately 12,500 acres, including over 9,400± acres of former salt pond habitat acquired pursuant to Board action in 1994. The subject property will be managed in conjunction with the adjacent Wingo Unit property, and other Department lands in the Napa Marsh Wildlife Area, for wetland habitat enhancement and preservation.

The owner has agreed to sell the 80± acre property at the approved fair market value of \$200,000.00. Processing costs are estimated at \$7,000.00, which include the appraisal, title and escrow fees and Department of General Services' review costs, for a total project cost of \$207,000.00. The Shell Oil Spill Litigation Settlement Trustee Committee has approved a grant toward the Board's purchase, in the amount of \$80,000.00, leaving the remaining balance and total proposed allocation at \$127,000.00. The terms of the proposed Memorandum of Understanding with the Trustee Committee, among other things, provide that the grant will be deposited directly into an escrow account for the acquisition.

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

Ms. Townsend reported that Mr. Jim Swanson from the Department of Fish and Game, Region 3, was in the audience in support of this project and to answer any questions.

At this time, Mr. Schmidt reminded those in attendance that if they would like to make a comment, they could obtain a speaker card in the back of the room and to feel free to do so.

Staff recommended that the Board approve the acquisition of this property as proposed; authorize the acceptance of the grant from the Shell Oil Spill Litigation Settlement Trustee Committee, in the amount of \$80,000.00, to be deposited directly into escrow; allocate \$127,000.00 from the Habitat Conservation Fund (P-117), Section 2786 (d) Wetlands; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Thieriot requested clarification regarding future plans to acquire additional property in the immediate area. Mr. Swanson provided a brief history of the property and explained the conceptual area acquisition plan in detail.

IT WAS MOVED BY MR. ROBIN DEZEMBER THAT THE BOARD APPROVE THE ACQUISITION OF THIS PROPERTY AS PROPOSED; AUTHORIZE THE ACCEPTANCE OF THE GRANT FROM THE SHELL OIL SPILL LITIGATION SETTLEMENT TRUSTEE COMMITTEE, IN THE AMOUNT OF \$80,000.00, TO BE DEPOSITED DIRECTLY INTO ESCROW; ALLOCATE \$127,000.00 FROM THE HABITAT CONSERVATION FUND (P-117), SECTION 2786 (D) WETLANDS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.



18. San Jacinto Wildlife Area Expansion #9, Riverside County \$3,010,000.00

Mr. Schmidt reported that this proposal was to consider authorizing the exercise of the second of three phases of an option, to acquire approximately 245± acres of vacant land as a further expansion of the Department of Fish and Game's (Department) San Jacinto Wildlife Area, in western Riverside County. The acquisition will allow for the protection of freshwater wetlands of Mystic Lake and its associated upland habitat for the numerous sensitive plants associated with the Lake, and the over 240 bird species that have been recorded using the Mystic Lake area. Ms. Debra Townsend then explained the project in greater detail.

The project area is located in the San Jacinto Valley of southern California, approximately 18 miles southwest of downtown Riverside, and just north of the community of Lakeview. To the northwest is the City of Moreno Valley, whose current authorized sphere of influence wraps around the northern and northeastern borders of the wildlife area. The western boundary of the 6,000± acre wildlife area is contiguous with the Lake Perris State Recreation Area, placing a total of approximately 14,000 acres under public ownership and protection.

Initial land acquisitions for the wildlife area were completed during the period of 1981-82 as part of a mitigation package developed to compensate for wildlife habitat losses resulting from the construction of the State Water Project. As opportunity and circumstances allowed, the Board acquired additional properties. In 1995-96, the Board acquired 175± acres of the 921± acre Mystic Lake property, located on the easterly side of the wildlife area, under an option acquired by the Trust for Public Land (TPL). TPL's option subsequently lapsed and, in 1997, staff of the Board negotiated a three-phase option with the landowner for the remaining 746± acres. In November, 1997, the Board authorized staff to exercise the first phase of the option, allowing the State to acquire a portion of the property having a fair market value of \$2,300,000.00 and consisting of 208± acres. Completion of the 1997 acquisition triggered an extension of the option for at least one more year allowing the State to purchase all or a portion of the now remaining 538± acres of the Mystic Lake property. Exercise of the second phase of the option for the proposed 245± acre acquisition will again trigger a final, one-year extension of the option allowing the State to purchase the remainder.

Acquisition of the remainder is critical to the wildlife area as it will place the last of the lake bed within the subject property under protection and provide added access from Gilman Springs Road. It will also allow staff an opportunity to consider exchanges with neighboring landowners to consolidate the Department's holdings and to acquire portions of the lake bed located on other properties. When completed, the Mystic Lake acquisition will place approximately two-thirds of the old San Jacinto lake bed in public ownership. The lowlands comprise an historic sump of the San Jacinto River, which in the past formed an extensive freshwater wetland at this location. An early attempt at flood water diversion has largely deteriorated, and at the present time substantial flood flows often break out of the diversion and enter the historic lake bed. Placement of this area in public ownership will facilitate restoration of the historic flows back into the lake bed for wetland restoration.

The low-lying areas within the floodplain of the San Jacinto River include examples of the alkali sink scrub, freshwater marsh and southern willow scrub. The hills surrounding the lowland flood plain are dominated by Riversidian sage scrub. Intermixed with the sage scrub community are patches of non-native grasslands; these are found in both the upland and alkali flat areas. There are numerous sensitive plants associated with the Mystic Lake area, including the thread-leaved brodiaea (State listed endangered and Federally proposed threatened), San Jacinto saltbush (Federally proposed endangered) and spreading navarretia (Federally proposed threatened). The wildlife area and adjoining lands support 38 species of amphibians and reptiles. The high number is attributable to the location at the northern end of the Peninsular range which allows both coastal and desert flora and fauna to contribute to the area's biodiversity. Mammal species are well represented and range from the desert shrew to the southern mule deer. The Stephens' kangaroo rat (State listed threatened and Federally listed endangered) is a resident mammal of the wildlife area.

Over 240 species of birds have been recorded on or adjacent to the wildlife area since 1982. Twenty-two over-wintering raptor species are known to utilize the San Jacinto Valley, including the osprey, ferruginous hawk, Cooper's hawk, golden eagle and short-eared owl. The San Jacinto Valley consistently ranks in the top 1 to 2 percent in species diversity for the North American Christmas bird counts. Historically, the San Jacinto Valley has always been an important southern California wintering and nesting area for migratory shorebirds and waterfowl. Three species listed as federal or state endangered have been recorded at the San Jacinto Wildlife Area. These include the State listed endangered and Federally listed threatened bald eagle, which is a regular winter visitor, Peregrine falcon and California brown pelican, both of which are State and Federally listed endangered.

The Department has identified the entire Mystic Lake property as being within a Significant Natural Area and has recommended the purchase of the property, which would be incorporated into and managed in conjunction with the existing wildlife area. It is anticipated that the area will offer both non-consumptive and consumptive recreational uses, as the habitat is maintained and developed in conjunction with the wildlife area. There are no claims of sovereign State land ownership within the property, since the area is within a former Spanish land grant. The proposal is exempt from CEQA as an acquisition of land for wildlife conservation purposes.

The subject 245± acre property has an approved fair market value of \$3,027,000.00. It is estimated that an additional \$10,000.00 will be required to cover the acquisition costs, including escrow, title insurance and Department of General Services' review costs. The owner has agreed to convey the subject to the State for \$3,000,000.00, bringing the total proposed allocation to \$3,010,000.00.

Ms. Townsend thanked Messrs. Ron Pfahler and Greg Lowther, representatives for the property, for traveling to Sacramento to attend this meeting. She also expressed her appreciation to Mr. Tom Paulek, from the San Jacinto Wildlife Area, for attending the meeting and being in the audience to answer any questions.



Mr. Schmidt stated the Board received letters supporting this project from the Endangered Habitats League, Friends of the Northern San Jacinto Valley, Moreno Valley Sierra Club, San Bernardino Valley Audubon Society and the Riverside Land Conservancy and that there were no telephone calls or letters opposing this project.

Mr. Thieriot asked if there were adjacent lands available for expansion of this wildlife area. Ms. Townsend described possible adjacent acquisitions and exchanges for consolidation. Mr. Paulek added that this acquisition would add tremendous potential for restoring fresh water marshes and riparian habitat, in addition to assisting in flood control. He commented that this area has also become well-known for hunting and is a quality destination for bird watching. He stated the County of Riverside is about to embark, along with some local jurisdictions, on a multi-species planning effort and is quite certain this area will be the centerpiece of this multi-species conservation effort. Mr. Thieriot asked if there were many wetland areas in this part of the state. Mr. Schmidt commented that this is the only wetland area in that part of the state other than the Imperial Wildlife Area. Mr. Broddrick added that wetlands in this area are scarce and that Mr. Paulek will try to develop a management plan by January. Acknowledging the letters of support, Mr. Broddrick commented that approval of this acquisition is foundational, that the restoration and day-to-day maintenance will require additional funding, and requested the organizations that support this acquisition provide partnership opportunities out of non-profit funds, public funds, etc., to assist in this effort. He added that this is a challenging acquisition, but the long-term benefits will be dependent upon support from the Legislature and from local government and non-profits. Mr. Schmidt, providing some history on this project, explained that the original area was acquired with state water project mitigation funds in the late 1970s and early 1980s. He also described the Board's and the Department's involvement in bringing in treated water from the water treatment plant to the south, a cooperative project between the Board and the treatment plant. He acknowledged that this is a very popular area serving many visitors and wildlife.

Staff recommended that the Board approve the exercise of the option to acquire the subject 245± acres; allocate \$3,010,000.00 to cover the purchase price and costs; \$270,000.00 from the Wildlife Restoration Fund, \$1,490,000.00 from the Habitat Conservation Fund Section 2786 (b/c), \$500,000.00 from the Habitat Conservation Fund Section 2786 (d), and \$750,000 from the Habitat Conservation Fund Section 2786 (e/f); and authorize staff and the Department of Fish and Game to proceed substantially as planned.

IT WAS MOVED BY MR. ROBIN DEZEMBER THAT THE BOARD APPROVE THE EXERCISE OF THE OPTION TO ACQUIRE THE SUBJECT 245± ACRES; ALLOCATE \$3,010,000.00 TO COVER THE PURCHASE PRICE AND COSTS; \$270,000.00 FROM THE WILDLIFE RESTORATION FUND, \$1,490,000.00 FROM THE HABITAT CONSERVATION FUND SECTION 2786 (B/C), \$500,000.00 FROM THE HABITAT CONSERVATION FUND SECTION 2786 (D), AND \$750,000 FROM THE HABITAT CONSERVATION FUND SECTION 2786 (E/F); AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

19. Wetland Restoration-North Pintail Slough, Kern County \$800,000.00

Mr. Schmidt reported that this proposal was to consider an allocation of \$800,000.00 for a grant to the California Waterfowl Association (CWA) for a cooperative project to construct a four-mile water conveyance system, known as the North Pintail Slough. The slough will connect Poso Creek to the Alpaugh Canal, providing for the restoration and enhancement of approximately 2,000 acres of wetlands and associated upland habitat on lands adjacent to the slough. A second part of this overall project, to be funded by project partners, was to restore these adjacent lands. Ms. Marilyn Cundiff explained the project in greater detail.

Consistent with the goals and objectives of the Central Valley Habitat Joint Venture (CVHJV) plan, this project is designed to contribute to the objective of enhancing wetlands and waterfowl habitat on 291,555 acres of public and private lands. Partners in this proposal, which as can be seen is a true partnership project, include the Tulare Basin Wetland Association (TBWA), the Semitropic Water Storage District (SWSD), the Alpaugh Irrigation District (AID), private landowners, CWA, the Bureau of Reclamation (BOR), the Natural Resources Conservation Service, the U.S. Fish and Wildlife Service-Partners for Wildlife Program (FWS), the Department of Fish and Game (DFG) and the Wildlife Conservation Board (WCB).

The project area is located in northern Kern County, within the boundary of the SWSD, approximately 12 miles east of Delano, approximately 5 miles east of the Kern National Wildlife Refuge and 12 miles south of the Pixley National Wildlife Refuge. The Tulare Basin contains approximately 5,700 square miles and is the southernmost basin in the Central Valley. It is bounded on the south, east, and west by the foothills of the Tehachapi, Sierra Nevada, and Coast Range mountains, respectively.

Despite being the driest region of the Central Valley, historically the Tulare Basin was the largest single block of wetlands west of the Mississippi, providing about 260,000 acres of permanent wetlands and an additional 260,000 acres of seasonal wetland habitat. During most years, the Basin functioned as a sink. Water from the Sierra Nevada flowed down a number of streams including the Kern, Kings, and the Tule Rivers, into a series of shallow lake basins within the sink. These lakes (Tulare, Kern, Goose, and Buena Vista), provided habitat for millions of migrant waterfowl and shorebirds. During exceptionally wet years, water flowed north from these lakes into the San Joaquin River.

Nowhere in the Central Valley has the loss of natural wetlands been felt more than in the Tulare Basin and the southern San Joaquin Valley. Today, with less than 15,000 acres remaining, this region has suffered the greatest percentage loss (97 %) of wetland habitat in the entire lower 48 states. As with wetland conservation efforts throughout most of the Central Valley, the few remaining managed wetlands in the Tulare Basin must be artificially irrigated and intensely managed to create productive habitat. Currently the portion of this region that holds the highest potential for restoration and enhancement does not contain the

necessary infrastructure to make the delivery of surface water possible. Without the availability of affordable surface water, wetland managers must depend upon pumping groundwater to meet their water requirements. As the cost of energy and pumping depths have increased in recent years, the Tulare Basin has experienced a corresponding decrease in managed wetland acres. Where approximately 200 duck clubs once flourished, only 33 remain to meet the habitat needs of locally nesting and migratory waterfowl, shorebirds and a diversity of other wetland-dependent species.

In 1993, twenty-six of the remaining clubs united to form the TBWA, a California non-profit corporation, with a main purpose of protecting and restoring wetlands in the Tulare Basin. Since the formation of the TBWA, the partners in this proposal have been working to reverse the loss of managed wetland habitat in the Basin. Through this cooperative effort, 1.5 miles of the North Pintail Slough was constructed in 1995, with WCB assistance, resulting in approximately 700 acres of wetland habitat being restored and enhanced.

Non-contract, surface water has been made available to these wetlands by the SWSD. In exchange for the non-contract water, which costs approximately \$25 to \$35 per acre foot, wetland owners have deferred from pumping critical groundwater, which cost between \$75 to \$150 per acre foot to pump. By not pumping, they conserve critical groundwater, and the SWSD benefits from the groundwater recharge that occurs. Approximately 5 acre feet per acre, per year is required to provide water for a minimum of one irrigation and maintain ponded water from March 1 through July 15. This water is critical to breeding waterfowl and their broods on areas managed as brood habitat.

Because of the tremendous success of the initial project, the partners have expanded the project area and identified a water conveyance route that would make non-contract surface water available to additional wetland owners. The proposed conveyance system, or North Pintail Slough, will connect the existing Poso Creek to the Alpaugh Canal. Non-contract water will be delivered by the SWSD through the existing SWSD infrastructure to Poso Creek, down Poso Creek to a "soft-plug" diversion and then down the new section of the North Pintail Slough and finally to the existing Alpaugh Canal. In total, approximately four miles of new service ditch will be constructed as part of this project.

Recognizing the benefits associated with this project, agricultural landowners have donated right of way easements to allow for construction of this new service ditch. The project engineer (Montgomery Watson Engineering) has designed and engineered the conveyance system, of sufficient size to transport 70 cubic feet per second (CFS), in addition to regulated flood flows of up to 100 CFS. This capacity will allow up to 2,000 acres of wetlands to be flooded in less than two months. Turnout structures will be installed at various points along the North Pintail Slough to deliver water to adjacent landowners.

Once the North Pintail Slough is completed, non-contract water will be provided by the SWSD on an as-available basis. It is estimated that this surface water will be available seven out of ten years (which mimics natural conditions). The SWSD has agreed that priority use for the non-contract water, when and if it is available, will be provided for agricultural irrigation purposes during the months of March through August, with wetland owners receiving priority deliveries during the months of September through February. When ditch construction is completed, wetland owners located adjacent to the system, will begin installing the internal infrastructure necessary to receive surface water deliveries. The infrastructure will be patterned after the very successful effort that was completed in 1995.

In addition to the groundwater recharge and water-banking benefits associated with this project, it will benefit a diversity of waterfowl, including mallards, Northern pintail, ring-necked ducks, canvasback, gadwall, redheads, cinnamon and green-winged teal, widgeon, Northern shoveler and geese. Habitat for attracting locally breeding waterfowl and supporting their broods will be significantly expanded, as will the amount and diversity of habitat for shorebirds, and other water associated birds, especially during the critical breeding and egg-laying period. Species of concern, such as the white-faced ibis, and curlew will benefit along with a diversity of wildlife including pheasants, neotropical birds, reptiles, and amphibians.

Cost estimates for the construction of the North Pintail Slough, the internal delivery and drainage systems, brood ponds and other improvements, which have been reviewed and approved by WCB staff, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
<u>Construct North Pintail Slough</u>	
72" Pipe Crossings	\$ 260,496.00
Earthwork (channel excavation)	239,504.00
Water Control & Pump Back Structures	155,000.00
Engineering, Permits, & Construction Supervision	95,000.00
Contingency	<u>50,000.00</u>
<b>Subtotal for slough construction:</b>	<b>\$ 800,000.00</b>
 <u>Wetland Restoration &amp; Enhancement</u>	
Construct Levees along Ditches and Repair Existing Levees	\$ 250,000.00
Lift Pumps	150,000.00
Flash Board Risers, with Discharge Pipes	50,000.00
CWA Project Design	30,000.00
CWA Monitoring and Control	<u>20,000.00</u>
<b>Subtotal for restoration and enhancements:</b>	<b>\$ 500,000.00</b>
 <b><u>TOTAL ESTIMATED COSTS</u></b>	<b><u>\$1,300,000.00</u></b>



Proposed Funding Breakdown:

Wildlife Conservation Board	\$ 800,000.00
Private Landowners	125,000.00
California Waterfowl Association (Partnerships)	115,000.00
Private Grants from CWA Contributors	100,000.00
Bureau of Reclamation	100,000.00
Natural Resources Conservation Service	<u>60,000.00</u>

<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$1,300,000.00</u></b>
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To protect the state's investment, the agricultural landowners have donated a 25-year right of way easement for the North Pintail Slough alignments. The SWSD has agreed to provide water to the Slough, the TBWA has agreed to manage and maintain the water conveyance system for 25 years, and the wetland landowners have agreed to manage and maintain the wetland and upland habitat for 30 years according to a detailed management plan. Consistent with the provisions of CEQA, this project is exempt from CEQA under Section 15301, Class 1 (i) maintaining a fish and wildlife habitat to protect wildlife resources.

Recognizing that approximately 70 percent of the remaining wetlands in the Central Valley are found 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 on non-state owned areas.

Ms. Cundiff reported that Mr. Jeff Thomson, Chairman of the Tulare Basin Wetlands Association, and Mr. Ed Smith, from the Department of Fish and Game, were in the audience and available to answer any questions.

Mr. Schmidt recognized staff from the numerous partners involved in this project, including Mr. Dave Patterson and Mr. Bill Gaines, representatives from the California Waterfowl Association, who were also in the audience and available to answer questions.

Staff recommended that the Board approve this project as proposed; allocate \$800,000.00 from the Habitat Conservation Fund, as designated for the Inland Wetland Conservation Program; 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 complimented the project and requested clarification regarding current private wetland acreage, current use of land and the long-range plan for the area. Ms. Cundiff explained the area currently consists of productive agricultural land, agricultural land that



has been abandoned because of the high cost associated with water, and a combination of abandoned and restored wetland and upland habitat. She stated the Central Valley Habitat Joint Venture has a goal of restoring 5,000 acres of wetlands.

Mr. Broddrick requested clarification on the expected availability of noncontract, surface water during 7 of 10 years and what those estimates were based on. Ms. Cundiff stated that historical water records from the Semitropic Water Storage District indicated that water has been available to meet the needs of wetlands 7 out of 10 years, which mimics natural conditions in this area. However, she further explained that while water could be made available, there was no mechanism in place to convey the water to the wetland areas. She further explained that if the conveyance system were in place, noncontract surface water would be made available to the landowners, who would in turn, refrain from pumping ground water. By turning off their pumps, ground water recharge benefits would occur. In addition, the water banking program operated by the Semitropic Water Storage District would be enhanced.

Mr. Ed Smith stated he started working in this area in 1964 as a unit biologist, and that wetlands were sustained with pumped water costing \$50 to \$60 per acre foot. He added that he has been a wildlife region supervisor since 1975 and has never come before the Board with a proposal for acquisition south of Mendota because there was no water. He commented that this is an innovative project, and he expressed his appreciation to the WCB, Mr. Thomson and people who farm in the area, as there now appears to be some hope for water with the assistance of this new water conveyance system. He further explained that with a water conveyance system in place, additional opportunities exist for obtaining critical water supplies, such as water exchanges and water transfers. He added that when late season flooding occurred, he has personally seen approximately 75,000 pintail appear in this area overnight. Mr. Smith also cited research conducted by Mr. John Beam, a biologist with the Department. According to the research, the Sacramento Valley has lost about 30 percent of the pintail population, however, the San Joaquin Valley, primarily the Tulare Lake area, has lost 90 percent of the pintail population. The major reason for this loss being the lack of water for the wetlands. He also stated that the CVHJV rates this as one of the most critical restoration efforts in the State of California.

For the benefit of those in attendance, Mr. Broddrick requested Mr. Thomson to clarify water banking. Mr. Thomson explained that when the Los Angeles and/or the Bay Area have more water than what they can use, they deliver it to SWSD and actually pay SWSD to bank that water. He stated that the most sufficient way to bank water is to turn off all the pumps and deliver surface water. Tulare Basin then becomes an asset to SWSD by increasing the water table in various areas. Mr. Broddrick stated that water banking is an innovative tool capable of addressing water needs in this area. He also stated that water banking and water exchanges need to be part of our future and are critical for addressing water needs in the State. Ms. Cundiff further added that for the Southern San Joaquin Valley, we must utilize a different set of tools in protecting and restoring wetlands in this area compared to those we use in the Sacramento Valley.

Ms. Cundiff, in addressing flood control, noted Kern National Wildlife Refuge is legally responsible for holding flood waters from that area; however, because the Refuge is not able to drain the flood waters off the Refuge, they are not able to properly manage their wetland habitat. With this new conveyance system, the Refuge can drain the flood waters off the Refuge and manage wetland habitat to promote the vegetation needs of waterfowl and shore birds. Ms. Cundiff said that with this system in place, the next phase could be to utilize this flood water, route it down a portion of Pozo Creek and then into the Pintail Slough.

Mr. Schmidt commented that the Board has received letters in support of this project from the Natural Resource Conservation Service, Semitropic Water Storage District, U.S. Fish and Wildlife Service, Tulare Basin Wetlands Association, California Waterfowl Association and Senator Jack O'Connell.

IT WAS MOVED BY MR. ROBIN DEZEMBER THAT THE BOARD APPROVE THIS PROJECT AS PROPOSED; ALLOCATE \$800,000.00 FROM THE HABITAT CONSERVATION FUND, AS DESIGNATED FOR THE INLAND WETLAND CONSERVATION PROGRAM; 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.

20. Wetland Conservation Easement Program (Dept. of Fish and Game) \$590,670.00

At this time, Mr. Schmidt reported that the Shively Ranch portion of this agenda item, as shown on page 27 of the agenda, was withdrawn at the landowner's request; and the Holmestead Farms fair market value appraisal, which read \$44,688.00, was revised to \$41,000.00. Therefore, the total allocation for the two remaining projects had been changed from \$657,672.00 to \$590,670.00.

Mr. Schmidt reported, therefore, that this proposal was to acquire a conservation easement over two ownerships, totaling 335.81± acres of land consisting of seasonal wetlands and related riparian and upland habitats. One of the parcels is located in Butte County and the other is located in Yuba County. The parcels are currently used for farming and, during the waterfowl season, as private hunting clubs. A management plan prepared by the Department of Fish and Game (DFG) will eliminate all commercial farming or other agricultural uses and provide that the majority of the property be maintained in permanent and seasonal wetlands. Mr. Frank Giordano then explained the project in detail.

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

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

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

Under the provisions of this program, the DFG has identified a number of areas for acquisition consideration. WCB staff has been conducting the negotiations for this program and to date has presented 14 such easement projects to the Board, all of which have now been acquired. The proposal being considered at this time would, if approved, bring the total number of acres protected to 3,500±. The proposed properties are as follows:

Shively Ranch, Butte County - \$63,314.00

This proposal was for the acquisition of a conservation easement over 38.5± acres of land lying along the west side of Pennington Road near its intersection with the Gridley Colusa Highway.

At the landowner's request, this item was withdrawn at this time from Board consideration.

McCorkle Ranch, Butte County - \$543,670.00

This proposal was for the acquisition of a conservation easement over 295.81± acres of land located near the town of Honcut, California, and accessed via Central House Road. The property, which is located north of the Honcut Creek Wildlife Area, is currently farmed to rice and hunted during waterfowl season. The proposed management plan will eliminate all commercial farming as well as other commercial agricultural uses and provide for most of the property to be maintained in permanent and seasonal wetlands. The Grantor has agreed to sell an easement to the State for the approved fair market value, of \$535,670.00. An additional \$8,000.00 will be needed for expenses as described below.

Holmestead Farms #3, Yuba County - \$47,000.00

This proposal was for the acquisition of a conservation easement over 40± acres of land located in Yuba County near the intersection of Iowa City and Fruitland Roads. The land, which is located adjacent to an existing wetland conservation easement, easterly of the Gray Lodge Wildlife Area, is currently farmed (in part) in alfalfa and is hunted during the general upland bird and waterfowl seasons. The proposed management plan will eliminate all commercial farming as well as other commercial agricultural uses and provide for most of the property to be maintained in permanent and seasonal wetlands. The owner has agreed to sell an easement to the State for the approved fair market value, of \$41,000.00. Approximately \$6,000.00 will be needed for additional State expenses as described below.

The owners of the combined subject properties have agreed to sell an easement for the DGS' approved appraised total fair market value of \$576,670.00. It is estimated that an additional \$14,000.00 will be needed for appraisal, survey, escrow and DGS review costs on all the purchases. The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition for wildlife conservation purposes.

Mr. Giordano reported that Mr. Glenn Rollins, representing the Department of Fish and Game, and Ms. Marilyn Cundiff, Program Manager from the Wildlife Conservation Board were in the audience to answer any questions.

Mr. Schmidt reported the Board received a letter of support for this project from the California Waterfowl Association, but also had a letter from the County of Yuba requesting the Holmestead Farms #3 project be taken off calendar so that the County could have a chance to study this item. He stated that the letter addressed loss of property tax associated with the acquisition. Mr. Schmidt advised that since the property would be staying in private ownership, there would continue to be a tax, however the county assessor may choose to lower the tax because of the conservation easement that is imposed on it. However, the property would still be on the tax rolls. The second item the county addressed was about the restriction of land use in perpetuity, including loss of farm land. Mr. Schmidt stated the intent of this project is to protect wetlands in perpetuity. The County's last concern was subsidizing a private landowner's hunting club with public funds. Mr. Schmidt stated that, in fact, the private landowner is providing a public benefit as they are providing wetland



habitat that does, in fact, benefit waterfowl species that are used off of their property and at a continuing cost in perpetuity. He commented that the landowner may choose to use it for a private duck club, or he may choose to use it as a sanctuary. Mr. Schmidt stated that staff continues to recommend the project be approved as proposed, including the one project that the county has asked be taken off calendar. He stated that if the Board approves this project as proposed, the Board will send a letter to the county explaining the Board's reasoning and addressing the County's concerns.

Mr. Thieriot noted that the federal and state governments have, as shown on the map display, various wetland areas scattered throughout this area and asked if the plan was to join these areas together and asked if this was one big flyway or two. Ms. Cundiff confirmed that this area is one flyway and that District 10 area is a very critical area in terms of waterfowl wanting to utilize that area. She stated that currently the rice fields are playing an important role for the waterfowl in the Pacific Flyway and Central Valley. She added that by approving this project, the Board would be restoring and protecting not only wetland areas, but areas surrounding the federal refuges, state wildlife areas and those easements the Board currently has in place as wetland easements, in an attempt to connect all these areas with agricultural easements. She explained that through the use of agricultural and wetland easements, we are keeping local economy and agricultural production in place, which is so critical to migrating waterfowl. Ms. Cundiff stated that there is no attempt to pull all agricultural land out of production and convert it back to wetlands. She stated that migrating waterfowl need the rice and corn fields as a food source and buffer from the cotton fields, vineyards and homes that are appearing in that area. Mr. Thieriot commented that this was a wonderful project. Mr. Schmidt stated that Honcut Creek was the first project where we acquired conservation easements, agricultural easements and fee ownership, to make this program work so that we do have continued farming in addition to wetland production.

Staff recommended that the Board approve these easement acquisitions as proposed; allocate \$590,670.00 from the Inland Wetlands Conservation Fund for the purchase price and costs; and authorize staff and the Department of Fish and Game to proceed substantially planned.

IT WAS MOVED BY MR. ROBIN DEZEMBER THAT THE BOARD APPROVE THESE EASEMENT ACQUISITIONS AS PROPOSED; ALLOCATE \$590,670.00 FROM THE INLAND WETLANDS CONSERVATION FUND FOR THE PURCHASE PRICE AND COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY PLANNED.

Mr. Dezember reiterated comments made by Mr. Schmidt and some from the audience in regard to the objections that were filed by the County. He stated that it is not unusual for the state, in this instance and in other instances, to enter into arrangements with private property owners that provide them a benefit, so long as there is a public benefit identified and established.

MOTION CARRIED.



Mr. Thieriot asked Mr. Broddrick if the Department of Fish and Game had a plan for dealing with the potential negative impact associated with the future change in agricultural subsidies. Mr. Broddrick stated that the Department of Fish and Game, the Wildlife Conservation Board, and partners in Central Valley Habitat Joint Venture, are looking at the issue. He added that rice and the utility of that land is now the issue in protecting key corridor areas. He stated that agricultural easements are appropriate for large blocks of land and are economic decisions for the farm industry to take a look at. He added that in the Sacramento Valley, farmers have looked at barley instead of rice, but neither rice nor barley provide the economic return per acre that agriculture demands.

21. Staff Report—Easement Transfers

Informational

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 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.

Pursuant to the above described process, staff reported that the following easement transfers have been completed:

<u>Project Title</u>	<u>Transfer Type</u>	<u>Grantee</u>	<u>Size</u>	<u>Consideration</u>
1. Grizzly Island Joice Island WLA	Electrical transmission line easement	Joice Island Mallard Farm, Inc.	0.6 ac	\$800 (DFG)
2. Shasta Valley WLA	Electrical transmission line easement	Pacific Power and Light Co.	.25 ac	-0-

22. Wildlife Conservation Board Meeting Schedule for 1999

Informational

The Wildlife Conservation Board's regular meeting schedule for 1999 is as follows:

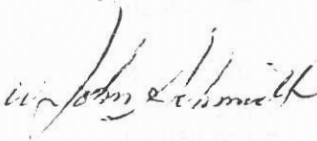
Tuesday	March 2, 1999
Thursday	May 20, 1999
Thursday	August 19, 1999
Thursday	November 18, 1999

It was proposed that all of the above noted meetings will be held in the State Capitol and will begin at 10:00 a.m. Any changes to the meeting dates, time or location, which may be required, will be noticed through the preparation and mailing of an agenda at least 30 days prior to the revised schedule.

Mr. Thieriot thanked Mr. Schmidt for guiding the Board through this meeting, Mr. Schmidt's 100<sup>th</sup> meeting, and for having developed the respect that he has over all of the years. Mr. Schmidt expressed his appreciation for the comment and to his staff for their work throughout those years.

There being no further business, the meeting adjourned at 11:58 a.m.

Respectfully submitted,



W. John Schmidt  
Executive Director

### PROGRAM STATEMENT

At the close of the meeting on November 3, 1998, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$413,507,793.30. 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 .....	22,353,152.93
	Reservoir Construction or Improvement .....	\$ 4,534,613.05
	Stream Clearance and Improvement .....	14,700,451.69
	Stream Flow Maintenance Dams .....	547,719.86
	Marine Habitat .....	646,619.07
	Fish Screens, Ladders and Weir Projects .....	1,923,749.26
C.	Fishing Access Projects .....	37,240,782.16
	Coastal and Bay .....	\$ 2,992,860.08
	River and Aqueduct Access .....	9,162,902.13
	Lake and Reservoir Access .....	7,170,059.69
	Piers .....	17,914,960.26
D.	Game Farm Projects .....	146,894.49
E.	Wildlife Habitat Acquisition, Development & Improvement .....	324,440,526.34
	Wildlife Areas (General) .....	\$186,034,438.67
	Miscellaneous Wildlife Habitat Development. ....	4,716,741.76
	Wildlife Areas/Ecological Reserves, (Threatened, Endangered or Unique Habitat) .....	122,073,443.51
	Land Conservation Area .....	28,808.00
	Inland Wetlands Conservation Grants & Easements .....	5,328,804.68
	Riparian Habitat Conservation Grants & Easements .....	3,231,794.84
	Other Wildlife Habitat Grants .....	3,026,494.88
F.	Hunting Access Projects .....	484,898.57
G.	Miscellaneous Projects (including leases) .....	10,653,879.29
H.	Special Project Allocations .....	616,464.79
I.	Miscellaneous Public Access Projects .....	1,018,095.63
	State Owned .....	\$917,735.63
	Grants .....	100,360.00
J.	Sales and/or exchanges .....	546,880.04
	Total Allocated to Projects .....	\$413,507,793.30