

DEPARTMENT OF FISH AND GAME

WILDLIFE CONSERVATION BOARD

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State of California
The Resources Agency
Department of Fish and Game
Wildlife Conservation Board

Minutes
May 20, 1999

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The Wildlife Conservation Board met at the California Resources Building, 1416 Ninth Street, 12th Floor Conference Room, Sacramento, California on May 20, 1999. The Board meeting was originally scheduled to be held at the State Capitol, however, due to budget hearings and the unavailability of hearing rooms, the Board meeting was moved to the Resources Building. The meeting was called to order at 10:30 A.M. by Mr. Richard Thieriot, President of the Fish and Game Commission. Introductions were made at this time. Mr. Schmidt expressed his appreciation to Director Hight for allowing the Board to use the Director's Conference Room on such short notice. At this time, Mr. Schmidt announced that Agenda Item #19 would be considered first and then the remaining agenda items.

1. Roll Call

WILDLIFE CONSERVATION BOARD MEMBERS

Richard T. Thieriot, Chairperson
President, Fish and Game Commission

Annette Porini, Chief Deputy Director
Vice, B. Timothy Gage, Member
Director, Department of Finance

Robert C. Hight, Member
Director, Department of Fish and Game

EXECUTIVE DIRECTOR

W. John Schmidt

Staff Present: W. John Schmidt, Executive Director
Jim Sarro, Assistant Executive Director
Georgia Liphardt, Assistant Executive Director
Scott Clemons, Riparian Program Manager
Marilyn Cundiff, Wetlands Program Manager
Peter Perrine, Field Agent
John Donnelly, Senior 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: Norma Rulison, DKK Land Association
Ed Smith, Department of Fish and Game
Don Koch, Department of Fish and Game
Jeffrey Kerry, Realtor
Bob Flewelling, Trust for Public Land
Dave Widell, California Waterfowl Association
Burt Bundy; Sacramento River Conservation Area
Holly Andree, Ducks Unlimited
Ronn Slay, California Natural Resources Foundation

19. Sacramento River Memorandum of Agreement

Mr. Schmidt explained that this item was being considered first, as Mr. Burt Bundy, coordinator of the Sacramento River Conservation Area program, wanted to make a presentation but needed to accommodate his flight schedule. Mr. Bundy expressed his appreciation and apologized for any inconvenience caused by changing the agenda. Mr. Bundy went on to explain the history and purpose of this program and the Memorandum of Agreement, as further detailed in these minutes. It was explained that this proposal was to consider authorizing the Executive Director to sign a Memorandum of Agreement (MOA) regarding the Sacramento River Conservation Area. The MOA is a multi-party agreement among federal, state and local entities to foster riparian habitat protection and management as set forth in the Upper Sacramento River Fisheries and Riparian Habitat Management Plan (1989 Plan) and the Sacramento River Conservation Area Handbook (Handbook), developed as a result of the passage of Senate Bill 1086 (1986).

Senate Bill 1086 called for development of a management plan for the Sacramento River and its tributaries to protect, restore, and enhance fisheries and riparian habitat. The law created an Advisory Council, composed of representatives of state and federal agencies, county supervisors, landowners, water contractors, commercial and sport fisheries, and general wildlife and conservation representatives. The Council and its action teams developed the 1989 plan which included a specific and action-oriented fisheries plan, and a more conceptual riparian habitat plan which was published by the State of California Resources Agency in 1989.

Shortly after the 1989 Plan was completed, the Advisory Council discontinued regular meetings. However, many of the fishery action items have since been or are currently being implemented, such as fish bypass structures at diversions on Sacramento River tributaries, and the Shasta Dam temperature control structure. A Riparian Habitat Committee was created in 1993, when the Advisory Council was reconvened by the Secretary of Resources to "complete its earlier work concerning riparian habitat protection and management, including the development of a specific implementation program."

The Riparian Habitat Committee is an informal and consensus-based planning group, including landowner representatives, environmental group leaders, and agency personnel who are working toward on-the-ground implementation of the 1989 Plan. They have developed the Handbook, subsequently approved by the Advisory Council, as a guide for riparian habitat management along the River. The Committee has worked to ensure that the Handbook addresses both the dynamics of riparian ecosystems as well as the realities of local agricultural economies.

Through the work of the Riparian Habitat Committee, the Advisory Council proposes the formation of a locally-based nonprofit entity to coordinate implementation of the riparian habitat management and restorations goals and objectives of the 1989 Plan and the Handbook. Actions implemented by the nonprofit entity should also be coordinated with the Central Valley Project Improvement Act, the CALFED Bay-Delta Program, and the U.S. Army Corps of Engineers Sacramento-San Joaquin River Basins Comprehensive Study, and other ongoing related activities. The work of this nonprofit organization would be supported by the various agencies and organizations interested in the Sacramento River through the subject MOA.

The goal of the Sacramento River Conservation Area Program, as outlined in the 1989 Plan, is "to preserve remaining riparian habitat and reestablish a continuous riparian ecosystem along the Sacramento River between Chico and Redding, and reestablish riparian vegetation along the river from Verona to Chico." This goal is proposed to be met in a manner that follows these six guiding principles:

1. Utilizes an ecosystem approach that contributes to the recovery of threatened and endangered species and is sustainable by natural processes;
2. Uses the most effective and least environmentally damaging bank protection techniques to maintain a limited meander, where appropriate;
3. Operates within the parameters of local, state and federal flood control and bank protection programs;
4. Encourages participation by private landowners and affected local entities that is voluntary, never mandatory;
5. Gives full consideration to landowner, public and local government concerns; and

6. Provides for the accurate and accessible information and education that is key to sound resource management.

The purpose of the MOA is to document broad endorsement by the signatories of the decisions and recommendations made by the Advisory Council embodied in the 1989 Plan, to document signatory commitment to support the goals and principles outlined in the Handbook, to improve coordination and cooperation between public agencies in the implementation of the 1989 Plan and Handbook, to identify the agreements of the signatories and relationships among the signatories and the NPO in implementing the 1989 Plan and Handbook, and to document signatory support of the establishment of the NPO, and identify the role and responsibilities of the NPO.

All activities implemented by the NPO under the 1989 Plan and Handbook, including site specific agreements, will be in compliance with all applicable existing and future local, state, and federal laws and regulations.

By authorizing the Executive Director to sign the MOA, the Board will be under no obligations, financial or otherwise, to react, but will be agreeing to assist as possible in carrying out the concepts set forth in the Handbook as follows:

1. Indicate the Board's support for the establishment of the NPO, and support the NPO in its efforts to implement the 1989 Plan and Handbook, and indicate that staff will work with the NPO on specific projects;
2. Maximize coordination and consistency of its policies and programs with the 1989 Plan and Handbook;
3. Assist the NPO in identifying and obtaining funding sources for specified activities of the NPO including land transactions, habitat restoration, the development of site specific land management plans;
4. Coordinate with the NPO when acquiring lands within the Conservation Area, as delineated in the Handbook;
5. Contract with, or develop grant agreements with the NPO to implement site specific projects;
6. Work with the NPO to develop a streamlined/coordinated permit process for individual project agreements; and
7. Authorize staff to participate in a technical advisory committee (as appropriate) for the NPO.

Other agencies being asked to sign the MOA include the counties of Butte, Glenn, Shasta, Colusa, Tehama, Yolo, and Sutter; the Department of Fish and Game, California Resources Agency, Department of Water Resources, Department of Water Resources, Department of Parks and Recreation, California State Lands Commission, California Water Commission, The Reclamation Board, Department of Food and Agriculture, California Environmental Protection Agency, Department of Forestry and Fire Protection, Department of Boating and Waterways, Department of Conservation, State Water Resources Control Board, Central Valley Regional Water Quality Control Board, United States Army Corps of Engineers, United States Bureau of Reclamation, United States Fish and Wildlife Service, United States Natural Resource Conservation Service, National Marine Fisheries Service, United States Environmental Protection Agency, United States Bureau of Land Management, United States Forest Service; the cities of Redding, Anderson, Red Bluff, Tehama, and Colusa; and a host of special districts (reclamation, irrigation, flood control, etc.). Endorsements are also being sought from a large group of public interest groups and nonprofit conservation organizations.

Staff and legal advisors to the Sacramento River Advisory Council have determined that neither the MOA or the Plan or Handbook are projects, and therefore are exempt from the California Environmental Quality Act.

Mr. Thieriot requested clarification regarding the targeted areas for restoration and public access and asked that they be careful so as not to secure too much land from public use.

Mr. Hight stated that he has worked with Mr. Bundy since 1985 and is supportive of his efforts and the efforts of the entire SB 1086 Advisory Council.

Ms. Porini asked if staff had reviewed the MOA. Mr. Schmidt advised her that WCB staff reviewed it and that there were only two minor changes.

Staff recommended that the Board authorize the Executive Director to sign the MOA, conditioned on final approval by Department of Fish and Game Legal, and authorize staff and the Department of Fish and Game to proceed substantially as proposed.

IT WAS MOVED BY MR. ROBERT HIGHT THAT THE BOARD AUTHORIZE THE EXECUTIVE DIRECTOR TO SIGN THE MEMORANDUM OF AGREEMENT, CONDITIONED ON FINAL APPROVAL BY DEPARTMENT OF FISH AND GAME LEGAL, AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PROPOSED.

MOTION CARRIED.

2. Funding Status as of May 20, 1999

Informational

<u>(a) 1998-99 Wildlife Restoration Fund Capital Outlay Budget</u>	
Governor's Budget - Land Acquisition	\$ 200,000.00
Less Previous Board Allocations	<u>(134,999.09)</u>
Unallocated Balance	\$ 65,000.91
Governor's Budget - Minor Projects	\$ 1,198,000.00
Less Previous Board Allocations	<u>(481,175.00)</u>
Unallocated Balance	\$ 716,825.00
<u>(b) 1997-98 Wildlife Restoration Fund Capital Outlay Budget</u>	
Governor's Budget - Land Acquisition	\$ 275,000.00
Plus Budget Revision-Reimbursement	247,710.00
Less Previous Board Allocations	<u>(522,710.00)</u>
Unallocated Balance	\$ 0.00
<u>(c) 1996-97 Wildlife Restoration Fund Capital Outlay Budget</u>	
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
<u>(d) 1998-99 Habitat Conservation Fund Capital Outlay Budget</u>	
Governor's Budget	\$ 17,960,000.00
Less Previous Board Allocations	<u>(5,964,126.11)</u>
Unallocated Balance	\$ 11,995,873.89
<u>(e) 1997-98 Habitat Conservation Fund Capital Outlay Budget</u>	
Governor's Budget	\$ 16,598,000.00
Plus Mid-year Adjustment	250,000.00
Less Previous Board Allocations	<u>(14,173,000.00)</u>
Unallocated Balance	\$ 2,675,000.00

(f)	<u>1996-97 Habitat Conservation Fund Capital Outlay Budget</u>
	Governor's Budget \$10,047,000.00
	Less Previous Board Allocations <u>(10,039,560.94)</u>
	Unallocated Balance \$ 7,439.06
(g)	<u>1997-98 Environmental License Plate Fund Capital Outlay Budget</u>
	Governor's Budget \$341,000.00
	Less Previous Board Allocations <u>(341,000.00)</u>
	Unallocated Balance \$ 0.00
(h)	<u>1997-98 Safe, Clean, Reliable Water Supply Fund, River Parkway Subaccount Capital Outlay Budget</u>
	Governor's Budget \$9,800,000.00
	Less Previous Board Allocations <u>(6,708,150.00)</u>
	Unallocated Balance \$3,091,850.00
(i)	<u>1998/99 General Fund Capital Outlay Budget</u>
	Governor's Budget \$4,850,000.00
	Less Previous Board Allocations <u>(1,850,000.00)</u>
	Unallocated Balance \$3,000,000.00

RECAP OF FUND BALANCES

<u>Wildlife Restoration Fund (a), (b) and (c)</u>	\$781,825.91
<u>Habitat Conservation Fund (d), (e) and (f)</u>	\$14,678,312.95
<u>Environmental License Plate Fund (g)</u>	\$0.00
<u>Safe, Clean, Reliable Water Supply Fund, River Parkway Subaccount (h)</u>	\$3,091,850.00
<u>General Fund (i)</u>	\$3,000,000.00

Mr. Schmidt asked if there were any questions regarding the above item. There were none.

3. PROPOSED CONSENT CALENDAR (Items 4 - 12)

Mr. Schmidt reported that the Consent Calendar consisted of Items 4 - 12. Staff recommended that the Board approve the Consent Calendar as presented, absent any objection. There were no comments or objections.

IT WAS MOVED BY MS. ANNETTE PORINI THAT THE WCB APPROVE CONSENT ITEMS 4 - 12 AS PROPOSED IN THE INDIVIDUAL AGENDA EXPLANATIONS, INCLUDING FUNDING AS NOTED THEREIN.

MOTION CARRIED.

*4. Approval of Minutes - February 24 and March 2, 1999 Meetings

Approval of the minutes of the February 24 and March 2, 1999 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 MS. ANNETTE PORINI THAT THE MINUTES OF THE FEBRUARY 24 AND MARCH 2, 1999 BOARD MEETINGS BE APPROVED AS WRITTEN.

MOTION CARRIED.

*5. Recovery of Funds (CONSENT CALENDAR)

The following projects previously authorized by the Board are now completed, and some 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.

\$58,247.35 to the Wildlife Restoration Fund,
\$15,356.01 to the Environmental License Plate Fund
\$17,408.37 to the Habitat Conservation Fund
\$73,998.69 to the CA Wildlife, Coastal and Park Land Fund of 1988
\$0.00 to the Natural Resources Infrastructure Fund

WILDLIFE RESTORATION FUND

Bair Island Ecological Reserve, San Mateo County

Allocated	\$ 3,740.16
Expended	- 0.00
Balance for Recovery	\$ 3,740.16

Lake Cuyamaca Fishing Access, San Diego County

Allocated	\$ 92,080.00
Expended	<u>-87,867.77</u>
Balance for Recovery	\$ 4,212.23

Noyo River Access (Phase I), Mendocino County

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

Noyo River Access (Phase II), Mendocino County

Allocated	\$250,000.00
Expended	<u>-199,705.04</u>
Balance for Recovery	\$ 50,294.96

Riparian Habitat Inventory & Assessment-Phase 1 & 2

Allocated	\$450,000.00
Expended	<u>-450,000.00</u>
Balance for Recovery	\$ 0.00

Total Wildlife Restoration Fund Recoveries \$ 58,247.35

ENVIRONMENTAL LICENSE PLATE FUND

San Joaquin River Restoration Camp Pashayan/Willow Unit, Fresno County

Allocated	\$100,500.00
Expended	<u>-85,143.99</u>
Balance for Recovery	\$15,356.01

Total Environmental License Plate Fund Recoveries \$15,356.01

HABITAT CONSERVATION FUND

Daugherty Hills Wildlife Area, Exp. #3, Easement Exchange, Yuba County

Allocated	\$ 5,000.00
Expended	<u>-4,360.00</u>
Balance for Recovery	\$ 640.00

East Grasslands Wetlands Enhancement/Restoration, Merced County

Allocated	\$ 62,250.00
Expended	<u>-62,250.00</u>
Balance for Recovery	\$ 0.00

Feather River Wildlife Area, (O'Conner Lakes Unit Exp. #3/
Lake of the Woods Unit Exp. #2), Sutter and Yuba Counties

Allocated	\$ 167,316.81
Expended	<u>-164,892.22</u>
Balance for Recovery	\$ 2,424.59

Magnesia Springs Ecological Reserve Land Exchange, Riverside County

Allocated	\$ 5,000.00
Expended	<u>-5,000.00</u>
Balance for Recovery	\$ 0.00

Mill Creek/Gray Lodge Wildlife Area, Exp. #6, Humboldt and Butte Counties

Allocated	\$ 1,774,000.00
Expended	<u>-1,765,894.00</u>
Balance for Recovery	\$ 8,106.00

Rancho Jamul Ecological Reserve, Exp. #1, San Diego County

Allocated	\$ 10,000.00
Expended	<u>-4,358.02</u>
Balance for Recovery	\$ 5,641.98

San Joaquin River Ecological Reserve, Exp. #7 (Riverview Unit), Fresno County

Allocated	\$ 32,758.45
Expended	<u>-32,758.45</u>
Balance for Recovery	\$ 0.00

Santa Rosa Plain Conservation Bank, Sonoma County

Allocated	\$1,561,000.00
Expended	<u>-1,561,000.00</u>
Balance for Recovery	\$ 0 0.00

Swiss Ranch, Exp. #2 (Conservation Easement), Calaveras County

Allocated	\$479,000.00
Expended	<u>-478,404.20</u>
Balance for Recovery	\$ 595.80

Total Habitat Conservation Fund **\$17,408.37**

CA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988

Bair Island Ecological Reserve, San Mateo County

Allocated	\$1,106,259.84
Expended	<u>-1,105,563.60</u>
Balance for Recovery	\$ 696.24

Feather River Wildlife Area, (O'Conner Lakes Unit Exp. #3/
Lake of the Woods Unit Exp. #2), Sutter and Yuba Counties

Allocated	\$229,683.19
Expended	<u>-229,683.19</u>
Balance for Recovery	\$ 0.00

Mountain Meadows Wetland Enhancement, Lassen County

Allocated	\$85,600.00
Expended	<u>-12,297.55</u>
Balance for Recovery	\$73,302.45

San Joaquin River Ecological Reserve, Exp. #7 (Riverview Unit), Fresno County

Allocated	\$365,241.55
Expended	<u>-365,241.55</u>
Balance for Recovery	\$ 0.00

Santa Rosa Plain Conservation Bank, Sonoma County

Allocated	\$97,000.00
Expended	<u>-97,000.00</u>
Balance for Recovery	\$ 0.00

Total CA Wildlife, Coastal and Park Land Conservation Fund of 1988 .. \$73,998.69

NATURAL RESOURCES INFRASTRUCTURE FUND

Rancho Jamul Ecological Reserve, Exp. #1, San Diego County

Allocated	\$600,000.00
Expended	<u>-600,000.00</u>
Balance for Recovery	\$ 0.00

Total Natural Resources Infrastructure Fund \$00

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MS. ANNETTE PORINI THAT THE BOARD RECOVER FUNDS FOR THE PROJECTS LISTED ON PAGES 8 THRU 12 OF THESE MINUTES AND CLOSE THE PROJECT ACCOUNTS. RECOVERY TOTALS INCLUDE \$58,247.35 TO THE WILDLIFE RESTORATION FUND; \$15,356.01 TO THE ENVIRONMENTAL LICENSE PLATE FUND; \$17,408.37 TO THE HABITAT CONSERVATION FUND; AND \$73,998.69 TO THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND FUND OF 1988.

MOTION CARRIED.

*6. Resolution Honoring Mr. Edward L. Hastey

The following resolution was submitted for enactment by the Wildlife Conservation Board.

WHEREAS, Mr. Edward L. Hastey, California Director for the Bureau of Land Management (BLM), has retired from the BLM after nearly 43 years of dedicated service to the people of the United States, nearly 21 of which were served in the State Director's position in California; and

WHEREAS, Mr. Hastey, because of his personal dedication and his great love for the outdoors, has served the people of California and the United States through his direct involvement in the protection of hundreds of thousands of acres of land for its open space and wildlife values and, of course, for the enjoyment of many generations to come; and

WHEREAS, Mr. Hastey has been involved in many BLM partnership projects with the Wildlife Conservation Board, the first of which was the Cow Mountain Hunting Access project in Mendocino County in 1962 while he was serving in the capacity of a BLM Civil Engineer, and the most recent being the 1999 Headwaters Forest Preserve purchase in Humboldt County; and

WHEREAS, All who have worked with Mr. Hastey (Ed) have greatly appreciated his sound judgement, leadership and advice, and have especially appreciated his great sense of humor and the very pleasant manner in which he conducts business, all of which have earned for him the utmost respect and the friendship of those with whom he has worked; and

WHEREAS, It is the desire of the Board to gratefully acknowledge Mr. Hastey, who is among the Board's longest standing and most valued partners, for all of his contributions to the people of the State of California and the entire United States, and especially to the works of this Board through our many great partnership projects, and to let him know that his presence as the BLM State Director in California will be sorely missed; now, therefore be it

RESOLVED, That we, the members of the Wildlife Conservation Board, the Joint Legislative Advisory Committee and the Board staff convey to Edward L. Hastey our sincere thanks and appreciation for his work in helping to develop and carry out many partnership projects with the Wildlife Conservation Board, and extend to Ed and his wife, Joyce, our very best wishes for the future; and be it further

RESOLVED, That this resolution be made a part of the official minutes of this Board and that a copy of this resolution be furnished to Mr. Hastey.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MS. ANNETTE PORINI THAT THE BOARD APPROVE THE RESOLUTION HONORING MR. EDWARD L. HASTEY, FORMER CALIFORNIA DIRECTOR FOR THE BUREAU OF LAND MANAGEMENT

MOTION CARRIED.

*7. Heenan Lake Wildlife Area, Land Exchange, Alpine County \$5,000.00

This proposal was to consider a land exchange between the U.S. Bureau of Land Management (BLM) and the Department of Fish and Game (DFG) involving deer summer range and migration corridor, as well as a BLM-owned parcel used by DFG at their Lahontan cutthroat trout egg taking facility. The proposed exchange involves the DFG transferring 80± acres of land, which consists of two disjunct 40± acre parcels completely surrounded by BLM land, for 80± acres of land located adjacent to the DFG's Heenan Lake Wildlife Area.

The properties to be exchanged are located approximately seven miles southeast of Markleeville in the northeast corner of Alpine County. State Highway 89, which provides the main access to the subject properties, continues east over Monitor Pass from Heenan Lake, joining with U.S. Highway 395, in Antelope Valley just south of Topaz Lake. The surrounding area of the land proposed for exchange 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.

The property proposed for transfer to the State (DFG) consists of two separate parcels. One parcel contains the water control structure necessary for the DFG's egg collecting operation described below while the other is an inholding within the Heenan Lake Wildlife Area boundary. This proposed exchange will allow DFG and BLM to consolidate management resources and utilize personnel more efficiently.

A major feature of this immediate area is Heenan Lake, which occupies about 130 surface acres in the northwest portion of the DFG's Heenan Lake Wildlife Area. The DFG 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 DFG 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.

Acquisition of the Heenan Lake property was approved at the Board's November 29, 1982 meeting wherein the Board authorized the purchase of 1,652± acres of land, which included the two disjunct parcels being considered for exchange in this transaction. The Board subsequently approved the acquisition of water and storage rights in Heenan Lake at its meetings of May 21, 1998 and November 3, 1998.

DFG and BLM have entered into an Agreement to Initiate a Land Exchange which would be advantageous to both entities. Thereafter, both ownerships were appraised and determined to be equal in value or \$40,000.00 for each ownership. Therefore, no funds will change hands in this transaction. However, it is estimated that \$5,000.00 will be needed for title and escrow costs. The exchange is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes.

Staff recommended that the Board approve the transfer of the 80± acre State-owned property to BLM as proposed; authorize the acceptance of the 80± acre BLM-owned property as outlined; allocate \$5,000.00 from the Habitat Conservation Fund (P117, Section 2786 (a)) to cover related project costs; authorize staff to enter appropriate agreements as necessary to carry out 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 MS. ANNETTE PORINI THAT THE BOARD APPROVE THE TRANSFER OF THE 80± ACRE STATE-OWNED PROPERTY TO BLM AS PROPOSED; AUTHORIZE THE ACCEPTANCE OF THE 80± ACRE BLM-OWNED PROPERTY AS OUTLINED; ALLOCATE \$5,000.00 FROM THE HABITAT CONSERVATION FUND (P117, SECTION 2786 (A)) TO COVER RELATED PROJECT COSTS; AUTHORIZE STAFF TO ENTER APPROPRIATE AGREEMENTS AS NECESSARY TO CARRY OUT THIS PROJECT; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

*8.	<u>East Grasslands Wetlands Enhancement/Restoration (Castle Land and Cattle), Phase 2, Merced County</u>	<u>\$15,000.00</u>
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This proposal was to consider an allocation for a grant to the California Waterfowl Association (CWA) for a cooperative project to enhance 29± acres and restore 41± acres of seasonal wetlands for waterfowl and other water dependent wildlife. The proposed partners in this proposal include the CWA, the landowners, the U.S. Fish and Wildlife Service (FWS), the Department of Fish and Game, and the Wildlife Conservation Board. The project is located on private land, approximately ten miles southwest of the City of Merced, adjacent to the Merced National Wildlife Refuge and ten miles east of the Los Banos Wildlife Area.

The subject site has been operated as a duck club for many decades. On February 24, 1998, the Board approved funds for a wetlands habitat enhancement project on this site that included fencing, levees, a new pump, improved supply ditches, and new water control structures. The ponds created by this project were seeded with native wetland grasses in late summer and early fall of 1998 and by October nearly every pond was flooded. Waterfowl usage that winter was excellent, even in these new undeveloped ponds. Once water was put on the land, it became evident that two of the new ponds were not flooding as easily or completely as desired. In addition, it is felt that an area designated as a set-aside food plot would be more beneficial for wildlife as a seasonal wetland.

The proposed project will enhance 29± acres of seasonal wetlands by building new levees across two large ponds, which will allow these smaller ponds to be more completely and efficiently flooded. The existing food plot, located in the center of the property, is situated in such a fashion that it cannot be irrigated without flooding adjacent ponds. Swales will be excavated through it and a new levee will be constructed at its lower end to be able to manage it as a seasonal wetland. These improvements will result in an increase of nearly 41 acres of new seasonal wetlands. Finally, a new pipeline will be constructed, connecting the northern supply ditches with a pump located on the FWS's Merced National Wildlife Refuge, located immediately to the north of the project site. This pipeline will allow wetland management to be coordinated across a much wider area than in the past, resulting in more efficient use of all available water.

Wetland habitat with adjacent uplands and pastures, as described here, are known to support a wide variety of wildlife species. Thousands of sandhill cranes winter on this property every year. Many species of waterfowl will benefit from these improvements, and other bird species, such as rails, yellowthroats, song sparrows, herons and egrets will also inhabit the marshes and seasonal wetlands. The pastures provide habitat for grassland species such as meadowlarks and savannah sparrows, and provide foraging areas for hawks. Mammals supported by this habitat matrix include voles, deer mice, and muskrats, which are prey for coyotes and raptors.

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

<u>Description</u>	<u>Estimated Cost</u>
Site preparation and earthmoving	\$17,586.00
Water control structures	5,213.00
Pipes, etc., to FWS pump	10,000.00
CWA project design and management	2,000.00
Contingency (10 percent), excluding in-kind	<u>3,479.00</u>
<u>TOTAL ESTIMATED COST</u>	<u>\$38,278.00</u>
<u>Proposed Funding Breakdown:</u>	
Wildlife Conservation Board	\$15,000.00
U.S. Fish and Wildlife Service	7,500.00
Castle Land and Cattle	<u>15,778.00</u>
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$38,278.00</u>

The landowner has agreed to manage and maintain the property for 25 years, pursuant to the terms and conditions of the habitat management plan. If at any time during the 25-year life of the project, the landowners are unable to manage and maintain the project improvements, they must refund to the Board an amortized amount of funds based on the number of years left in the project life.

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

Staff recommended that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$15,000.00 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 MS. ANNETTE PORINI THAT THE BOARD APPROVE THIS PROJECT AS PROPOSED; AUTHORIZE STAFF TO ENTER INTO APPROPRIATE AGREEMENTS NECESSARY TO ACCOMPLISH THIS PROJECT; ALLOCATE \$15,000.00 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.

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|---|--------------------|
| *9. <u>San Joaquin River Restoration (Parkway Exotics Removal),</u> | <u>\$17,060.00</u> |
| <u>Fresno and Madera Counties</u> | |

This project was to consider an allocation for a grant to San Joaquin River Parkway and Conservation Trust, Inc. (Trust), for a cooperative project to remove three species of invasive non-native plants (Arundo, tamarisk, and scarlet wisteria) from the 22-mile San Joaquin River Parkway (Parkway). The partners in this proposal include the Trust, the U.S. Bureau of Reclamation, the Department of Fish and Game (Department), and the Wildlife Conservation Board. The 6,000-acre Parkway, nearly two-thirds of which is privately owned, is located on both sides of the San Joaquin River, downstream from Friant Dam to Highway 99, in Fresno and Madera Counties.

The Board has been actively involved in a variety of projects on the San Joaquin River for 50 years. In 1949, the Board approved funds for the construction of a trout hatchery just below Friant Dam, and a fishing access site was completed at Lost Lake in 1961. Since 1957, the Board has protected more than 1,000 acres along this stretch of the river through its acquisition program and has enhanced or restored more than 340 acres of wetland and riparian habitat. This is the first restoration project proposed which will encompass the entire Parkway.

Invasive non-native plants are one of the greatest threats to riparian habitats in California. Tamarisk and Arundo, especially, have invaded streams and rivers throughout the southern half of the state, and in some areas have engulfed entire drainages. When infestations become severe, biological diversity is lost and control becomes nearly impossible. This portion of the San Joaquin River has only recently been invaded by these species and control is still economically feasible. The Trust proposes to remove all three plant species from the entire 22 miles of the Parkway. Wisteria will be pulled from the ground by hand or with weed wrenches, and herbicides will be used for the removal of Arundo and tamarisk. Native vegetation is expected to respond quickly and naturally after the removal of the exotics, though in some cases, cuttings of native willows and cottonwoods will be planted to speed recovery.

The Trust will contact all landowners, both public and private, for approval to enter the property prior to beginning any removal program. Private landowners will also receive educational information that will describe the project, identify the species to be removed, explain the ecological problems associated with invasive exotics, recommend removal methods, and request permission to enter the property to perform the needed work. If landowners refuse access, no removal will be initiated, and these sites will be documented in the final report. Control of these plants will take place over the course of three growing seasons, with the goal of completely eliminating all three species from the Parkway by October of 2001.

The benefits to the resource from such a removal program are enormous. Where invasive plants are not controlled, native biological systems made up of dozens of riparian plant species are eventually displaced by pure stands of one or two non-natives. Wildlife dependent on diverse native plant complexes can be lost. A river system so infested becomes everyone's nightmare, using more water than native riparian forests and providing none of the benefits. Once the infestation becomes severe, control becomes not only very expensive, but destructive to any remaining native habitat. Removal of pure stands of non-native invasives often requires the use of heavy equipment and massive applications of herbicides, sometimes over many years, which can have a negative effect on neighboring vegetation. Early detection and control eliminates these negative aspects of exotic species removal while protecting existing native plants and enhancing riparian habitat for many wildlife species.

The Department's Pesticide Unit has been contacted regarding this project and has agreed to assist as needed. The Trust conducts canoe trips on the Parkway every weekend throughout the summer. These trips will also be used to monitor the site over the next few years, and individual non-native plants will be removed when they first appear.

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

<u>Description</u>	<u>Estimated Cost</u>
Labor	\$27,680.00
Equipment	3,689.00
Outreach costs	3,000.00
Travel	1,080.00
Contingency (10 percent), excluding in-kind	1,550.00
TOTAL ESTIMATED COST	\$36,999.00

Proposed Funding Breakdown:

Wildlife Conservation Board	\$17,060.00
U.S. Bureau of Reclamation	11,150.00
Trust (Cash)	789.00
Trust (In-kind)	8,000.00
TOTAL AVAILABLE FUNDING	\$36,999.00

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 15304, as it is a minor enhancement of land for the benefit of fish and wildlife.

Staff recommended that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$17,060.00 from the Habitat Conservation Fund (Section 2786 (e/f)); 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 MS. ANNETTE PORINI THAT THE BOARD APPROVE THIS PROJECT AS PROPOSED; AUTHORIZE STAFF TO ENTER INTO APPROPRIATE AGREEMENTS NECESSARY TO ACCOMPLISH THIS PROJECT; ALLOCATE \$17,060.00 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.

- *10. Plaisted Creek Ecological Reserve, Expansion #2, San Diego County \$70,000.00

This proposal was to consider the acquisition of a 2± acre inholding of mixed chaparral and oak woodlands within the Department of Fish and Game's (DFG) Plaisted Creek Ecological Reserve (Reserve). The subject parcel sits within the southeast portion of the 464± acre Reserve and, if acquired, would bring the total acreage of wildlife habitat protected to 466±.

The Reserve is located near Palomar Mountain on the east side of Pauma Valley in northern San Diego County, approximately 20 miles north of the City of Escondido and 30 miles east of the Pacific Ocean coastline. The two main travel routes to the Pauma Valley area are via County Road S-6 from Escondido through Valley Center and Highway 76 from Pala Road, where I-15 crosses the San Luis Rey River.

The Board authorized the first acquisition at the Reserve, consisting of 458± acres, at its meeting of May 15, 1991. The Board subsequently authorized acquisition of an inholding of 6± acres at its meeting of March 2, 1999. This present proposal, if approved, will place the last inholding within the Reserve boundary.

Habitat types found on the Reserve include chamise chaparral, oak woodlands and riparian woodlands and these same habitat types are found on the subject parcel. Chaparral is found on the slopes and ridges and the oak and riparian woodlands are located on flat benches, creeks and drainages found throughout the property. The oak woodland is composed of coast live oak, canyon live oak, Englemann's oak and scrub oak, while the riparian woodlands contain sycamores, alders and ferns. The undisturbed pristine nature of these habitats on the Reserve make them unique on a local and statewide basis.

A host of animal species are present on site including southern mule deer, rabbits, California quail, coyotes, bobcats and mountain lion. Numerous raptors and songbirds also are present on site and reptiles and amphibians can be found in wet areas located along creek bottoms and springs. During good rainfall years, deer use the property as a fawning area. The DFG has recommended this purchase to not only protect the habitat found on the property, but to eliminate possible development of this inholding which could be detrimental to the existing reserve.

The owners have agreed to sell their property to the State for the appraised value of \$62,000.00, an amount approved by the Department of General Services (DGS). It is estimated that an additional \$8,000.00 will be needed for project expenses including escrow fees, title insurance and DGS review costs. The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes.

Staff recommended that the Board approve the acquisition as proposed; allocate \$70,000.00 from the Habitat Conservation Fund (P117, Section 2786 (b/c)) to cover acquisition costs and project expenses; authorize staff to enter appropriate agreements as necessary to carry out 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 MS. ANNETTE PORINI THAT THE BOARD APPROVE THE ACQUISITION AS PROPOSED; ALLOCATE \$70,000.00 FROM THE HABITAT CONSERVATION FUND (P117, SECTION 2786 (B/C)) TO COVER ACQUISITION COSTS AND PROJECT EXPENSES; AUTHORIZE STAFF TO ENTER APPROPRIATE AGREEMENTS AS NECESSARY TO CARRY OUT THIS PROJECT; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

- *11. Lokern Ecological Reserve (Kern County Valley Floor Habitat Conservation Plan), Kern County \$28,000.00

This proposal was to consider the acquisition of three ownerships containing a total of $67.5\pm$ acres of privately-owned land located approximately 30 miles west of Bakersfield, near the town of Buttonwillow. These proposed purchases are a small part of a larger program involving a number of different public and private entities to protect rare natural communities in the southern San Joaquin Valley.

This larger area is known as the Lokern Natural Area (LNA), an area generally bounded by the community of Buttonwillow to the east, the Temblor Mountains to the west, and extending in a narrow, irregular pattern approximately 20 miles in a north-south direction,

with Buttonwillow lying approximately midway. It is crossed by several roadways including Highway 33, Highway 58 and Lokern Road. The subject acquisitions are the first of many proposed by the Department of Fish and Game (DFG) to be brought to the Board as part of the State's participation in this protection effort.

While the LNA name has been chosen for the overall program, several of the participating entities have elected to use their own internal identifying names depending on individual policies. For example, all Board proposed acquisitions will be classified as Lokern Ecological Reserve projects, while Bureau of Land Management (BLM) acquisitions will be referred to as falling within their Lokern Area of Critical Concern. The point is that each entity acquiring property under this program will be helping to meet the goals of the LNA. At this time the participants in this habitat protection program include the City of Bakersfield, Kern County, The Nature Conservancy, U.S. Fish and Wildlife Service, California Energy Commission, DFG and the Board.

The primary purpose of acquisitions in the proposed 40,000-acre LNA is to protect rare natural communities and the threatened and endangered plant and animal species that are found in this area. In 1992 a report was completed by the San Joaquin Valley Biological Technical Committee (composed of various agency representatives) entitled "A Biological Framework for Natural Lands and Endangered Species in the Southern San Joaquin Valley," which described the value of preserving lands in this area. In developing this document, the participants proposed a strategy of core reserves of existing habitat with connecting corridors throughout the San Joaquin Valley, which would form a regional conservation program to ensure that sensitive natural communities and listed species would survive over time. The Lokern area was identified as one of the primary preserve areas for this purpose. This part of the valley has one of the highest concentrations of listed species in the continental United States. It is estimated that only 5 to 10 percent of the land base on the valley floor remains in the natural vegetative communities endemic to the area. The Lokern area of western Kern County contains some of the highest quality natural habitats left in the entire valley. The primary sensitive species found in this area include the San Joaquin kit fox, giant kangaroo rat, Tipton kangaroo rat, San Joaquin antelope squirrel, blunt-nosed leopard lizard, Kern Mallow, Hoover's woolly star and alkali larkspur. These species are all known to exist in the proposed LNA.

This area is also of significant interest to local government, specifically the City of Bakersfield and Kern County, both of which are involved in the preparation of large, regional Habitat Conservation Plans, which address the acquisition of endangered species and their habitats over the next 20 years. These plans include measures to provide offsite compensation for the loss of endangered species habitat to development. Both plans include the LN A as a primary preserve area in which 90 to 95 percent of the existing habitat would be protected in perpetuity.

To date the Board has received funding from two separate sources to assist in the acquisition efforts of this program. The Board's fiscal year 1997/98 budget contained \$1 million dollars specifically earmarked for this program, while a contract with the Department of Water Resources has made an additional \$825,000.00 available in mitigation funds to assist these efforts. The DFG has now identified a plan for using these funds and it is anticipated that acquisitions will be proposed on a regular basis to the Board until the program is completed.

Most of the lands in the Lokern area are still natural vegetation communities, having never been cultivated. Some areas have been farmed to row crops, some of which are now being allowed to revert to their natural condition. Portions of the area have been developed for oil and natural gas production purposes. Basically, however, the LNA is relatively undisturbed in character. Threats to the area include future development potential as well as overgrazing by sheep and haphazard use by off-road vehicles, all of which could adversely affect this fragile habitat.

Following is a brief description of the initial three parcels being recommended for purchase under this program. It should be noted that each parcel, by itself, contains limited wildlife values. However, each one being considered for purchase has been identified by the Department of Fish and Game as being very important to the overall, long-term program of creating a viable reserve in this area.

Lokern Ecological Reserve, Kern County (Fong) \$4,000.00

This unimproved property contains 7.5± acres and is located approximately one-half mile north of Lokern Road. It currently has no legal access, which is typical of many properties in the area. Property to the north and south is now owned by The Nature Conservancy. The owners have agreed to sell to the State for the approved fair market value of \$3,200.00. An additional \$800.00 will be necessary to cover costs including escrow and title insurance, appraisal and Department of General Services' costs, bringing the total allocation necessary for this purchase to \$4,000.00

Lokern Ecological Reserve Expansion #1, Kern County (Molidar) \$16,000.00

This 40± acre parcel is located approximately one-quarter mile south of Lokern Road. It can be accessed from this county road by a dirt road. Topography of the property is generally level and it is located within a designated flood zone. The owners have agreed to sell this property for its approved appraised value of \$14,000.00. An additional \$2,000.00 is estimated to be necessary to cover all costs of the proposed purchase bringing the total allocation necessary to complete this purchase to \$16,000.00.

Lokern Ecological Reserve Expansion #2, Kern County (Morrison) \$8,000.00

This 20± acre parcel is located about one-quarter mile west of Highway 33 and about one-half mile south of Cymric Road. Topography of this undeveloped property is generally level. Like many parcels being considered in this program, this property has no legal access. The owners have agreed to sell this property to the State for its approved fair market appraised value of \$7,000.00. Acquisition costs are estimated at \$1,000.00, bringing the total allocation necessary to complete this purchase to \$8,000.00.

The total allocation necessary to complete these first three purchases is \$28,000.00 (\$24,200.00 purchase price/\$3,800.00 in costs). The acquisitions are exempt from CEQA under Class 13 of Categorical Exemptions—acquisitions for wildlife conservation purposes.

Staff recommended that the Board approve the acquisitions of these three parcels, as discussed above; allocate \$28,000.00 for the purchases and related costs from the Habitat Conservation Fund, as specifically appropriated for this program; authorize staff to enter 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 MS. ANNETTE PORINI THAT THE BOARD APPROVE THE ACQUISITIONS OF THESE THREE PARCELS, AS DISCUSSED ABOVE; ALLOCATE \$28,000.00 FOR THE PURCHASES AND RELATED COSTS FROM THE HABITAT CONSERVATION FUND, AS SPECIFICALLY APPROPRIATED FOR THIS PROGRAM; AUTHORIZE STAFF TO ENTER APPROPRIATE AGREEMENTS NECESSARY TO ACCOMPLISH THIS PROJECT; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

*12. Wetland Conservation Easement Program \$61,000.00
(Department of Fish and Game) - Shively Ranch, Butte County

This was a proposal to acquire a conservation easement over 37.5± acres of land consisting of permanent and seasonal wetlands, together with related riparian habitat. The land is located in Butte County, lying on the west side of Pennington Road, just south of the intersection of Pennington Road and the Gridley Colusa Highway, approximately six miles east of Gridley. The property is currently used for farming and, during the waterfowl season, as a private duck club. A management plan prepared by the Department of Fish and Game (DFG), as part of this proposal, will eliminate all commercial farming and other agricultural uses and provide that the majority of the property be maintained in permanent and seasonal wetlands.

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

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

The terms and conditions of the easement agreements developed under this program 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 the individual landowners 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 wetland, but where conversion to wetland habitat is in progress or imminent. The term of each easement, which do not provide for public access, extends in perpetuity and runs with the land regardless of changes in ownership.

Under the provisions of this program, the DFG has identified a number of areas for acquisition consideration. WCB staff has been conducting the negotiations for this program and to date has presented 13 such easement projects to the Board, all of which have now been acquired. The proposal being considered at this time would, if approved, bring the total number of acres protected to 3,500±.

The owners of the subject property have agreed to sell this easement for the DGS' approved appraised fair market value of \$52,900.00. It is estimated that an additional \$8,100.00 will be needed for appraisal, escrow and DGS review costs. The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition for wildlife conservation purposes.

Staff recommended that the Board approve this easement acquisition as proposed; allocate \$61,000.00 from the Inland Wetlands Conservation Fund for the purchase price and costs; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the DFG to proceed substantially planned.

AS ONE OF THE CONSENT ITEMS HEARD AT THE BEGINNING OF THE MEETING, IT WAS MOVED BY MS. ANNETTE PORINI THAT THE BOARD APPROVE THIS EASEMENT ACQUISITION AS PROPOSED; ALLOCATE \$61,000.00 FROM THE INLAND WETLANDS CONSERVATION FUND FOR THE PURCHASE PRICE AND COSTS; AUTHORIZE STAFF TO ENTER INTO APPROPRIATE AGREEMENTS NECESSARY TO ACCOMPLISH THIS PROJECT; AND AUTHORIZE STAFF AND THE DFG TO PROCEED SUBSTANTIALLY PLANNED.

MOTION CARRIED.

13. Mud Slough Wildlife Area, Expansion #2, Merced County \$1,300,000.00

Mr. Schmidt reported that this proposal was to consider the acquisition of $724\pm$ acres of land as an expansion of the State's Mud Slough Wildlife Area. The acquisition will allow for the restoration, development and preservation of degraded historic wetlands. The Wildlife Conservation Board (Board) approved the original $780\pm$ acre wildlife area purchase now known as the Gadwall Unit of the Mud Slough Wildlife area in August, 1992. This was followed by two subsequent purchases totaling $653\pm$ acres as approved by the Board in November, 1994 and May, 1995. Mr. Frank Giordano explained the project in greater detail.

The subject property is located adjacent to the wildlife area, approximately three miles east of the City of Los Banos. Highway 152, which is located to the north, serves as legal access to the property. The property is located within the Grassland Resource Conservation District (District), in a one-mile wide corridor between the north and south grassland areas. This corridor was converted to leveled agricultural fields between 1967 and 1980. Prior to its conversion it consisted of a mixture of uplands, seasonal wetlands and slough channels.

Current use of the subject property is agriculture and grazing. However, it still contains some marsh and a slight scattering of valley sink scrub uplands. There are no substantial improvements on the property except for a water delivery systems.

The property proposed for purchase is a part of an area known as the Grasslands Ecological Area, an area which encompasses approximately 160,000 acres of mostly contiguous private, State and Federal wetlands near the City of Los Banos. Taken as a whole, the Grasslands Ecological Area is a macro-preserve. Approximately 25,000 acres of private wetlands, many protected by Federal easements, and the State Gadwall Unit lie south of Highway 152. The rest of the public and private wetlands are located north of both Highway 152 and Henry Miller Road. It is three miles between these latter two roadways, an area known locally as the Mud Slough corridor. Agriculture and the City's wastewater treatment facility occupy most of the lands in the Mud Slough corridor. However, some small acreages of natural and managed wetlands are still found in this corridor.

The current habitat values on the land are low, since the entire site has been leveled, overgrazed pasture. It supports sparse populations of upland species such as California ground squirrels, coyotes, mice, meadowlarks, gopher snakes and foraging raptors. The acquisition and subsequent restoration of this property will provide a critical link in the fragmented corridor between the North and South Grasslands. Development and urban degradation threaten this piece of property as well as the viability of the entire corridor. Acquisition will protect yet another piece of habitat within the corridor and insure open space adjacent to the City of Los Banos. Current land uses adjacent to the proposed expansion site are compatible with wildlife habitat and planned public use. Although no formal Habitat Conservation Plan has been developed for the Grasslands Ecological Area, a multi-agency Grassland Habitat Management Coordination Committee has been formed with the Department, the District and the U.S. Fish and Wildlife Service, working together to encourage local government to protect the wildlife values in the corridor.

It is proposed that this property will be added to the Gadwall Unit with the combined 1,500± acres then being managed with an emphasis on wetlands and wildlife related public use. The Department of Fish and Game (Department) plans to restore approximately 60 percent of the site to managed seasonal wetlands, freshwater marsh and riparian edge. The remaining acreage would be managed uplands. The location of the property adjacent to the highway and the City of Los Banos provides excellent opportunity for high exposure, public wildlife viewing and a program for this purpose will be developed. Portions of the unit not dedicated to year-round public wildlife viewing will be added to the existing waterfowl and pheasant hunting program.

As a required condition of sale, the owner has agreed to apply for annexation into the District in order to receive water for irrigation and waterfowl. This annexation must be completed prior to the close of escrow.

The owner has agreed to sell the property to the State for the approved appraised fair market value of \$1,290,000.00. It is estimated that an additional \$10,000 will be needed for acquisition costs which include escrow, title insurance, and Department of General Services' review costs. The acquisition is exempt from CEQA under Section 15313 as an acquisition of land for wildlife conservation purposes.

Mr. Giordano reported that Mr. Jeff Kerry, agent for the landowner, and Mr. Ed Smith, the Department of Fish and Game's wildlife management supervisor for that area, were in the audience and available to answer questions.

Mr. Schmidt advised that the Board received 26 letters of support for this project, including letters from Assemblymen Cardoza, the Mayor of Los Banos, the California Waterfowl Association, Ducks Unlimited and the Grasslands Water District, in addition to several others.

Mr. Thieriot asked if this area would be available for hunting and, if so, would the area be enhanced for waterfowl habitat. Mr. Giordano advised that hunting would be permitted and Mr. Smith provided clarification regarding plans for improving the habitat for this and surrounding areas. Discussion was held regarding the ongoing need for funding the management of wetlands.

Staff recommended that the Board approve the acquisition of the subject property as proposed; allocate a total of \$1,300,000.00 from the Habitat Conservation Fund (IWCP), to cover the purchase price and related 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.

IT WAS MOVED BY MR. ROBERT HIGHT THAT THE BOARD APPROVE THE ACQUISITION OF THE SUBJECT PROPERTY AS PROPOSED; ALLOCATE A TOTAL OF \$1,300,000.00 FROM THE HABITAT CONSERVATION FUND (IWCP), TO COVER THE PURCHASE PRICE AND RELATED 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.

14. Lake Earl Wildlife Area, Expansion #22, Del Norte County \$485,000.00

Mr. Schmidt reported that this proposal was to acquire 77± acres of land lying adjacent to Lake Earl Wildlife Area to provide protection and the opportunity for wetland, riparian and upland habitat enhancement as an addition to this major State wildlife area. The property is located approximately four miles north of Crescent City and is bounded on the east by Lake Earl Drive and on the west by Lake Earl, one of the few remaining private ownerships with direct access to Lake Earl. Mr. Frank Giordano explained the project in greater detail.

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

The Board, at its June 22, 1979, meeting approved the concept of acquiring certain lands to protect and preserve Lakes Earl and Talawa, as proposed by the Department of Fish and

Game, in coordination with the Department of Parks and Recreation and the State Lands Commission. In accordance with specific authorizations made by the Board over the last 19 years, staff has acquired over 2,716± acres in fee and easements within or adjacent to Lakes Earl and Talawa. The last acquisition approved by the Board was a one-acre inholding and was approved at the Board's August 13, 1998 meeting. An additional 2,600 acres have been leased from the State Lands Commission, placing a total of over 5,316± acres under Department of Fish and Game management.

The proposed acquisition has been highly recommended by the Department of Fish and Game and local conservation organizations. It will add to the protection of the biological integrity and wildlife values at this wildlife area. The large stand of trees (25± acres) located on the property provides critical perch areas for bald eagles and peregrine falcons as they fish and hunt the wildlife area.

The owner has agreed to sell this property for its appraised land and timber value of \$475,000.00, as approved by the State's Department of General Services. The timber value is \$37,000.00 of the total. Costs of appraisal, escrow and administrative costs of the Department of General Services are estimated to be an additional \$10,000.00. A total allocation of \$485,000.00 is therefore recommended by staff. The acquisition is categorically exempt from CEQA under Class 13, acquisition of land for wildlife conservation purposes.

Mr. Giordano reported that Mr. Don Koch, Department of Fish and Game's regional manager for this area, was in the audience and available to answer questions regarding future management or development of the property.

Mr. Schmidt advised that the Board received letters of support for this project, including letters from Assembly member Strom-Martin and Congressman Mike Thompson, written during his term as State Senator, in addition to a letter from Friends at Lake Earl. He also indicated that the Board of Supervisors took action two days ago to endorse the acquisition.

Staff recommended that the Board approve this acquisition; allocate a total of \$485,000.00 from the Habitat Conservation Fund (Section 2786 (b and c)) to pay the purchase price and related costs of purchase; 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.

IT WAS MOVED BY MS. ANNETTE PORINI THAT THE BOARD APPROVE THIS ACQUISITION; ALLOCATE A TOTAL OF \$485,000.00 FROM THE HABITAT CONSERVATION FUND (SECTION 2786 (B AND C)) TO PAY THE PURCHASE PRICE AND RELATED COSTS OF PURCHASE; 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.

15. San Felipe Valley Wildlife Area, Expansion #1, San Diego County \$1,415,000.00

Mr. Schmidt reported that this proposal was to consider the acquisition of $1,081\pm$ acres of private land and the acceptance of an additional $510.2\pm$ acres of public land, as an expansion of the San Felipe Wildlife Area. The existing $766\pm$ acre wildlife area, which is located approximately 10 miles northeast of the community of Julian and north of the Cleveland National Forest, in northeastern San Diego County, was acquired pursuant to Board action at its May 4, 1995 meeting. Mr. Frank Giordano explained the project in greater detail.

The proposed acquisition will provide for the protection of additional deer habitat while also protecting a critical migration corridor. The purchase will actually link lands owned by the San Dieguito River Park Joint Powers Authority (JPA) and the County of San Diego (San Dieguito River Valley Regional Park and the Volcan Mountain Wilderness preserve) located to the west with the existing wildlife area to the east, assuring the long-term protection of wildlife movement in this corridor. Additionally, movement can continue easterly onto lands owned by The Bureau of Lands Management (San Felipe Hills), the Cleveland National Forest and the State Anza Borrego Park. The purchase will also protect valuable stream riparian habitat while allowing for future enhancement to increase the values of this habitat.

The subject property is part of a privately owned $11,000\pm$ acre ranch known as Rutherford Volcan Mountain Ranch which contains mixed conifer forest, sub-alpine meadows and deep canyons at its higher elevations (5,350 feet) and the San Felipe Valley at its lower elevations (2,500 feet). San Felipe Creek flows on the eastern side of the mountain and just south of San Felipe Valley Road, which bisects the eastern portion of the property and provides access to the subject. The proposed $1,081\pm$ acre acquisition area includes portions of San Felipe Creek. Protection of this property will also afford an opportunity to enhance and preserve the riparian habitat found along the creek.

The general acquisition area is part of the San Felipe Valley portion of the ranch which is an extremely important fawning and summer area for southern mule deer occupying the east-central desert of San Diego County. The deer use the valley's riparian and oak woodland habitats for fawning and to obtain water and quality forage during the dry summer months. San Felipe Valley also supports a relatively high density resident deer population throughout the year. Current use of the property is light recreation, including deer and upland game hunting. Hunting also occurs on adjacent public and private lands. In addition to habitat protection, a major goal of acquiring this property is to enhance the area for wildlife habitat and to assure public access where it does not conflict with the maintenance of the habitat values.

Major wildlife species represented within the valley include deer, mountain lion, coyote, bobcat, gray fox, badger, wild turkey, golden eagle, California quail, mourning dove and several species of raptors. The area has critical habitat to support the endangered Least Bell's vireo, the threatened Southwestern Pond turtle and the endangered unarmored threespine stickleback. Both the Least Bell's vireo and the pond turtle have been observed within San

Felipe Valley and the creek has been used as a refugia for the stickleback. In addition, the property was recently designated as a Significant Natural Area by the Department due to the presence of Riversidian Alluvial Fan Sage Scrub on site.

The majority of the Rutherford Ranch is currently under option to the Trust for Public Land, which has previously sold portions of the optioned area to the State, County of San Diego and the San Dieguito River Park JPA. To date, the County has purchased approximately 1,293 acres of the ranch and the JPA has purchased approximately 902 acres, all located west of the subject. These lands are designated open space lands and are managed as part of the County Park lands and the San Dieguito River Valley Regional Open Space Park. In addition to 766± acres approved for acquisition, at its meeting of May 4, 1995, the Board also approved the acceptance of 200± acres from the JPA. However, due to difficulties incurred, this area was never transferred to the State. At this time, the JPA has 390.2± acres available to be transferred to the State. In addition, the County of San Diego has 120± acres, which they would like to transfer to the State. Both of these publicly held parcels would be transferred at no cost. The Department proposes to develop a management plan in consultation with the JPA and the County for the overall area and to manage it as part of the San Felipe Creek Wildlife Area. The estimated value of the JPA and County properties is \$1,000,000.00.

Concurrent with State acceptance of the JPA and County lands, the Trust for Public Land has offered to sell the 1,081± acre area to the State for \$1,400,000.00. The approved appraised fair market value of this land is \$2,000,000.00, thus providing a donation to the State of \$600,000.00. In addition to the purchase price, it is estimated that an allocation of \$15,000.00 would be required to cover the costs of escrow, Department of General Services review and related acquisition expenses of these proposed acquisitions. The acquisitions are exempt from CEQA as acquisitions of land for wildlife conservation purposes.

Mr. Giordano reported that Mr. Bob Flewelling, representing the Trust for Public Land, was in the audience and available to answer questions.

Mr. Schmidt advised that the Board received letters of support from the Volcan Mountain Preserve Foundation and Dr. George Sardina, and that there were no letters of opposition.

Mr. Flewelling provided clarification regarding previous ownership of the property and that this acquisition was important because it was situated at the junction of existing public lands, thereby bridging various ecosystems for habitat. Ms. Porini asked if this would present management problems because of it connecting deer hunting areas. Mr. Schmidt advised her that he did not anticipate any major management issues because there would be no development of the area.

Ms. Porini requested that, in the future, the Board provide an estimate of operating and management costs when acquiring such properties so that she, as a representative of the Department of Finance, could be aware of those expenses.

Staff recommended that the Board approve these acquisitions as proposed; allocate a total of \$1,415,000.00 from the Habitat Conservation Fund (Section 2786(a)) to cover the purchase price and related 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.

IT WAS MOVED BY MR. ROBERT HIGHT THE BOARD APPROVE THESE ACQUISITIONS AS PROPOSED; ALLOCATE A TOTAL OF \$1,415,000.00 FROM THE HABITAT CONSERVATION FUND (SECTION 2786(A)) TO COVER THE PURCHASE PRICE AND RELATED 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.

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| 16. | <u>Calabasas Pond Ecological Reserve, Santa Cruz County</u> | <u>\$69,568.00</u> |
|-----|---|--------------------|

Mr. Schmidt reported that this proposal was to consider the acceptance of a Department of Transportation Environmental Enhancement and Mitigation Program (EEMP) Grant in the amount of \$171,432.00, authorize the transfer of the EEMP grant to the U.S. Fish and Wildlife Service (USFWS), and allocate \$68,568.00 for a direct grant to USFWS to be applied toward the acquisition of 31.2± acres of real property, located in Santa Cruz County. The site, commonly referred to as the Calabasas Pond, is proposed to be acquired to protect endangered species and their habitat, including the seasonal wetland pond and excellent surrounding upland habitat. Ms. Debra Townsend explained the project in greater detail.

The subject unimproved property, is located in the Larkin Valley area approximately three miles southeast of the community of Aptos and five miles northwest of Watsonville. Access is provided from Larkin Valley Road to Metiver's Way to Dunlap Lane, a private road which runs the length of the east edge of the property. A seasonal stream runs the length of the property, flowing in a southerly direction, feeding a large pond at the south end of the site. The pond varies in size from one to four acres depending on the amount and duration of rainfall during the "wet months" (November to April). The south end of the site is dominated by a man-made dam which creates Calabasas Pond. Historical use of the property has been for livestock grazing.

Calabasas Pond is confirmed breeding habitat for the federally and state-listed endangered Santa Cruz long-toed salamander and the federally-listed threatened California red-legged frog. Mallards have been observed on the pond as well as other waterfowl including northern pintail, northern shoveler, mergansers and cinnamon teal. Annual grasslands occupy one to two acres of the proposed acquisition area, with native broom grass dominating the species composition. Species which rely on this habitat type for foraging include garter snakes, deer mice, pocket gophers, California voles and ground squirrels.

Coastal Scrub is the dominant habitat type found on the property, occupying approximately 26 acres of land, with coyote bush and ceanothus dominating the overstory. Mammals observed include deer, coyote and bats, while bird usage includes red-tailed hawks, quail and small passerines.

Currently only ten populations of the Long-toed salamander are known to exist, with six of these populations occurring in Santa Cruz County. Of these ten populations there are only three other breeding sites known to exist. Only two of these breeding sites, Valencia Lagoon and Ellicott Pond, offer habitat protection through public ownership. Protection of the pond is critical to the long-term survival of this localized population. In time, survival of this population could significantly increase the long-term prospects of the species as a whole, especially given the current fragmented and isolated distribution of the known populations. The DFG fully supports acquisition because of its potential to help stabilize and recover the population, and further, has identified the site as a Significant Natural Area.

The USFWS has agreed to acquire fee title to the property, which would then be included in the San Francisco Bay National Wildlife Refuge complex. A Memorandum of Understanding between the USFWS and the DFG will address cooperative monitoring and restoration/enhancement projects as well as monitoring of the quality of the habitat and the size of the salamander population. Regionally, purchase of the property would be a model to show the importance of vernal pool and quality upland habitat. Additional land upstream and downstream, within the corridor, could be added to the acquisition to enhance habitat quality. Other local groups have become involved in the Calabasas Pond project and would like to participate in further acquisitions to expand the riparian corridor. The long-term prospects for the viability of this population are excellent, assuming protection of the core habitat. The surrounding properties, which are low-density residential or low-impact agriculture, are suitable for this purpose. Long-term management objectives would include research and education.

The Trust for Public Land is currently holding an option on the property and has agreed to sell it to the USFWS for its approved appraised fair market value of \$240,000.00. The Wildlife Conservation Board is the grant applicant to purchase the parcel through the EEMP, with DFG originally proposed to take title. However, the USFWS has now agreed to accept ownership assuming the grants are received. The Department of Transportation has agreed to transfer the EEMP grant, in the amount of \$171,432.00, from the Board to the USFWS. Staff recommends that the Board make a grant to the USFWS to cover the required EEMP match, in the amount of \$68,568.00, for the total purchase price of \$240,000.00. It is estimated that an additional \$1,000.00 will be needed to cover WCB administrative expenses, including Department of General Services' review costs, bringing the total allocation for this proposal to \$69,568.00.

The terms and conditions of the proposed grant provide that staff will review all proposed title documents, appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds directly into escrow. The proposal is exempt from CEQA, under Class 13 of Categorical Exemptions, as an acquisition of land for wildlife conservation purposes.

Mr. Schmidt reported that the Board received a note of opposition from Stuart and Rene Clete, adjacent landowners to the project. The Board also received a telephone call from an adjacent landowner opposing the acquisition because they were concerned they would no longer be able to ride their horses on the property. No other letters of opposition or support were received. Mr. Thieriot acknowledged that the Board makes every effort to contact adjacent landowners and seek their approval, which is vital to future acquisitions.

Staff recommended that the Board accept the Department of Transportation Environmental Enhancement and Mitigation Program Grant in the amount of \$171,432.00 and authorize the transfer of the EEMP grant to the USFWS; approve the award of a \$68,568.00 grant to the USFWS to be applied to the acquisition of 31.2± acre purchase, as proposed; allocate \$69,568.00 from the Habitat Conservation Fund (P-117, (Section 2786 (b/c)) to cover the grant and WCB administrative 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.

IT WAS MOVED BY MS. ANNETTE PORINI THAT THE BOARD ACCEPT THE DEPARTMENT OF TRANSPORTATION ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM GRANT IN THE AMOUNT OF \$171,432.00 AND AUTHORIZE THE TRANSFER OF THE EEMP GRANT TO THE USFWS; APPROVE THE AWARD OF A \$68,568.00 GRANT TO THE USFWS TO BE APPLIED TO THE ACQUISITION OF 31.2± ACRE PURCHASE, AS PROPOSED; ALLOCATE \$69,568.00 FROM THE HABITAT CONSERVATION FUND (P-117, (SECTION 2786 (B/C)) TO COVER THE GRANT AND WCB ADMINISTRATIVE 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.

17. Lusardi Creek Habitat Linkages, San Diego County \$932,750.00

Mr. Schmidt reported that this proposal was to consider an allocation for a grant to the County of San Diego to be applied toward its acquisition of 97.2± acres of coastal sage scrub and riparian habitat located in the Santa Fe Valley area of San Diego County. The acquisition of this property would provide a significant wildlife linkage along a tributary to the San Dieguito River and protect important habitat lands essential for the natural exchange of California gnatcatchers along coastal San Diego County. The acquisition would also allow for management of this habitat in a manner consistent with other lands already included in the county's Multiple Species Conservation Program (MSCP) Reserve and further implement the Department of Fish and Game's (DFG) Natural Community Conservation Planning (NCCP) efforts in the county. Ms. Debra Townsend explained the project in further detail.

The DFG's Conceptual Area Acquisition Plan for the Lusardi Creek Habitat Linkage Area consists of three contiguous properties, totaling approximately 250 acres of natural land along Lusardi Creek, located within the Lake Hodges segment of the County's MSCP Subarea Plan. This rapidly developing area, known as Rancho Bernardo, Rancho Santa Fe and Fairbanks Ranch is situated west of Interstate 15 and east of Interstate 5. The subject property is accessed by Rio Vista Road which intersects with Artesian Road just north of the subject. The Santa Fe Valley Specific Plan, as approved by the County, permits development on the mesa top areas of the three parcels along Lusardi Creek, providing the slopes and riparian areas are preserved. Acquisition of the entire parcels will protect the important upland habitats associated with the lands and will preserve habitat that is occupied by the California gnatcatcher. The DFG has identified the subject property as the highest priority for acquisition within the Conceptual Area Acquisition Plan.

The State and the County are already working together in the corridor to acquire and manage open space land. The DFG currently participates in land acquisition with the San Dieguito River Valley Open Space Park Joint Powers Authority and the County of San Diego in the San Dieguito River Valley as part of a "mountains to the sea" open space corridor. Together these three entities have acquired over 3,000 acres of open space within the corridor, and jointly manage properties at San Dieguito Lagoon Ecological Reserve, Volcan Mountain Preserve and San Felipe Wildlife Area, which are located at the western and eastern ends of the corridor.

The DFG has identified the Lusardi Creek Habitat Linkage Area as very important to the long-term survival of rare, threatened and endangered species covered by the MSCP. In addition to the linkage, which is essential for the continued natural exchange of the California gnatcatchers, sensitive plant and animal species found in the area include the coast barrel cactus, southwestern spiny rush and ashy spikemoss, while habitat for the Quino checkerspot butterfly is present in the upland areas of the properties. Sensitive animals, some of which are threatened, endangered or proposed for listing, have been identified on the Lusardi Creek properties, including two rufous-crowned sparrows, coastal California gnatcatchers, orangethroated whiptails, San Diego coast horned lizard, northern red-diamond back rattlesnake and coastal rosy boa.

The County's management objectives for the subject property would be to preserve the key open space habitat land and continue the process of protecting a critical wildlife corridor and the species that currently use this habitat. The plans also call for some limited habitat restoration within the property. Long-term management goals may include minor foot trails that traverse the area to provide for passive uses by the public. The DFG will have no management responsibilities and will not have any obligation to provide funds for management of the subject property.

The Board's proposed \$922,750.00 grant, if approved, will be used to match the County's contribution toward the approved fair market value purchase price of \$1,845,500.00 for the subject property. It is estimated that an additional \$10,000.00 will be needed for administrative expenses, including Department of General Services review costs, bringing the total allocation for this proposal to \$932,750.00. The proposal is exempt from CEQA, under Class 13 of Categorical Exemptions, as an acquisition of land for wildlife conservation purposes.

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

Mr. Schmidt reported that the Board received a letter of support from Ms. Tina Robinson, a resident of that area. Mr. Schmidt also advised that Ms. Gail Presley from the Department of Fish and Game, was in the audience and available to answer questions regarding the NCCP program. He stated that the NCCP projects are identified and prioritized by a committee consisting of representatives from the County of San Diego, City of San Diego, other cities in the area, U.S. Fish and Wildlife Service, as well as the Department of Fish and Game.

Staff recommended that the Board approve the award of a grant to the County of San Diego to be applied to the acquisition of the 97.2± acres, as proposed; allocate \$932,750.00 from the Habitat Conservation Fund/NCCP; 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.

IT WAS MOVED BY MS. ANNETTE PORINI THAT THE BOARD APPROVE THE AWARD OF A GRANT TO THE COUNTY OF SAN DIEGO TO BE APPLIED TO THE ACQUISITION OF THE 97.2± ACRES, AS PROPOSED; ALLOCATE \$932,750.00 FROM THE HABITAT CONSERVATION FUND/NCCP; 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.

18. Butte Creek Canyon Ecological Reserve, Expansion #1, Butte County \$100,000.00

Mr. Schmidt reported that this proposal was to consider an allocation for a grant to the California State University, Chico Research Foundation. Grant funds would be deposited into escrow and applied toward Chico Research Foundation's acquisition of 93± acres of riparian habitat, including shaded riverine aquatic habitat for salmon and steelhead. Mr. John Donnelly explained the project in greater detail.

The subject property is located approximately six miles east of Chico and adjacent to Butte Creek. It can be accessed off Honey Run Road, approximately 2.5 miles from the Skyway in the southeastern portion of the City of Chico. The property is located near the mouth of Butte Creek Canyon and abuts Department of Fish and Game-owned property to the southwest known as the Butte Creek Canyon Ecological Reserve. The ownership of subject property is proposed to be held by Chico Research Foundation but it will be cooperatively managed under a Memorandum of Understanding (MOU) between the Department of Fish Game, Butte Creek Watershed Conservancy and Chico Research Foundation. The MOU will encompass not only management of the subject property, but management of the entire Butte Creek Canyon Ecological Reserve as well.

Acquisition of the subject property would serve to protect one of the last large corridors of undeveloped riparian habitat on Butte Creek and would foster research into innovative solutions to habitat management problems in a highly disturbed area. Future research, laboratory studies and education will be coordinated with local, state and federal agencies, California State University at Chico, Butte Creek Watershed Conservancy and other local non-profit groups for the purposes of long-term protection and restoration.

The property has valuable riparian habitat resources, approximately 4,000 feet of migration, holding and spawning habitat for salmon and steelhead. It will provide opportunities to develop and demonstrate methods of channel and floodplain management to stabilize the sediment and bedload input from the remains of historic gravel mining operations. Restoring a natural floodplain and enhancing the riparian forest habitats will help to cool the stream, filter urban runoff, capture large woody debris and increase the water storage and ground water recharge capabilities of Butte Creek.

The property contains three dominant habitat types, including Fremont cottonwood, riverine and grassland-chaparral. The Fremont cottonwood series contains various species of willows, box elder and elderberry, while the riverine area provides habitat for spring and fall run Chinook salmon and steelhead. In addition, the property supports a host of other animal species including blacktail deer, California quail, dove, turkey and bald eagle.

Through negotiations with other interested agencies, the Chico Research Foundation has agreed to accept ownership of the property and was able to pre-acquire it while the public agencies were securing appraisals, funding and project approvals. In addition to funds being requested from the Board, funding for the purchase by the Chico Research Foundation is

proposed to come from grants provided by CALFED, the National Fish and Wildlife Foundation and the United States Fish and Wildlife Service. The last remaining funding requirement to complete the transaction would be the Board's funding as proposed in this agenda item.

The appraised fair market value of the subject property, as approved by the Department of General Services, is \$475,000.00. It is proposed that the Board fund \$100,000.00 toward this purchase with the balance coming from the entities noted above.

Mr. Schmidt reported that Mr. Banky Curtis, Department of Fish and Game's regional manager for the area, was in the audience and available to answer questions.

Mr. Curtis explained that this creek carries a significant amount of water depending upon the season and stressed the importance of maintaining the riparian habitat so as to avoid erosion along the creek, and also for use by the University in studying riparian habitat.

Staff recommended that the Board approve this project as proposed; allocate \$100,000.00 from the River Parkway Subaccount, Safe Clean Reliable Water Supply/P204 (Sacramento River and Tributaries); authorize staff to enter appropriate agreements as necessary to carry out this project; authorize staff to deposit the funds into escrow as a grant toward Chico Research Foundation's purchase; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

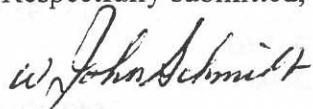
IT WAS MOVED BY MR. ROBERT HIGHT THAT THE BOARD APPROVE THIS PROJECT AS PROPOSED; ALLOCATE \$100,000.00 FROM THE RIVER PARKWAY SUBACCOUNT, SAFE CLEAN RELIABLE WATER SUPPLY/P204 (SACRAMENTO RIVER AND TRIBUTARIES); AUTHORIZE STAFF TO ENTER APPROPRIATE AGREEMENTS AS NECESSARY TO CARRY OUT THIS PROJECT; AUTHORIZE STAFF TO DEPOSIT THE FUNDS INTO ESCROW AS A GRANT TOWARD CHICO RESEARCH FOUNDATION'S PURCHASE; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

19. The Board considered this item out of order. Refer to page 2 of these minutes for details.

There being no further business, the meeting adjourned at 11:25 A.M.

Respectfully submitted,



W. John Schmidt
Executive Director

PROGRAM STATEMENT

At the close of the meeting on May 20, 1999, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$654,761,271.31*. 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
1.	Reservoir Construction or Improvement	\$ 4,534,613.05
2.	Stream Clearance and Improvement	14,700,451.69
3.	Stream Flow Maintenance Dams	547,719.86
4.	Marine Habitat	646,619.07
5.	Fish Screens, Ladders and Weir Projects	1,923,749.26
C.	Fishing Access Projects	37,465,254.97
1.	Coastal and Bay	\$ 2,992,860.08
2.	River and Aqueduct Access	9,112,487.17
3.	Lake and Reservoir Access	7,194,697.46
4.	Piers	18,165,210.26
D.	Game Farm Projects	146,894.49
E.	Wildlife Habitat Acquisition., Development & Improvement	564,686,991.54
1.	Wildlife Areas (General)	\$187,425,957.58
2.	Miscellaneous Wildlife Habitat Development	4,640,014.28
3.	Wildlife Areas/Eco Reserves, (Threatened, Endangered or Unique Habitat)	207,768,477.51
4.	Land Conservation Area	28,212.20
5.	Inland Wetlands Conservation Grants & Easements	5,417,994.81
6.	Riparian Habitat Conservation Grants & Easements	4,033,170.28
7.	Other Wildlife Habitat Grants	155,373,497.88
F.	Hunting Access Projects	484,898.57
G.	Miscellaneous Projects (including leases)	10,653,879.29
H.	Special Project Allocations	1,116,464.79
I.	Miscellaneous Public Access Projects	1,318,095.63
1.	State Owned	\$917,735.63
2.	Grants	300,360.00
J.	Sales and/or exchanges	<u>549,420.04</u>

Total Allocated to Projects

\$654,781,271.31*

*This total includes allocations in the sum of \$230,500,000.00 for grants to acquire the Headwaters and Grizzly Creek Forests and the acquisition of Owl Creek Forest.