

DEPARTMENT OF FISH AND GAME

WILDLIFE CONSERVATION BOARD1807 13TH STREET, SUITE 103

SACRAMENTO, CALIFORNIA 95814

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State of California
The Resources Agency
Department of Fish and Game
WILDLIFE CONSERVATION BOARD
 Minutes
 November 2, 2000

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**WILDLIFE CONSERVATION BOARD**

November 2, 2000

The Wildlife Conservation Board met at the State Capitol, Room 113, Sacramento, California on November 2, 2000. The meeting was called to order at 10:00 A.M. by Mr. Michael Chrisman, President, Fish and Game Commission. At this time he introduced the Board members present and Mr. Al Wright, who was recently appointed to the position of Executive Director. Mr. Wright expressed his appreciation to the Board for their support and confidence in him to make this appointment. He also expressed his thanks to Mr. Jim Sarro for his gracious welcome and for his work over the past two months following Mr. John Schmidt's retirement. On behalf of the Board, Mr. Chrisman also thanked Mr. Sarro for his work during that interim.

1. Roll CallWILDLIFE CONSERVATION BOARD MEMBERS

Michael Chrisman, 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

Al Wright

Staff Present: Al Wright, Executive Director
Jim Sarro, Assistant Executive Director
Georgia Lipphardt, Assistant Executive Director
Frank Giordano, Senior Land Agent
William Gallup, Senior Land Agent
Dave Means, Senior Land Agent
Debra Townsend, Senior Land Agent
John Donnelly, Senior Land Agent
Linda Drake, Senior Land Agent
Randy Nelson, Senior Land Agent
Ron Boeck, Senior Land Agent
Terri Muzik, Associate Land Agent
Peter Perrine, Wetlands Program Manager
Scott Clemons, Riparian Program Manager
Sean Woods, Public Land Management Specialist
Tony Chappelle, Public Land Management Specialist
Roxanne Woodward, Budget Officer
Gary Cantrell, Staff Services Analyst
Maureen Rivera, Executive Secretary
Jan Beeding, Office Technician
Caroline Fudge, Office Technician
Pat Butcher, Office Technician
W. John Schmidt, Retired Annuitant

Others Present: Bud Thrapp, Department of Water Resources
Earl Lauppe, Department of Fish and Game
Peggy McNutt, The Nature Conservancy
Michele Clark, Trust for Public Land
Chris Unkel, The Nature Conservancy
Alan Ehrgott, American River Conservancy
Marc Landgraf, American River Conservancy
Jennifer Johnson, The Nature Conservancy
Tom Story, City of San Diego
Kellie Smith, Senator O'Connell's Office
Greg Lowther
Zera Varian
Wayne Helm
Joseph Hughes
Keith Orme
Jack Varian
Greg Lowther

2.	<u>Funding Status as of November 2, 2000</u>	(Informational)
	c. <u>2000-01 Wildlife Restoration Fund Capital Outlay Budget</u>	
	Governor's Budget - Minor Projects.....	\$100,000.00
	d. <u>1999-00 Wildlife Restoration Fund Capital Outlay Budget</u>	
	Governor's Budget - Land Acquisition.....	\$200,000.00
	Less Previous Board Allocations	(2,000.00)
	Unallocated Balance	\$198,000.00
	c. <u>1998-99 Wildlife Restoration Fund Capital Outlay Budget</u>	
	Governor's Budget - Land Acquisition.....	\$200,000.00
	Less Previous Board Allocations	(153,380.20)
	Unallocated Balance	\$46,619.80
	d. <u>2000-01 Habitat Conservation Fund Capital Outlay Budget</u>	
	Governor's Budget.....	\$20,005,000.00
	Less Previous Board Allocations	(203,841.00)
	Unallocated Balance	\$19,801,159.00
	e. <u>1999-00 Habitat Conservation Fund Capital Outlay Budget</u>	
	Governor's Budget.....	\$18,932,000.00
	Less Previous Board Allocations	(7,228,394.58)
	Unallocated Balance	\$11,703,605.42
	f. <u>1998-99 Habitat Conservation Fund Capital Outlay Budget</u>	
	Governor's Budget.....	\$17,960,000.00
	Less Previous Board Allocations	(17,676,494.32)
	Unallocated Balance	\$283,505.68
	g. <u>2000-01 General Fund Capital Outlay Budget</u>	
	Governor's Budget.....	\$115,000,000.00
	Less Previous Board Allocations	(2,537,300.00)
	Unallocated Balance	\$112,462,700.00

h.	<u>1999-00 General Fund Capital Outlay Budget</u>	\$33,100,000.00
	Governor's Budget	
	Less Previous Board Allocations	(16,518,007.00)
	Unallocated Balance	\$16,581,993.00
i.	<u>1998-99 General Fund Capital Outlay Budget</u>	
	Governor's Budget.....	\$4,850,000.00
	Less Previous Board Allocations	(4,352,320.00)
	Unallocated Balance	\$497,680.00
j.	<u>1999-00 Harbors and Watercraft Revolving Fund</u>	
	Governor's Budget.....	\$1,050,000.00
	Less Previous Board Allocations	(200,000.00)
	Unallocated Balance	\$ 850,000.00
k.	<u>1999-00 Forest Resources Improvement Fund</u>	
	Governor's Budget.....	\$2,600,000.00
	Less Previous Board Allocations	(2,600,000.00)
	Unallocated Balance	\$0.00
l.	<u>2000-01 Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Bond Fund (River Protection Subaccount)</u>	
	Governor's Budget.....	\$24,000,000.00
	Less Previous Board Allocations	(1,230,000.00)
	Unallocated Balance	\$22,770,000.00
m.	<u>2000-01 Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund Capital Outlay Budget</u>	
	Governor's Budget.....	\$216,125,000.00
	Less Previous Board Allocations	(6,085,500.00)
	Unallocated Balance	\$210,039,500.00
	Governor's Budget (San Joaquin River Conservancy Projects)	\$14,562,000.00

n. 1999-00 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

Continuously Appropriated [Sec. 5096.350 (a)(1), (2), (4) & (7)] ...	\$38,000,000.00
Less Previous Board Allocations	(3,312,270.00)
Unallocated Balance	\$34,684,730.00

RECAP OF FUND BALANCES

<u>Wildlife Restoration Fund</u> (a), (b) and (c)	\$344,619.80
<u>Habitat Conservation Fund</u> (d), (e) and (f)	\$31,788,270.10
<u>General Fund</u> (g), (h) and (i)	\$129,542,373.00
<u>Harbors and Watercraft Revolving Fund</u> (j)	\$850,000.00
<u>Forest Resources Improvement Fund</u> (k)	\$0.00
<u>Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Bond Fund</u> (l)	\$22,770,000.00
<u>Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund</u> (m) and (n)	\$259,286,230.00

RECAP OF NATURAL HERITAGE PRESERVATION TAX CREDIT ACT OF 2000

Natural Heritage Preservation Tax Credit Act of 2000

Total Tax Credit Available, Chapter 113, Statutes of 2000	\$100,000,000.00
Less Previous Board Approved Tax Credit for Donated Property	(0.00)
Tax Credit Available	\$100,000,000.00

3. PROPOSED CONSENT CALENDAR (Items 4 - 13)

Mr. Wright reported that the Consent Calendar consisted of Items 4 - 13, noting a recent change to staffs' recommendation regarding Item 11 Andrew Creek, to authorize the acceptance of an ISTEA grant from Caltrans in the amount of \$240,333.00, thereby reducing the Board's proposed allocation to \$4,667.00 to cover administrative and sales expenses.

It was moved by Mr. Robert Hight that the Board approve Consent Calendar items 4 thru 13, as amended and described in the individual agenda explanations, including funding as noted therein.

Motion carried.

*4. Approval of Minutes–August 10, 2000 Meeting

Staff recommended that the minutes of the August 10, 2000 meeting of the Wildlife Conservation Board be approved as written.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the minutes of the August 10, 2000 Board meeting be approved as written.

Motion carried.

*5. Recovery of Funds

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.

\$37,720.55 to the California Environmental License Plate Fund
\$101,879.47 to the Habitat Conservation Fund \$130.00 to the Wildlife
Restoration Fund
\$3,010.00 to the California Wildlife, Coastal, and Park Land
Conservation Fund

CALIFORNIA ENVIRONMENTAL LICENSE PLATE FUND

San Joaquin River Riparian Restoration, (Riverside Site), Fresno County

Allocated	\$64,571.00
Expended	<u>-26,850.45</u>
Balance for Recovery	\$37,720.55

Total California Environmental License Plate Fund Recoveries\$37,720.55

HABITAT CONSERVATION FUND

Robla Creek Habitat Restoration (Ueda Parkway), Sacramento County

Allocated	\$76,900.00
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Expended	<u>-0.00</u>
Balance for Recovery	\$76,900.00

Stemple Creek Riparian Habitat Restoration, Marin & Sonoma Counties

Allocated	\$155,540.00
Expended	<u>-140,540.00</u>
Balance for Recovery	\$15,000.00

Wetland Habitat Restoration (Brood Water and Wetland Enhancement, Phase II), Glenn County

Allocated	\$26,000.00
Expended	<u>-16,020.53</u>
Balance for Recovery	\$9,979.47

Total Habitat Conservation Fund\$101,879.47

WILDLIFE RESTORATION FUND

Putah Creek Fishing Access, Yolo County

Allocated	\$130.00
Expended	<u>-0.00</u>
Balance for Recovery	\$130.00

Total Wildlife Restoration Fund Recoveries\$130.00

CALIFORNIA WILDLIFE, COASTAL, AND PARK LAND CONSERVATION FUND

Honey Lake Wildlife Area, Dakin Unit Exp. # 3, Lassen County

Allocated	\$35,000.00
Expended	<u>-31,990.00</u>
Balance for Recovery	\$3,010.00

Total California Wildlife, Coastal, and Park Land Conservation Fund\$3,010.00

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board recover funds for the projects listed on pages 6 and 7

of these minutes and close the project accounts. Recovery totals include \$37,720.55 from the California Environmental License Plate Fund, \$101,879.47 from the Habitat Conservation Fund, \$130.00 from the Wildlife Restoration Fund and \$3,010.00 from the California Wildlife, Coastal and Park Land Conservation Fund.

Motion carried.

- *6. Nimbus Hatchery Recreational Public Access, Sacramento County \$100,135.00

This proposal was to consider a cooperative project with the Department of Fish and Game (Department) to construct a barrier-free fishing access trail and wildlife viewing areas on the American River and nearby ponds. The project is located adjacent to the Department's Nimbus Fish Hatchery and Sacramento Valley-Central Sierra Regional Headquarters Building on lands leased to the Department from the U.S. Bureau of Reclamation (BOR). Funds for the project will come from the Board and the Department with additional support, including in-kind services and, in some cases, donations of materials, being provided by the BOR, U.S. Fish and Wildlife Service, GW Consulting Engineers, 3D International, Inc., the American River Natural History Association and UC-Davis Landscape Architecture.

The Nimbus Salmon and Steelhead Hatchery, built in 1955 and operated by the Department, was constructed to replace lost natural spawning of salmon and steelhead when Folsom and Nimbus dams were constructed in 1970. This hatchery now produces as many as 15,000,000 salmon and nearly as many steelhead each year. Located in the heart of a large metropolitan area, the hatchery is a magnet for those interested in watching these large fish climb the ladder into the facility during the late fall and early winter, with as many as 450,000 people visiting the site each year. In addition, while this portion of the river is closed to fishing during the salmon spawning season, it is a popular destination for anglers during the rest of the year. Thousands of people walk down to the edge of the American River at this location during open season to fish for salmon, steelhead, rainbow trout, striped bass and American shad.

The project will provide for barrier-free fishing and wildlife viewing opportunities at this extremely popular site. A trail will be constructed from the parking lot east of the Nimbus Salmon and Steelhead Hatchery and downstream along the American River to two ponds adjacent to the Department's regional headquarters, eventually leading to the bicycle trail to the west of the headquarters building. A side trail will branch off this main trail and provide fishing access to the river. Viewing areas will be provided adjacent to the river and in the oak woodlands to the west. Fishing access will be provided on both ponds to allow for people to fish on site even when fishing is not permitted on the river. Finally, plans are ongoing to obtain additional donated materials to construct an amphitheater overlooking the river and just off the side trail.

Cost estimates for this project, as indicated below, consist only of those portions of the project that will be funded by the Board. Project partners mentioned above will be supplying

additional project components such as landscaping, interpretive signs and engineering support. If additional donations are obtained, project costs will be reduced. Materials for the amphitheater, which are prohibitively expensive, are not included in cost estimates below and the amphitheater will only be constructed if materials are donated. Finally, the estimated costs as shown below are listed in order of priority and should bid responses be higher than estimated, some elements will be eliminated. It is anticipated that, at a minimum, the first five elements will be constructed.

Cost estimates for the project, which have been developed by the Department's engineering staff are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Main trail	\$20,500.00
Asphalt improvements	10,000.00
Pond access trail	9,000.00
River access trail	17,000.00
Project sign	3,000.00
Parking loop trail	19,500.00
Amphitheater (labor only)	12,000.00
Contingencies	9,000.00
<u>TOTAL ESTIMATED COST</u>	<u>\$100,000.00</u>

In addition to the costs listed above, the Department will be providing the additional funding needed to construct and install the project sign. Also, an additional \$135.00 will be required for Department of General Services' review costs, bringing the allocation necessary for the Board's portion of the project to \$100,135.00.

The Department of Fish Game has reviewed this proposal and recommends it for funding by the Board. The Department will complete the appropriate notice to satisfy CEQA requirements, will acquire any necessary permits and has agreed to manage and maintain the property.

Staff recommended that the Board approve this project as proposed; allocate \$100,135.00 from the Wildlife Restoration Fund for the project costs and General Services' review costs; authorize staff to enter into the appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve this project as proposed; allocate \$100,135.00 from the Wildlife Restoration Fund for the project costs and General Services' review costs; authorize staff to enter into the appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed

substantially as planned.

Motion carried.

- *7. Moccasin Creek Hatchery Public Access (Restroom), Tuolumne County \$120,135.00

This proposal was to consider a cooperative project with the Department of Fish and Game (Department) to make public access improvements at the Department's Moccasin Creek Fish Hatchery. The Board previously approved funds for the construction of the hatchery in 1949 and 1951, and for expansion of the facility in 1966.

The Moccasin Creek Hatchery, which is located approximately 20 miles south of Sonora, and 40 miles east of Modesto, was opened in 1954 as part of an overall expansion of the Department's hatchery program. This expansion was expected to nearly triple the total number of catchable fish produced by state hatcheries. The Moccasin Creek Hatchery expansion was completed in 1967 to produce kokanee to be planted in Lake Tahoe.

Like many hatcheries, this site has become popular with the public, especially during the summer months. Located just off Highway 49, the facility is visited by over 40,000 people annually, many on their way to and from Yosemite National Park. Despite this heavy use, the hatchery has only two public toilets which are in poor repair and do not meet the requirements of the Americans with Disabilities Act (ADA).

In addition to construction of a new restroom in conformance with the ADA, two barrier-free parking spaces directly adjacent to the building will also be provided. Water, electricity and sewer hookups are also a necessary component of the project.

Cost estimates for this project, which have been prepared by Department engineering staff are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Mobilization and Demobilization	\$10,000.00
Building	60,000.00
Utilities	35,000.00
Striping and Signs	4,000.00
Contingencies	11,000.00
<u>TOTAL ESTIMATED COST</u>	<u>\$120,000.00</u>

In addition to the costs listed above, an additional \$135.00 will be required for Department of General Services' review costs, bringing the allocation necessary for the Board's portion of the project to \$120,135.00.

The Department has reviewed this proposal and recommends it for funding by the Board. The Department will complete the appropriate notice to satisfy CEQA requirements and will acquire any permits that may be necessary to complete the proposed work. The Department will also be responsible for maintenance of the completed improvements.

Staff recommended that the Board approve this project as proposed; allocate \$120,135.00 from the General Fund for project costs and General Services' review costs; authorize staff to enter into the appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve this project as proposed; allocate \$120,135.00 from the General Fund for project costs and General Services' review costs; authorize staff to enter into the appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *8. Lake Earl Wildlife Area Public Access (Restroom), Del Norte County \$60,135.00

This proposal was to consider a cooperative project with the Department of Fish and Game to construct barrier-free restroom facilities at the Department's Lake Earl Wildlife Area. The project is located at the headquarters of the wildlife area, which is five miles north of the City of Crescent City.

The Lake Earl Wildlife Area was established in 1979 through a coordinated acquisition effort by the Wildlife Conservation Board (WCB), the Department of Fish and Game, the Department of Parks and Recreation and the State Lands Commission. The agencies had a need to acquire lands along the Del Norte County coastline to preserve wetland habitat in and around Lake Earl and Lake Talawa, to preserve coastal dune habitat and cultural resources, to preserve the existing compatible outdoor recreational opportunities and to settle state claims to tidelands in the area. The first purchase consisted of 1,544± acres and was authorized by the Board in 1979. The wildlife area now totals more than 5,400 acres and includes lands acquired by the Board on behalf of the Department and 2,600 acres of land leased to the Department by the State Lands Commission. The wildlife area headquarters was established in an existing structure on the property, which was modified as office space and a visitor center in the early 1980's. The building has needed renovation for years and the Department

received funds in this year's budget to remodel the building.

In addition to the need to upgrade the building, public restroom facilities on the wildlife area are very limited. The only facilities open to the public are located in the existing headquarters building. However, these facilities do not meet the requirements of the Americans with Disabilities Act. In addition, this restroom is available to the public only when the headquarters building is open, typically Monday through Friday, from 8:00 A.M. to 5:00 P.M. The wildlife area grounds, however, are open for public use from dawn to dusk, seven days a week. A barrier-free restroom facility, open for the same hours as the wildlife area grounds, is very much needed.

Based on the recently completed designs for the building remodel, it was determined that a new well and water treatment system would be needed for the barrier-free restroom, and the Department's available funds would be insufficient to cover these costs. The Department has requested that WCB assist with the shortfall. The final design of the remodeled building will include a barrier-free public restroom that is only accessible from the outside, allowing for public use from dawn to dusk, seven days a week.

Cost estimates for this project, which were prepared by the Department's engineering staff, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Building remodel, including public restroom	\$59,600.00
New well	20,000.00
Water treatment system	110,500.00
Project sign	900.00
Contingencies (10 percent)	19,000.00
<u>TOTAL ESTIMATED COST</u>	<u>\$210,000.00</u>
 <u>Proposed Funding Breakdown:</u>	
Department of Fish and Game	\$150,000.00
Wildlife Conservation Board	60,000.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$210,000.00</u>

In addition to the costs listed above, an additional \$135.00 will be required for Department of General Services' review costs, bringing the allocation necessary for the Board's portion of the project to \$60,135.00.

The Department of Fish Game has reviewed this proposal and recommends it for funding by the Board. The Department will complete the appropriate notice to satisfy CEQA requirements, acquire any necessary permits to complete the proposed work and will manage and maintain the property.

Staff recommended that the Board approve this project as proposed; allocate \$60,135.00 from the General Fund for project costs and General Services' review costs; authorize staff to enter into the appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve this project as proposed; allocate \$60,135.00 from the General Fund for project costs and General Services' review costs; authorize staff to enter into the appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *9. Turtle Bay Boat Ramp, Shasta County \$107,010.00

This proposal was to consider a cooperative project with the City of Redding to upgrade the Turtle Bay Boat Ramp and adjacent parking lot and access road, which is located below the Anderson-Cottonwood Irrigation District (A.C.I.D.) diversion dam, on the Sacramento River in the City of Redding.

The Turtle Bay Boat Ramp and the adjacent parking, which are owned and operated by the City of Redding, were constructed in 1969-70 and are currently dilapidated and in need of repair. The floating docks have been removed from public use due to disrepair and age. The wooden decks could not be salvaged and the City desires to replace them with aluminum docks. The existing metal pilings are still functional and can be used for the new floats. The parking lot and access road have also deteriorated and need to be resurfaced.

The Wildlife Conservation Board has previously funded two fishing access projects along the Sacramento River in the City of Redding. These include the Lake Redding Fishing Access, owned by the City and located just west of the A.C.I.D. dam, and the South Bonnyview Fishing Access, located on six acres owned by the Department of Fish and Game and located at Bonnyview Road near the City's southerly limits. Both of these facilities are operated and maintained by the City of Redding.

The Turtle Bay Boat Ramp provides boating access to a section of the Sacramento River below the A.C.I.D. dam, which is considered to be some of the best trout and salmon fishing in the region. The boat ramp is also located next to the "Redding Rapids," one of the largest spawning grounds for salmon on the river. Although the Lake Redding Fishing Access is in close proximity to the Turtle Bay Boat Ramp, it can only be accessed above the A.C.I.D. dam and, therefore, only provides access to the river north of the dam. The nearest boating accessway below the dam is the South Bonnyview Fishing Access, approximately six miles downstream of Turtle Bay.

The project proposal is to replace the existing wooden boarding floats with new aluminum

boarding floats, resurface the access road and parking lot, restripe the parking lot, and provide the required ADA parking spaces. In addition to contributing to the administration of the project, the City of Redding is funding the installation of an irrigation system and landscaping with trees, plants and shrubs in the parking lot islands.

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

<u>Description</u>	<u>Estimated Costs</u>	<u>City</u>	<u>WCB</u>
Project Design and Engineering	\$4,700.00		\$4,700.00
Construction Inspection	4,700.00		4,700.00
5 Aluminum Boarding Floats	38,000.00		38,000.00
Irrigation System	3,500.00	\$3,500.00	
Landscaping	3,500.00	3,500.00	
Parking and Access Road Overlay	47,000.00		47,000.00
Project Sign	2,000.00		2,000.00
Contingencies	10,340.00		10,340.00
<u>TOTAL ESTIMATED COST</u>	<u>\$113,740.00</u>	<u>\$7,000.00</u>	<u>\$106,740.00</u>

An additional \$270.00 will be required for Department of General Services' review costs, bringing the allocation necessary for the Board's portion of the project to \$107,010.00. It is anticipated that the project will qualify for federal participation under the Sport Fish Restoration Act. After approval by the Board, staff will file the appropriate application with

the U.S. Fish and Wildlife Service, which, if approved, will provide the Board and City with a 75 percent reimbursement of all project costs.

The Department of Fish and Game has reviewed this proposal and supports the proposed improvements. The City of Redding will complete the appropriate notice to satisfy CEQA requirements, will obtain the needed permits and handle the contract administration for the construction of the improvements. The City has also agreed to operate and maintain the property for 25 years through a Lease and Operating Agreement.

Staff recommended the Board approve this project as proposed; allocate \$107,010.00 from the General Fund for the project costs and General Services' review costs; authorize the receipt of federal reimbursements from the Sport Fish Restoration Fund; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve this project as proposed; allocate \$107,010.00 from the General Fund for the project costs and General Services' review costs; authorize the receipt of federal reimbursements from the Sport Fish Restoration Fund; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *10. Basso Bridge Ecological Reserve, Stanislaus County \$ -0-

This proposal was to consider the acceptance of a CalFed Grant, a portion of which will be placed directly into a designated escrow account, on behalf of the Department of Fish and Game (DFG) for the purpose of acquiring 15± acres of land for the protection and enhancement of riparian and salmon spawning habitats. The property to be acquired is located in eastern Stanislaus County, approximately one mile west of the town of La Grange.

The property lies between State Highway 132 (Yosemite Boulevard) to the south and the Tuolumne River to the north.

The subject property lies just downstream from the DFG's Tuolumne River Restoration Center where the DFG operates a habitat restoration and field shop which focuses on improving natural spawning grounds for salmon in the Tuolumne River. Stanislaus County owns and maintains the Joe Domecq Wilderness Area just south and west of the subject property. It is anticipated that this property would be managed cooperatively with the Stanislaus County Department of Parks and Recreation and uses such as fishing, hiking and nature study would be enjoyed by the public.

The property contains some fine valley oaks in addition to the typical riparian species such as

willow and cottonwood. The river portion of the property is prime fall-run salmon spawning habitat and is within the “designated salmon spawning area” defined in Fish and Game Code Section 1505. During the spawning of fall-run chinook salmon, reports of bald eagle sightings are frequent. A host of other wildlife species are present on site, some of which include waterfowl, shore birds, California quail, black-tailed deer, skunks and rabbits, just to name a few.

The DFG has applied for and has been awarded a CalFed Category III Project Grant for acquisition of the subject property. The owners have agreed to sell the property for the Department of General Services (DGS) approved fair market value of \$15,600.00. The Grant also provides for all administrative expenses including appraisal, DGS review charges, title company costs and escrow fees. The purchase is exempt from CEQA under Class 13 of Categorical Exemptions, as an acquisition of land for wildlife conservation purposes.

Staff recommends that the Board approve the acquisition of the subject property as proposed, authorize the acceptance of the CalFed grant, \$15,600.00, which will be placed directly into escrow for purposes of acquiring the subject property as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve the acquisition of the subject property as proposed, authorize the acceptance of the CalFed grant, \$15,600.00, which will be placed directly into escrow for purposes of acquiring the subject property as proposed; 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.

- *11. Andrew Creek Ecological Reserve, Expansion 1, Tuolumne County \$4,667.00

This proposal was to consider the acceptance of a Caltrans (TEA) grant in the amount of \$240,333.00 to assist the U.S. Bureau of Land Management (BLM) to assist in the cooperative acquisition of 80± acres of privately-owned land, which is part of a larger phased purchase, for the preservation of upland and wetland habitats. In addition to the BLM and the Wildlife Conservation Board, the Trust for Public Land and the Tuolumne County Land Trust are also partners in the project. At the Board’s meeting of February 17, 2000, the Board approved the first grant to the BLM for the purchase of 253± acres of the Andrew Creek area.

The subject property is located in Tuolumne County, just east of State Highway 108/120, less

than a mile south of Yosemite Junction, where Highway 120 separates to the east. The County seat, Sonora, is located approximately 10 miles to the northeast and the town of Chinese Camp is about 2.5 miles to the east. Access to the property is off of Highway 108/120. Topography of this Sierra foothill property is gently rolling from an elevation of approximately 1,040 feet to 1,400 feet.

Land uses in the area are generally rural in nature. The property itself is unimproved and is currently used for grazing. Portions of the site's perimeter are fenced, but much of the boundary between BLM property and some of the private ownerships remains unfenced.

The primary purpose of this proposed acquisition is to protect habitat for a number of sensitive plant and animal species found on the site. The subject is located within the Red Hills area, a region of serpentine soil well known for its rare plants and spectacular wildflower displays. This area is primarily composed of mixed chaparral, but also includes annual grasslands and blue oaks, digger pines and valley foothill riparian habitats. Significant portions of Andrew Creek, which flows through the property, and its tributaries are intermittent streams. Sections of these streams have small permanent pools that support riparian vegetation, as well as amphibians and fish. Generally, the riparian zones are dominated by willows, with occasional valley oak, and other portions are dominated by sedges.

The Andrew Creek area is part of the state-designated Red Hills Significant Natural Area (SNA), totaling 16,300± acres, an area designated because it has one of the best examples of a population of the rare Chinese Camp brodiaea, and six other rare species. Four of the six SNA species occur on the property proposed for purchase. The site's serpentine soil results in a sparsely-vegetated landscape that provides for species that are uncommon in the region, including kangaroo rats which are common on the site.

The California verbena and Red Hills ragwort are found on the site. Both species are considered endemic to the Red Hills area with the site supporting a significant portion of their total population. At least four additional rare plants are found on these serpentine soils, including Rawhide Hill onion, Red Hills soaproot, Congdon's lomatium and Hernandez bluecurls.

Three animal species considered sensitive by the U.S. Fish and Wildlife Service and the Department of Fish and Game (DFG) are found on the property, including the San Joaquin roach, the foothills yellow-legged frog and the western pond turtle. These species can be found in the creek, its tributaries and ponds located on the site. In addition, a California mastiff bat colony is located on the face of the table mountain that bounds the northwestern portion of the proposal. Also found on the property are other mammal species common to the foothills including deer, mountain lions, coyotes, rabbits and skunks.

The BLM owns land to the south, contiguous with the subject, consists of 7,360± acres and

constitutes the Red Hills Area of Critical Environmental Concern (ACEC), which was designated to protect the rare species and rare serpentine habitat of the Red Hills. The area proposed for purchase would help connect the ACEC with other isolated BLM parcels, greatly increasing habitat viability and connectivity.

The primary threat to the area is from potential development into residential ranchettes. The subject property has, in fact, already been subdivided and is ready for sale for development. In addition, even if left in its current condition, overgrazing is a continuing problem and certainly detrimental to the wildlife resources found on the property. The purchase of the land by BLM would assure the elimination of this excessive grazing and the threat of residential development and would allow for enhancement of the property's wildlife values.

Management of the property will be handled by the BLM in a manner similar to that followed for its adjacent ownership. This would include providing compatible public access, maintenance of habitats of the rare species, guided wildflower field trips and hunting, as compatible with the protection of the species of concern.

The fair market value of the property, as approved by the Department of General Services, is \$555,000.00. The owners have agreed to sell the property for \$271,333.00. The Board's proposed \$240,333.00 grant, if approved, will be used in combination with an additional \$25,000.00 contribution by the Trust for Public Land, and \$6,000.00 by the Tuolumne County Land Trust, bringing the total to the \$271,333.00 purchase price. It is estimated that an additional \$4,667.00 will be needed for administrative expenses including Department of General Services' review costs, bringing the total Board allocation necessary for this proposal to \$245,000.00.

The terms and conditions of the proposed grant provide that staff will review all proposed title documents, preliminary title reports, agreements for purchase, escrow instructions and instruments of conveyance prior to disbursement of funds directly into escrow. The grant will also require that maintenance and monitoring of the property will be conducted by the BLM. In addition, should BLM cease to use this property for the purposes for which this grant is to be made, BLM would be required to reimburse the Board or grant a conservation easement over the property to the state, or another qualifying entity named by the Board, at the Board's option.

The Department of Fish and Game has highly recommended the purchase of this property through this grant assistance. The purchase is exempt from CEQA, under Class 13 of Categorical Exemptions, as an acquisition of land for wildlife conservation purposes.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board accept a Caltrans (TEA) Grant in the amount of \$240,333.00 for the direct deposit into Bureau of Land Management's escrow to assist in the cooperative acquisition of 80± acres of land; allocate \$4,667.00 from the Habitat

Conservation Fund, Section 2786 (b/c), for related expenses and General Services; review costs; authorize staff to enter appropriate agreements necessary to carry out this project; authorize staff to deposit the funds into escrow as a grant toward BLM's purchase; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *12. Daugherty Hill Wildlife Area, Expansion 7, Yuba County \$155,000.00

This proposal was to consider a change of scope for a previously authorized purchase of a conservation easement over 200± acres of privately-owned land located in Yuba County. Specifically, the change would allow for purchase of the underlying fee title to the property. At the Wildlife Conservation Board (WCB) meeting of August 10, 2000, the WCB approved the purchase of a conservation easement over this 200± acre parcel. There are deeds of trust on the property and the lenders would not subordinate to our easements. Because of this, the owner could not provide clear title and needed to sell the remaining fee title in order to have the necessary funds to pay off the deeds of trust to provide clear title. The owner has offered the fee title to the property to the Department of Fish and Game, and the Department supports the full purchase of the land.

The easement value was approved at \$100,000.00. The total value, as approved by the Department of General Services, is \$250,000.00. The amount needed to purchase this parcel in fee is the \$150,000.00 difference between these approved values. It is estimated that an additional \$5,000.00 will be needed for title insurance fees and Department of General Services' review fees, bringing the total allocation necessary for this change of scope to \$155,000.00. This acquisition is exempt from CEQA under Section 15313 as an acquisition of land for wildlife purposes and a Notice of Exemption has been filed.

Staff recommended that the Board approve this project as proposed; allocate \$155,000.00 from the Habitat Conservation Fund, Section 2786 (a), for the purchase price and related expenses; authorize the \$100,000.00 approved at its meeting of August 10, 2000, to be used toward the purchase of the fee title of the subject; authorize staff to enter into 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 Mr. Robert Hight that the Board approve this project as proposed; allocate \$155,000.00 from the Habitat Conservation Fund, Section 2786 (a), for the purchase price and related expenses; authorize the \$100,000.00 approved at its meeting of August 10, 2000, to be used toward the purchase of the fee title of the subject; authorize staff to enter into 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.

*13. Lucky Five Ranch, San Diego County \$ -0-

This proposal was to consider the acceptance of a grant in the approximate sum of \$420,000.00 from the federal Land and Water Conservation Fund and the assignment of the grant to the California Department of Parks and Recreation to be used in a cooperative project to acquire 2,675± acres of land located in San Diego County.

The subject property is located approximately 40 miles northeast of the City of San Diego along County Road S-1 (the “Sunrise Highway”), just south of the intersection with State Highway 79. Highway 79 is a scenic and well-traveled route through Cuyamaca Rancho State Park from Interstate 8 to the town of Julian. The northern portion of the property borders Lake Cuyamaca, a popular boating and fishing lake owned by the Helix Water District. The subject property is contiguous with both the Cuyamaca Rancho and Anza-Borrego Desert State Parks and would provide a “bridge” linking these two heavily used state recreation areas.

Elevations of the subject property range from 4,600 feet above sea level to a high of 5,400 feet. Topography varies from rolling grasslands near Lake Cuyamaca to mountainous areas further south. Numerous canyons and seasonal streams are found throughout, and the property would provide an ideal location for hiking, camping, mountain biking, bird watching, hunting, horseback riding, interpretive research and a host of other recreational activities. Numerous trails and ranch roads provide links to nearby State Park trails. In addition, the Pacific Crest National Scenic Trail is located immediately east of the subject property.

The property contains many sensitive vegetation communities including montane meadow, black oak woodland and live oak woodland, as well as mixed conifer, manzanita and sagebrush habitats. Three endangered or rare plant species occur on the property, including Cuyamaca Lake downingia, Parish’s meadowfoam and Cuyamaca larkspur. The property also functions as an important habitat linkage between desert and montane lands that support abundant wildlife, including golden eagle, bobcat, mountain lion, gray fox, wild turkey, mule deer and a number of sensitive reptiles and birds.

Acquisition will be a cooperative venture, utilizing a combination of state and federal funds and private donations. The Wildlife Conservation Board’s share of the funding will be provided by a federal Land and Water Conservation Fund grant in the amount of approximately \$420,000.00. The property has been appraised and the Department of General Services (DGS) has approved the property’s value to be at least \$5,590,000.00. The Anza-Borrego Foundation, a nonprofit land trust, has an option to purchase the property and has agreed to sell the subject property to the California Department of Parks and Recreation at the DGS’s approved value. Acquisition of the property is exempt under CEQA as an acquisition of land for wildlife conservation purposes and the appropriate documentation has

been filed.

Staff recommended that the Board approve the project as proposed; authorize the acceptance of the federal Land and Water Conservation Fund grant in the amount of approximately \$420,000.00 for the direct deposit of the grant proceeds into a designated escrow account on behalf of the Department of Parks and Recreation for its acquisition of the subject site; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve the project as proposed; authorize the acceptance of the federal Land and Water Conservation Fund grant in the amount of approximately \$420,000.00 for the direct deposit of the grant proceeds into a designated escrow account on behalf of the Department of Parks and Recreation for its acquisition of the subject site; 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. Gray Lodge Wildlife Area, Water Distribution System, Phase II, \$500,000.00
Butte County

Mr. Wright reported that this proposal was to consider an allocation of \$500,000.00 for a grant to Ducks Unlimited, Inc. (DU), for a cooperative project with DU, the Department of Fish and Game (DFG) and the Board, to construct Phase II of an internal water conveyance system at DFG's Gray Lodge Wildlife Area. Ms. Marilyn Cundiff then provided a brief summary of the project.

The Gray Lodge Wildlife Area consists of more than 9,000 acres and lies within the Central Valley Habitat Joint Venture (CVHJV) Butte Basin in Butte and Sutter counties, approximately 12 miles west of Gridley. Over the last 60 years, critical wildlife habitat has been acquired by the Board for the Gray Lodge Wildlife Area. The existing water conveyance and drainage system has been pieced together over the years from several formerly independent systems. The goal of this project is to build a new and fully integrated system that will use water more efficiently and cost-effectively.

In 1997, DU completed a detailed survey of the Gray Lodge Wildlife Area and its water needs. Preliminary estimates indicate that a new water conveyance system would cost between \$3.5 and \$5.0 million to complete in five separate phases. The first phase of the new system is under construction. Funds were obtained for Phase I construction from a grant from the North American Waterfowl Council Act. Phase I is expected to be completed in the

early fall of 2000.

The second phase is designed to construct 11,000 linear feet of new water delivery canals, improve about 8,000 linear feet of existing water delivery canals, install concrete water distribution structures, one siphon and 30 other water control structures.

This project will help the CVHJV meet its goal of enhancing and restoring wetlands in the Central Valley. In addition, the new water conveyance system will enhance wetland productivity by providing the ability to manage water more efficiently and will provide year-round habitat for waterfowl and other wetland dependent species across a mosaic of seasonal, semipermanent, and permanent wetlands, as well as upland nesting cover and foraging areas. These enhancements will also benefit thousands of migrating and wintering waterfowl and shorebirds that depend on the resources of the Sacramento Valley. Migrating and wintering waterfowl, such as mallards, northern pintails, northern shovelers, wigeon and green-winged teal, are dependent upon the area and will directly benefit from the improved system. Other winter visitors include sandhill cranes, long-billed dowitchers, American white pelicans, whimbrels and black-bellied plovers.

This unique area also has Columbian black-tailed deer and a multitude of other mammals. Pheasants and California quail regularly nest in the area, along with American avocets, black-necked stilts, ash-throated flycatchers and tri-colored blackbirds. Wood ducks, cinnamon teal, mallards and gadwalls are regular breeders on the wildlife area. Gray Lodge also provides habitat for Swainson's hawks, giant garter snakes, peregrine falcons, Valley elderberry longhorn beetles and the California hibiscus.

Cost estimates for the construction of the new water delivery and drainage system have been reviewed and approved by staff as follows:

<u>Description</u>	<u>Estimated Cost</u>
Survey and Design	\$32,000.00
Construct New Canals (11,000lf)	165,000.00
Excavate Existing Canals (8,000lf)	88,000.00
Siphon Structure (1)	45,000.00
Water Control Structures (30)	60,000.00
Install Water Control Structures (30)	21,000.00
Concrete Distribution Structure (1)	45,000.00
DU Indirect Overhead (in-kind)	67,750.00
Management and Inspection	26,000.00
Administration	18,000.00
<u>TOTAL ESTIMATED COST</u>	<u>\$567,750.00</u>
<u>Proposed Funding Breakdown</u>	
Wildlife Conservation Board	\$500,000.00
Ducks Unlimited	67,750.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$567,750.00</u>

Consistent with the provisions of CEQA, the project is exempt from CEQA under Section 15301, Class 1 (i), improvement of fish and wildlife habitat to protect wildlife resources.

Ms. Cundiff reported that Mr. Jim Well from Ducks Unlimited was in the audience to answer any questions or concerns. Mr. Chrisman requested clarification regarding water rights. It was explained that the water rights were included with the purchase of the property and are owned by the Department of Fish and Game.

Staff recommended that the Board approve this project as proposed; allocate \$500,000.00 from the Habitat Conservation Fund, Section 2786 (d), as designated for the Inland Wetland Conservation Program; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

It was moved by Ms. Annette Porini that the Board approve this project as proposed; allocate \$500,000.00 from the Habitat Conservation Fund, Section 2786 (d), as designated for the Inland Wetland Conservation Program; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

15. Wetland Conservation Easement Program and Restoration \$1,375,000.00
(Orme and Hughes), Butte County

Mr. Wright reported that this was a proposal to consider the acquisition of two wetland conservation easements over two separate ownerships consisting of 677± acres combined, and to consider the allocation of a grant to Ducks Unlimited, Inc., (DU) to restore each property to wetlands and associated upland nesting habitat. Both ownerships are located in Butte County within the Central Valley Habitat Joint Venture (CVHJV) American Basin area. The properties are approximately 12 miles westerly of Gray Lodge Wildlife Area, within 9 miles of Oroville Wildlife Area and approximately 15 miles north of Marysville. Mr. Frank Giordano then provided a brief summary of the project.

The properties are currently used for farming and, during the waterfowl season, as private duck clubs. 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.

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. The term of each easement, which would not provide for public access, extends in perpetuity and runs with the land regardless of changes in ownership.

The American Basin is approximately 600 square miles (60 miles long and about 10 miles wide). Consistent with the goals and objectives of the CVHJV plan, this project is designed to contribute to the CVHJV objective of protecting and restoring 120,000 acres of wetlands. Historically, water from the Honcut Creek and the Feather and Bear Rivers flooded the area. However, as with most wetlands remaining in the Central Valley, construction of flood control reservoirs and levees now prevent most flooding in the American Basin.

There are no publicly-owned (fee) wetlands in the American Basin. Until recently, there were about 12,000 acres of land beneficial to migrating waterfowl, (approximately 3,200 acres of natural wetlands, and about 8,800 acres of flooded rice fields). However, because of the area's importance to migrating waterfowl, especially Canada geese, this area has become the number one priority area for the CVHJV protection and restoration objectives.

To date, the CVHJV plan for the American Basin calls for the protection (in fee or easement) of 2,000± acres of existing wetlands and the protection (fee or easement) and restoration of an additional 10,000± acres of restorable wetland acres. This proposed project contributes toward the CVHJV objective and compliments previous work the WCB has approved along the Honcut Creek area. To date, WCB and the CVHJV partners have protected, restored and/or enhanced 4,992± acres of wetland habitat.

This acquisition, protection and restoration project will help to provide a mosaic of diverse and moist soil habitat and provide quality vegetation for wintering waterfowl, wading birds

and shorebirds. In addition, nesting areas and brood ponds for breeding waterfowl and other resident wetland-related wildlife will be provided. When completed, the project will benefit mallards, gadwall, American green-winged teal, cinnamon teal, northern pintail, northern shoveler, American wigeon, white faced ibis and the long billed curlew.

The following is a brief description of each acquisition followed by a detailed explanation of the proposed restoration effort.

Hughes Ranch

\$339,776.00

This proposal is to acquire an additional conservation easement over 160± acres of land that is currently encumbered with a DFG “limited agricultural” easement that limits the growing of commercial crops to “cereal and grain” production. The proposal will eliminate all commercial growing of crops. The grantor will retain all recreational rights. The property rights have been appraised and that value approved by the Department of General Services at \$253,000.00. An additional \$13,640.00 is estimated to cover the cost of the appraisal, escrow and title fees, General Services’ review costs and other related costs, for a total cost of \$266,640.00.

In addition to purchasing a wetland conservation easement, this proposal is to consider the allocation of an additional \$73,136.00 for a grant to DU to restore the 160± acres of land.

The restoration and enhancement effort will provide 160± acres of seasonal wetlands. Spring and summer water will provide habitat for breeding ducks and other wetland-dependent wildlife. In addition, 15± acres will be flooded during the spring and summer each year to meet the needs of duck broods and other wetland-dependent wildlife.

New drainage channels and ditches will be constructed so that each of the wetland units can be independently managed and water properly controlled. New levees and channels will be constructed and screw gates and new water control structures will be installed.

Purchase of the wetland easement and construction of the new water delivery and drainage system will require the following:

<u>Description</u>	<u>Estimated Cost</u>
Wetland Easement	\$266,640.00
Mobilization	500.00
Compacted Fill (23,365 CY)	29,206.00
Stripping (18,272 CY)	13,704.00
Regrade Rice Check (15,000 LF)	11,250.00
36" Concrete Risers (15)	4,500.00
48" Concrete Risers (2)	900.00
18" HDPE pipe (420 LF)	16,800.00
36" HDPE Pipe (60 LF)	2,940.00
Retrofit pump outflow (3)	600.00

Ducks Unlimited Design	3,000.00
Construction Staking	1,000.00
Construction Inspection	600.00
Construction Management	600.00
Administration	1,050.00
Biological Review	2,000.00
Contingency (10 percent)	8,865.00
Ducks Unlimited Indirect Cost Rate (in-kind)	12,608.00
<u>TOTAL ESTIMATED COST</u>	<u>\$376,763.00</u>

<u>Proposed Funding Breakdown</u>	
Wildlife Conservation Board (Wetland Easement)	\$266,640.00
Wildlife Conservation Board (Restoration)	73,136.00
Ducks Unlimited, Inc. (in-kind contribution)	12,608.00
Landowners	24,379.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$376,763.00</u>

The landowner will contribute \$24,379.00, toward the restoration effort and DU will provide \$12,608.00 of in-kind contributions. Specifically, DU is contributing the costs associated with the design and engineering associated with this project. To assure quality wetlands and waterfowl habitat, a detailed management plan has been prepared that the landowners have agreed to follow in managing and maintaining the wetlands to benefit waterfowl and other wetland dependent species.

Orme Ranch \$1,035,224.00

This proposal is to acquire a conservation easement over 517± acres of privately-owned property. The subject lies approximately 1.5 miles directly north of the above-mentioned proposal and just northeasterly of a DFG easement which was purchased approximately one year ago. One hundred and sixty acres of the 517± acres are planted in rice, while the remainder is fallow ground. An immediate threat to the remaining acreage is the conversion of currently historic wetlands to olive orchards, which exist directly east of the subject. The easement has been appraised and the appraisal value approved by Department of General Services at \$914,500.00. It is estimated that an additional amount of \$20,000.00 will be needed for title, escrow, Department of General Services and other related costs, for a total cost of \$934,500.00.

The owner is planning to reserve some acreage for a home site, barns and other outbuildings necessary for the operation of his property. At the time of this writing, the exact acreage has not been determined. When determined, the acreage covered under this proposal will be reduced appropriately and the purchase price will be adjusted downward accordingly.

The property contains seven different agricultural fields suitable for wetland restoration. These fields were formerly used for rice production and are slightly terraced with permanent levees delineating their boundaries. The remainder of the property consists of about 300 acres of uplands containing quality, dense nesting cover, a degraded 10-acre managed wetland in the center of the uplands, several small, natural seasonal wetlands, a 40-acre complex of uplands, vernal pools, natural seasonal wetlands subject to winter flooding from natural runoff and a 3-acre permanent pond. Of the 507-acre complex, approximately 145 acres will be restored to seasonal and permanent wetlands. The remaining natural seasonal wetlands and vernal pools located around the periphery of the restorable area, as well as the 40-acre complex of vernal pools, grasslands and natural runoff-flooded wetlands, will be maintained in their natural condition to preserve the property's ecological diversity and unique habitat features.

New drainage channels and ditches will be constructed so that each of the wetland units can be independently managed and water properly controlled. New levees and channels will be constructed and screw gates and new water control structures will be installed.

Purchase of the wetland easement, restoration of the wetlands, and construction of the new water delivery and drainage system will require the following:

<u>Description</u>	<u>Estimated Cost</u>
Wetland Easement	\$934,500.00
Mobilization	500.00
Compacted Fill (30,000 CY)	37,500.00
Stripping (20,000 CY)	15,000.00
Improve Ditch (7,500 LF)	9,375.00
Regrade Rice Check (13,100 LF)	9,825.00
Concrete Risers (25)	7,500.00
18" HDPE pipe (475 LF)	19,000.00
24" HDPE Pipe (320 LF)	13,440.00
Ducks Unlimited Design	4,000.00
Construction Staking	1,500.00
Construction Inspection	800.00
Construction Management	600.00

Administration	1,050.00
Biological Review	2,000.00
Contingency (10 percent)	12,209.00
Ducks Unlimited Indirect Cost Rate (in-kind)	17,221.00
<u>TOTAL ESTIMATED COST</u>	<u>\$1,086,020.00</u>

Proposed Funding Breakdown

Wildlife Conservation Board	\$934,500.00
Wildlife Conservation Board (restoration)	100,724.00
Ducks Unlimited, Inc. (in-kind contribution)	17,221.00
Landowners	33,575.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$1,086,020.00</u>

The landowners will contribute \$33,575.00, toward the restoration effort and DU will provide \$17,221.00, of in-kind contributions. Specifically, DU is contributing the costs associated with the design and engineering associated with this project. To assure quality wetlands and waterfowl habitat, a detailed management plan has been prepared that the landowners have agreed to follow in managing and maintaining the wetlands to benefit migrating waterfowl and other wetland dependent species.

Both grantors have agreed to sell a conservation easement over this property for the approved fair market value, as stated. The acquisitions are exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition for wildlife conservation purposes. Consistent with the provisions of CEQA, the restoration efforts are exempt from CEQA under Section 15301, Class (i) maintaining fish and wildlife habitat to protect wildlife resources.

Mr. Giordano reported that both property owners, Mr. Orme and Mr. Hughes, were in the audience should there be any questions. Mr. Chrisman asked if there were any questions. There were none.

Staff recommended that the Board approve the acquisition and restoration of these properties as proposed; approve the award of two grants as described to Ducks Unlimited, Inc. in the total amount of \$173,860.00 for the proposed restoration; and allocate \$1,201,140.00 for the acquisition and related costs of both properties, for a total allocation of \$1,375,000.00 to be allocated from the Habitat Conservation Fund, Section 2786 (d)–IWCP; authorize staff to enter into the 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 and restoration of these properties as proposed; approve the award of two grants as described to Ducks Unlimited, Inc. in the total amount of \$173,860.00 for the proposed restoration; and allocate \$1,201,140.00 for the acquisition and related costs of both

properties, for a total allocation of \$1,375,000.00 to be allocated from the Habitat Conservation Fund, Section 2786 (d)–IWCP; authorize staff to enter into the appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

16. Cosumnes River Wildlife Area, Expansions 8 and 9, Sacramento County \$472,000.00

Mr. Wright reported that this proposal was to acquire a conservation easement over 1,136± acres from The Nature Conservancy (TNC) and to make a grant to TNC to assist in its acquisition of 475± acres in the Cosumnes River Wildlife Area. The Cosumnes River Wildlife Area includes an area stretching from just east of Highway 99 to just west of Interstate 5, about 15 miles south of Sacramento. Mr. Frank Giordano provided a brief summary of the project.

The first Cosumnes River Wildlife Area acquisition by the Wildlife Conservation Board, consisting of 840± acres, was approved by the Board at its May 10, 1990 meeting. In ensuing years, through a cooperative effort with various entities including TNC, the U.S. Bureau of Land Management (BLM) and the County of Sacramento, the Board completed seven expansions of the Department's holding in the wildlife area, for a total of 4,740± acres to date. In addition, the Board made a grant to Ducks Unlimited, Inc. (DU), which assisted in DU's acquisition of an additional 492± acres. The area is cooperatively managed by the above-noted parties together with the Department of Water Resources (another landowner), as part of the Cosumnes River Preserve.

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

The project area is especially rich in bird fauna, with over 200 species having been sighted, with waterfowl species including white-fronted, Ross' and snow geese, cinnamon and green-winged teal, canvasback, ring-necked and wood ducks, gadwall, northern shoveler, American widgeon green, great blue and black-crowned night herons and American bittern. The thick

riparian forest also provides habitat for black-headed grosbeaks, northern orioles, nuttall's woodpecker, western tanager and numerous other species.

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

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

The two proposed projects are more specifically described as follows:

Expansion 8

The proposed conservation easement would cover 1,136± acres of land located in the southeastern portion of Sacramento County. The property can be accessed by Meiss Road. The Nature Conservancy purchased the property in February of 2000.

The conservation easement proposed for acquisition at this time has a Department of General Services approved appraised value of \$1,360,000.00. TNC has agreed to sell the conservation easement for \$7,000.00, providing a donation in the amount of \$1,353,000.00 to the state. Processing costs are estimated to be \$3,000.00, bringing the total allocation necessary to complete this purchase to \$10,000.00. The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes and the appropriate Notice of Exemption has been filed.

Expansion 9

The proposed grant to The Nature Conservancy, combined with grants from CalFed, will assist TNC in acquiring fee title to 475± acres of land located in the Cosumnes River flood plain. The property is located north of Highway 104 along the Cosumnes River. The subject property contains over one mile of the Cosumnes River channel and overflow channel.

When restored, the eastern half of the property will provide flood plain oak riparian habitat, improved riverine aquatic habitat and important rearing habitat for chinook salmon and other native fishes. The western half will remain in agricultural production and will continue to provide foraging habitat for migratory bird species, particularly great sandhill cranes, in addition to serving as a buffer between development and the core properties at the site. Also, this property would link the upper flood plain properties with the lower flood plain properties.

The proposed acquisition has a Department of General Services approved appraised value of \$1,900,000.00. Two CalFed flood plain land acquisition grants totaling \$1,440,000.00 are available for this project and TNC is seeking \$460,000.00 from the Board in the form of a grant to complete this purchase. Processing costs are estimated to be \$2,000.00, bringing the total Board allocation necessary to complete this transaction to \$462,000.00.

The property will be cooperatively managed as part of the Cosumnes River Preserve.

Mr. Giordano reported that Mr. Chris Unkel from The Nature Conservancy was in the audience should there be any questions. Mr. Chrisman asked if there were any questions. There were none.

Staff recommended the Board approve the acquisition of the conservation easement and a grant to The Nature Conservancy as proposed; allocate \$10,000.00 for Expansion 8 and \$462,000.00 for Expansion 9, a total of \$472,000.00, from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000, Section 5096.350 (a)(2) and (a)(3); 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 acquisition of the conservation easement and a grant to The Nature Conservancy as proposed; allocate \$10,000.00 for Expansion 8 and \$462,000.00 for Expansion 9, a total of \$472,000.00, from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000, Section 5096.350 (a)(2) and (a)(3); 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. Diablo Range Conservation Area, Monterey and Fresno Counties \$2,010,000.00

Mr. Wright reported that this proposal was for consideration of a grant to the Trust for Public

Land (TPL) toward the purchase of a conservation easement over 17,000± acres of private land for inclusion within the Diablo Range Conservation Area, for the permanent protection of a rich mixture of plant communities, including conifer and oak woodlands, chaparral, grasslands, riparian and vernal pools. The property also provides two types of corridors for mountain lion migration. In addition to the Wildlife Conservation Board and the TPL, the Packard Foundation and Caltrans (EEMP) are partners in this cooperative acquisition. Mr. Frank Giordano provided a brief summary of the project.

The property known as the Varian Ranch (Ranch), is located in both Fresno and Monterey counties, lying about 60 miles northeast of San Luis Obispo, approximately 100 miles from Bakersfield and about 30 miles due east of Paso Robles. The Ranch is adjacent to a California Department of Fish and Game (DFG) management area and 1,200 acres of Bureau of Land Management land in Fresno County.

The property is also situated within the upper watershed of the Salinas and Estrella Rivers. It includes most of the watershed of the Little Cholame Creek, one of the uppermost tributaries to the Salinas River, as well as Zapato Chino Canyon, a large watershed that drains to the San Joaquin Valley. The Ranch spans the Diablo Range, one of the largest unfragmented wilderness areas left in California, stretching from Route 41 (James Dean Highway) in the south to Mount Hamilton in the north. Elevations on the Ranch range from 1,600 feet at Little Cholame Valley to over 3,800 feet on top of Mustang Peak.

The Ranch boasts a wide diversity of habitats, plant communities and scenic resources. Black-tailed deer, wild hogs, mountain lion, bobcat, kit fox (a species protected with the DFG management area) and kangaroo rat rely on the property's many ecosystems for survival. In addition, the Ranch hosts 102± species of birds, including a pair of nesting golden eagles.

The property is currently operated as a working cattle ranch with associated commercial recreational activities, including game hunting and trail rides. The property is owned by the Jack Varian family, which has employed innovative rangeland management techniques (Alan Savory Holistic Rangeland Management Practices) to protect the vital resources on the property. TPL is acquiring the conservation easement to protect this land in perpetuity from development into smaller ranches, vineyards and other residential uses. It is the intent of the TPL that upon acquisition of the conservation easement, it would assign the easement to the California Rangeland Trust.

The conservation easement proposed for acquisition at this time has a Department of General Services' approved appraised value of \$3,000,000.00 and the owners have agreed to sell the easement for \$2,900,000.00. The Packard Foundation has consented to provide a grant in the amount of \$400,000.00 and Caltrans has provided an EEMP grant in the amount of \$500,000.00 to assist in this purchase. The proposed grant by the Board would be \$2,000,000.00. Processing costs, including Department of General Services' review fees and

title and escrow fees, are estimated to be an additional \$10,000.00, bringing the total allocation necessary to complete this purchase to \$2,010,000.00. The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes and the appropriate Notice of Exemption has been filed.

Mr. Giordano reported that the property owners, Mr. and Mrs. Jack Varian, and representatives from the Trust for Public Land, were in the audience and available to answer any questions. Mr. Chrisman asked if there were any questions. Mr. Varian commented that he felt this was a very worthwhile project and requested that the Board approve it. There were no further comments.

Staff recommended that the Board approve the grant to TPL for its purchase of the 17,000± acre conservation easement as proposed; allocate \$2,010,000.00 to complete the proposed grant and cover the related administrative expenses [\$810,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act/P-12, Section 5096.350 (a)(2) Riparian Habitat and Watershed Conservation, \$800,000.00 from Section 5096.350 (a)(4) Oak Woodland Conservation and \$400,000.00 from the General Fund Matching Challenge Grant Fund]; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Hight reported that he has received numerous telephone calls in support of this project.

It was moved by Mr. Robert Hight that the Board approve the grant to the Trust for Public Land for its purchase of the 17,000± acre conservation easement as proposed; allocate \$2,010,000.00 to complete the proposed grant and cover the related administrative expenses [\$810,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act/P-12, Section 5096.350 (a)(2) Riparian Habitat and Watershed Conservation, \$800,000.00 from Section 5096.350 (a)(4) Oak Woodland Conservation and \$400,000.00 from the General Fund Matching Challenge Grant Fund]; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

18. Lassen Foothills, Tehama County \$1,160,000.00

Mr. Wright reported that this proposal is to consider an allocation for a grant to The Nature Conservancy (TNC) to assist in its purchase of a conservation easement over 9,577± acres of land for the purposes of protecting and enhancing vernal pools and grassland habitat located in eastern Tehama County, approximately 20 miles north of the City of Chico. Mr. John Donnelly then provided a brief summary of the project.

The subject conservation easement project is part of a larger conservation strategy by TNC and the Department of Fish and Game to link together public and private lands to create a

landscape-scale reserve that will protect extensive wildlife corridors and prevent habitat fragmentation. The Lassen Foothills area in Tehama and Shasta Counties is strategically located within a larger 800,000-acre region of blue oak woodlands, riparian and aquatic habitat, vernal pools and grasslands that support numerous sensitive species and significant populations of native fish and wildlife. This region includes 290,000± of protected public lands and almost 46,000 acres of privately-owned lands which are protected through conservation easements.

The subject conservation easement area, if acquired, will be managed by TNC as part of its existing Vina Plains Preserve. The Preserve encompasses over 4,500 acres and consists of some of the best examples of vernal pools and grasslands in the Sacramento Valley. The subject property contains several high quality vernal pools, several intermittent streams and large open grasslands, as well as species dependent upon these communities. A 1995 limited survey of the subject site found 33 native plants, representing 66 percent of the total sampled plant species. In addition, the vernal pool complexes also provide crucial habitat for migrating waterfowl. Other special status species found on site include, burrowing owl, northern harrier, golden eagle, bald eagle and Tehama navarettia. Due to the subject property's proximity to the Vina Plains Preserve, which has nearly 300 species of plants with over 160 of them native plants, as well as three types of fairy shrimp and the tadpole shrimp, it is expected that the vernal pools and grasslands on the subject conservation easement area will support similar species.

The entire ranch is currently managed for cattle grazing, with hunting as an additional use. It is intended that the conservation easement would prohibit subdivision of the ranch while permitting one additional home and cabin to be built. Rock harvesting and mining would be prohibited and woodcutting would be limited to ranch use. Grazing would generally be limited to winter grazing use and it is intended that the easement will prohibit the manipulation, alteration or diversion of the vernal pools and the placement of supplemental feed and minerals for cattle within 100 yards of the high water mark of any vernal pool.

The Nature Conservancy has entered into a purchase agreement with the landowner and the owner has agreed to sell a conservation easement over the 9,577± acres to TNC at \$2,297,000.00, a value which has been approved by the Department of General Services (DGS). It is proposed that the Wildlife Conservation Board provide 50 percent of the approved appraised value, which equals \$1,148,500.00, with the balance of the purchase price being supplied by a Caltrans Environmental Enhancement Mitigation Program Grant, the Bureau of Reclamation and private contributions. It is estimated that an additional \$11,500.00 will be needed for DGS review costs, bringing the total allocation for this proposal to \$1,160,000.00. The project is exempt from CEQA under Class 13 of Categorical Exemptions as participating in an acquisition of land for wildlife conservation purposes.

Mr. Donnelly reported that Mr. Dave Walker, representing the Department of Fish and Game, and Ms. Peggy McNutt and Mr. Chris Unkel, representing The Nature Conservancy,

were in the audience and available to answer questions. Mr. Chrisman asked if there were any comments or questions. There were none.

Staff recommended that the Board approve the award of a grant to The Nature Conservancy to be applied to the acquisition of a conservation easement over 9,577± acres of habitat as proposed; allocate \$1,160,000.00 for the grant and related expenses [\$750,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000, Section 5096.350 (a)(3), and \$410,000.00 from the Habitat Conservation Fund, Section 2786 (b/c)]; 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 Nature Conservancy to be applied to the acquisition of a conservation easement over 9,577± acres of habitat as proposed; allocate \$1,160,000.00 for the grant and related expenses [\$750,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000, Section 5096.350 (a)(3), and \$410,000.00 from the Habitat Conservation Fund, Section 2786 (b/c)]; 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.

19. Pine Hill Ecological Reserve, Cameron Park Unit, Ponderosa 50, El Dorado County \$908,000.00

Mr. Wright reported that this proposal was to consider an allocation for a grant to the American River Conservancy (ARC), for a cooperative project with the Department of Fish and Game (DFG), the National Fish and Wildlife Foundation (NFWF), U.S. Bureau of Reclamation (BOR) and the Board to acquire 90± acres of land for protection and inclusion in the Pine Hill Ecological Reserve, Cameron Park Unit. The Pine Hill Ecological Reserve is composed of five (5) distinct units located throughout the 36,000 acre range of gabbroic soils in western El Dorado County. These ecological reserve units include Pine Hill, Salmon Falls, Martel Creek, Penny Lane and Cameron Park. Ms. Linda Drake then provided a brief summary of the project.

The Cameron Park Unit is located just north of Highway 50 at the Cameron Park Boulevard offramp. The property is easily accessible, lying immediately north of Highway 50, east of Palmer Drive and west of Many Oaks Road.

Acquisition of the subject property will allow for the permanent protection and enhancement of “Gabbroic Northern Mixed Chaparral”, a natural community which is host to seven state and federally listed rare plant species. The property is considered a Significant Natural Area and contains an extremely high density and diversity of various rare plant species including

Stebbins' morning glory, Pine Hill ceanothus, El Dorado bedstraw, Layne's butterweed, Red Hills soaproot and El Dorado mule ears. In addition, the subject property helps form one of a few remaining examples of contiguous acres of rare plant habitat in the southern half of the Pine Hill gabbro formation. The remainder of the habitat throughout Cameron Park has been developed, highly fragmented by "rural estate" parcels or is entitled for development. There are currently no protected populations of Stebbins' morning glory and no protected areas within the southern half of the Pine Hill gabbro formation. Acquisition of this property would accomplish both of these objectives.

After purchasing the property, it is anticipated that the ARC will transfer its ownership to the Bureau of Land Management (BLM) for management purposes. BLM has agreed to the terms and conditions set forth in our agreement with the ARC.

The appraised fair market value of the subject property, as approved by the Department of General Services, is \$1,802,000.00. The NFWF and the BOR have each consented to provide grants in the amount of \$152,000.00 and \$750,000.00 respectively, toward the total purchase price. The Board's proposed grant of \$900,000.00 would provide the remainder of the purchase price. It is anticipated that an additional \$8,000.00 will be needed for administrative services, including Department of General Services' review costs, bringing the total allocation for this proposal to \$908,000.00. This project is exempt from CEQA under Class 13 of Categorical Exemptions as participating in 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, appraisal, preliminary title reports, agreements for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into escrow.

Ms. Drake reported that Mr. Banky Curtis, representing the Department of Fish and Game, was in the audience to answer questions or concerns. Mr. Chrisman asked if there were any comments or questions. There were none.

Staff therefore recommended that the Board approve the award of a grant to the American River Conservancy to be applied toward the acquisition of 90± acres of land, as proposed; allocate \$908,000.00 from the Habitat Conservation Fund, Section 2786 (b/c) T&E Species/SNA for the grant amount and related project expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department to proceed substantially as planned.

It was moved by Mr. Robert Hight that the Board approve the award of a grant to the American River Conservancy to be applied toward the acquisition of 90± acres of land, as proposed; allocate \$908,000.00 from the Habitat Conservation Fund, Section 2786 (b/c) T&E Species/SNA for the grant amount and related project expenses; authorize

staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department to proceed substantially as planned.

Motion carried.

20. San Jacinto Wildlife Area, Expansions 12 and 13, Riverside County \$2,630,700.00

Mr. Wright reported that this proposal was to consider the acquisition of two separate properties consisting of approximately 362± acres of vacant land as a further expansion of the Department of Fish and Game's (Department) San Jacinto Wildlife Area, in western Riverside County. The acquisition will allow for further protection of Mystic Lake and its associated upland habitat for the numerous sensitive plants associated with the lake and the over 240 bird species that have been recorded using the Mystic Lake area. Mr. Bill Gallup then provided a brief summary of the project.

The project area is located in the San Jacinto Valley of southern California, approximately 18 miles southeast of downtown Riverside and just north of the community of Lakeview. To the northwest is the City of Moreno Valley, whose current authorized sphere of influence wraps around the northern and northeastern borders of the wildlife area. The western boundary of the 7,422± acre wildlife area is contiguous with the Lake Perris State Recreation Area, placing a total of approximately 14,600 acres under public ownership and protection.

Initial land acquisitions for the wildlife area were completed during the period of 1981-82 as part of a mitigation package developed to compensate for wildlife habitat losses resulting from the construction of the State Water Project. As opportunity and circumstances allowed, the Board acquired additional properties. From 1995, the Board acquired 921± acres of the Mystic Lake property, located on the easterly side of the wildlife area, under an option acquired by the Trust for Public Land (TPL).

The acquisition of the subject properties are important to the wildlife area as they eliminate key inholdings, place areas west of the lake bed under protection and add over 100 acres of created seasonal fresh water marsh to the wildlife area. The lowlands area easterly of the subjects comprise an historic sump of the San Jacinto River which, in the past, formed an extensive freshwater wetland at this location. An early attempt at flood water diversion has largely deteriorated, and at the present time substantial flood flows often break out of the diversion and enter the historic lake bed. Placement of this area in public ownership will facilitate restoration of the historic flows back into the lake bed for wetland restoration.

The low-lying areas within the flood plain of the San Jacinto River include examples of the alkali sink scrub, freshwater marsh and southern willow scrub. The hills surrounding the lowland flood plain are dominated by Riversidian sage scrub. Intermixed with the sage scrub community are patches of non-native grasslands; which are found in both the upland and alkali flat areas. There are numerous sensitive plants associated with the Mystic Lake area, including the thread-leaved brodiaea (state listed endangered and federally proposed

threatened), San Jacinto saltbush (federally proposed endangered) and spreading navarretia (federally proposed threatened). The wildlife area and adjoining lands support 38 species of amphibians and reptiles. Mammal species are well represented and range from the desert shrew to the southern mule deer. The Stephens' kangaroo rat (state listed threatened and federally listed endangered) is a resident mammal of the wildlife area.

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

The Department has identified the subject properties as being within a Significant Natural Area and has recommended the purchase of the property, which would be incorporated into and managed in conjunction with the existing wildlife area. It is anticipated that the area will offer both non-consumptive and consumptive recreational uses, as the habitat is maintained and developed in conjunction with the wildlife area. There are no claims of sovereign state land ownership within the property, since the area is within a former Spanish land grant.

The proposal being considered at this time would, if approved, bring the total number of acres protected, including the Lake Perris Recreation area, to 15,000± acres. The proposed properties are as follows:

Expansion 12 \$1,218,000.00

This proposal is for the acquisition of 171± acres of land lying adjacent to the San Jacinto Wildlife Area on the southwest. The property is improved with a fresh water wetland pond and well. The approved appraised value of the property is \$1,257,000.00 and the owner has agreed to sell to the state for \$1,209,000.00. An additional \$9,000.00 will be needed for appraisal, escrow, title insurance and Department of General Services' (DGS) review costs.

Expansion 13 \$1,412,700.00

This proposal is for the acquisition of 191± acres of land lying adjacent to the San Jacinto Wildlife Area on the southwest. The property is improved with several fresh water wetland ponds, well and several small wooden structures of little or no value. The Grantor has agreed

to sell to the state for the approved fair market value of \$1,401,700.00. An additional \$11,000.00 will be needed for appraisal, escrow, title insurance and DGS review costs.

The proposals are exempt from CEQA as acquisitions of land for wildlife conservation purposes.

Mr. Gallup reported that the Board received letters of support from the San Bernardino Valley Audubon Society, Endangered Habitats League, California Waterfowl Association, Riverside Land Conservancy, San Geronio Chapter of the Sierra Club, and Friends of the Northern San Jacinto Valley. Mr. Gallup also reported that Mr. Greg Lowther, representing the property owner, and Mr. Earl Lauppe, of the Department of Fish and Game, were in the audience and available to answer any questions. Mr. Chrisman asked if there were any comments or questions. Ms. Porini expressed her appreciation to Board staff for their preparation of the maps used in the displays and briefing materials as they clearly show the acquisitions and expansions in the project area. There were no further comments or questions.

Staff recommended that the Board approve these acquisitions as proposed; allocate \$2,630,700.00 from 2000/2001 General Fund–Wetlands, for the purchase price and associated costs; authorize staff to enter into appropriate agreements as 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 these acquisitions as proposed; allocate \$2,630,700.00 from 2000/2001 General Fund–Wetlands, for the purchase price and associated costs; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

21. East Elliott Preserve (City of San Diego), San Diego County \$3,020,000.00

Mr. Wright reported that this proposal was to consider an allocation for a grant to the City of San Diego to assist in its purchase of approximately 156 parcels, comprising 2,015± acres, to preserve critical habitat and a key open space and wildlife corridor in the East Elliott area. This proposal, which would provide the City with 50 percent matching funds toward the acquisition of each property, not to exceed \$3,000,000.00, will further implement the joint federal, state and local Natural Community Conservation Planning (NCCP) efforts in the San Diego area. Ms. Debra Townsend provided a brief summary of the project.

The East Elliott area is located in the east-central portion of the City of San Diego north of State Route 56 between the City's Mission Trails Regional Park and the Marine Corps' Miramar Air Station. It consists of surplus military land sold to private citizens in the 1970's and is characterized by north-south trending canyons and ridges dominated by native

vegetation, including coastal sage scrub, mixed chaparral, native grassland and oak and sycamore riparian woodland. The area constitutes one of the largest and most biologically important open space areas remaining within the City of San Diego. East Elliott is also surrounded by and provides linkages to significant habitat lands protected immediately to the north by the Marine Corps under its Comprehensive Natural Resources Management Plan, to the east by Sycamore Park and to the south by Mission Trails Regional Park. The two parks are within the Multiple Species Conservation Plans (MSCP) of the cities of Santee and San Diego, respectively.

Key biological resources within the acquisition area include coastal sage scrub, maritime succulent scrub, riparian oak woodland, grasslands, scrub oak/mixed chaparral and vernal pools. These habitats support numerous threatened and endangered species, among which are the California gnatcatcher, least Bells vireo, San Diego fairy shrimp, Del Mar manzanita, San Diego button-celery, San Diego mesa mint and Otay mesa mint. The properties proposed for acquisition will increase conservation within the City's MSCP core biological areas while reducing the development edge effects and development potential in or adjacent to the area. The resulting enhancement to the preserve will increase the protection afforded the threatened and endangered species by the City's MSCP.

It is proposed that the City assume full management responsibilities in conjunction with the adjacent Mission Trails Regional Park system. As identified in the City's MSCP Subarea Plan for the acquisition area, specific management objectives include providing public access, litter and materials storage, land use adjacency, invasive species control/removal and flood control. The City's MSCP also has a biological monitoring component that identifies monitoring requirements for the various native habitats, covered species and wildlife corridors within the preserve, which assures protection of the long-term biological value of the acquired lands.

The Board's proposed grant, in the amount of \$3,000,000.00, would be applied on a 50 percent matching basis to acquire one or more of the parcels within the East Elliott area. It is estimated that an additional \$20,000.00 will be needed for administrative expenses, including Department of General Services' review costs, bringing the total recommended allocation for the proposal to \$3,020,000.00.

The terms and conditions of the proposed grant provide that the selection of sites will be subject to approval of staff of the Wildlife Conservation Board in consultation with the Department of Fish and Game. The grant further provides 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.

Ms. Townsend reported that Mr. Tom Story, representing the City of San Diego, was in the audience and available to answer questions or concerns. Mr. Story explained that this project

would be a key acquisition to the City and expressed his appreciation to the Board for its consideration. Mr. Chrisman thanked Mr. Story for traveling so far to represent the City's interests. There were no further comments or questions.

Staff recommended that the Board approve the award of a grant to the City of San Diego to be applied toward the acquisition of up to 2,015± acres, as proposed, allocate \$3,005,050.00 for the grant and related expenses from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop-12), Section 5096.350 (a)(6)–NCCP and \$14,950.00 from Habitat Conservation Fund, Section 2786 (b/c)–NCCP; authorize staff and the Department of Fish and Game to enter into appropriate agreements 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 award of a grant to the City of San Diego to be applied toward the acquisition of up to 2,015± acres, as proposed, allocate \$3,005,050.00 for the grant and related expenses from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop-12), Section 5096.350 (a)(6)–NCCP and \$14,950.00 from Habitat Conservation Fund, Section 2786 (b/c)–NCCP; authorize staff and the Department of Fish and Game to enter into appropriate agreements to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

Mr. Wright thanked the Board for their approval of the above projects which will benefit the State of California. He also expressed his appreciation to the staff for their efforts in bringing the projects before the Board for approval.

22. Natural Heritage Preservation Tax Credit Act of 2000 Informational

Mr. Wright advised that this informational item was to report the progress that has been made on the new Natural Heritage Preservation Tax Credit Act of 2000. Ms. Marilyn Cundiff provided a brief update regarding the program.

To integrate and promote economic development and the protection of our natural resources, the Natural Heritage Preservation Tax Credit Act of 2000 was enacted by Chapter 113, Statutes of 2000. The intent of the Act is to foster public/private partnerships designed to resolve land and water use disputes, to reward and assist habitat stewardship and to demonstrate the state's commitment to encourage and reward landowners who perceive habitat as an asset rather than a liability. To accomplish these goals, the Act provides \$100,000,000 in tax credits for donations of qualified lands and water for permanent preservation.

The Act requires the Board to prepare guidelines necessary to implement the program,

including procedures for applications and for the evaluation of properties to be donated. Moreover, the Board is required to consider approval and acceptance of all lands proposed for acceptance into the program. While the Board is required to establish guidelines for the program, the Act specifies that donated properties must meet one or more of the following criteria to be eligible for consideration:

- The property will help meet the goals of the habitat conservation planning, multispecies conservation plans, natural community conservation plans or similar plans designed to benefit native species of plants and animals and plans to protect forests, old growth trees or oak woodlands.
- The property will provide corridors or preserves for native plants and wildlife habitat that will help in the recovery of listed species, or will protect wetlands, waterfowl habitat, or river or stream corridors.
- The property interest is a perpetual conservation easement of agricultural land or is a permanent contribution of agricultural land that is threatened by development. Properties that meet these criteria are required to comply with the California Farmland Conservancy Program Act, the agricultural conservation program of the State Coastal Conservancy or the Bay Area Conservancy Program.
- The property interest is a water right, or land with associated water right, and its contribution will help improve chances of recovery of a listed species.
- The property will be used as a park or open space and will augment public access to or enjoyment of existing regional or local park, beach, open-space facilities, or will preserve archaeological resources.

In exchange for donated property, the landowner or donee, is eligible to receive a credit against the net income tax in an amount equal to 55 percent of the fair market value of the qualified contribution made on or after January 1, 2000 and prior to December 31, 2005.

While the Act provides all donations are subject to Board approval, applications of qualified property must be made to the entity to which the donor proposes to contribute the property. The Act defines “donee” as any department within the Resources Agency, any city, county, city and county; a special district, or a qualified nonprofit organization. Such nonprofit organization must have as a principal purpose, the conservation of land and water resources.

The Act also requires that prior to acquiring an easement or other interest in land, a public hearing must be held by the recipient of the donated property. If the recipient is a nonprofit organization, the Board is required to hold a public hearing. All public hearings must be held in the local community from which the donation is to occur. Further, notice of the public hearing must be given to the county Board of Supervisors of the affected county, adjacent landowners, affected water districts, local municipalities and other interested parties.

In addition to numerous custodial and reporting responsibilities, which include requirements that govern the sale or transfer of the donated property, the Board is required to develop a process to monitor the uses of any land that a local government or nonprofit organization receives pursuant to this Act.

Although the Board is required to coordinate and implement the provisions of the Act, the donee, or departments that accept donated properties have certain responsibilities. Specifically, to the extent public access is consistent with the purpose for which the property is donated, departments are encouraged to provide public access.

While public access is encouraged, before providing such access the donee is required to develop a plan that minimizes the impact of public access on adjacent landowners in order to avoid infringement on adjacent or nearby agricultural or timber operations. In addition, any donee accepting property shall own and maintain a set back or buffer as may be necessary to avoid infringement on nearby or adjacent agricultural or timber operations. Public access is not required for private lands containing a donated conservation easement.

Finally, if a city, county, or city and county in which the property is located objects to the acceptance of the property, a request to disapprove the donation may be made to the Director of the Department of Finance. The Act requires the request to state specific reasons for the objections and allows for the Director to disapprove acceptance after reviewing the objections. The Director is required to provide a written explanation for the decision.

To effectively implement this Act and achieve the intent of the program as defined by the Governor and the Legislature, a great deal of coordination needs to occur at the state and local level. Staff anticipates significant coordination with the Secretary of Resources and the departments within the Resources Agency toward the development and implementation of this program.

The Board received formal approval to staff the program in late September and has created and filled the position of Assistant to the Executive Director, whose responsibility will be to develop criteria for approval and the processes for acceptance of donations to the program. It is anticipated the program will be ready for full implementation by early 2001.

Ms. Cundiff provided clarification in response to Mr. Chrisman's questions regarding the tax credit program and legislation. Mr. Hight commented that he was advised that the Planning and Conservation League was already making the environmental and business communities aware of the program, which has resulted in numerous inquiries. Mr. Wright stated that an important consideration regarding this program is the impact on the agencies as to how the lands can be effectively managed. Ms. Kellie Smith, representing Senator Jack O'Connell's office, explained that Senator O'Connell authored this measure and having worked on it since 1995, wanted to impress upon everyone that he always meant the program to become an additional tool for the agencies to use in protecting land, that the agencies incorporate this into their planning and acquisition program, and that the lands protected by these tax credits be priority lands, which is defined in the legislation. Mr. Chrisman and Mr. Wright

expressed their appreciation to Ms. Smith for her comments and clarification. Before closing, Mr. Chrisman welcomed Mr. John Schmidt, former Executive Director, as a member of the audience.

There being no further business, the meeting adjourned at 10:35 A.M.

Respectfully submitted,

Al Wright
Executive Director

PROGRAM STATEMENT

At the close of the meeting on November 2, 2000, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$722,845,959.29*. 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, the Harbors and WaterCraft Revolving Fund, Forest Resources Improvement Fund, the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund of 2000 and the Wildlife Restoration Fund.

A.	Fish Hatchery and Stocking Projects.....	\$16,006,219.06
B.	Fish Habitat Preservation, Development and Improvement.....	23,434,082.29
	Reservoir Construction or Improvement.....	\$ 5,527,032.41
	Stream Clearance and Improvement.....	14,788,961.69
	Stream Flow Maintenance Dams.....	547,719.86
	Marine Habitat.....	646,619.07
	Fish Screens, Ladders and Weir Projects.....	1,923,749.26
C.	Fishing Access Projects.....	38,823,921.60
	Coastal and Bay.....	\$ 2,992,860.08
	River and Aqueduct Access.....	10,518,403.28
	Lake and Reservoir Access.....	7,037,197.98
	Piers.....	18,275,460.26
D.	Game Farm Projects.....	146,894.49
E.	Wildlife Habitat Acquisition, Development and Improvement.....	627,759,183.53
	Wildlife Areas (General).....	\$206,980,722.31
	Miscellaneous Wildlife Habitat Dev.....	5,469,933.74
	Wildlife Areas/Eco Reserves (Threatened, Endangered or Unique Habitat).....	223,641,409.57
	Land Conservation Area.....	1,669,057.18
	Inland Wetlands Conservation Grants and Easements.....	8,672,653.10
	Riparian Habitat Conservation Grants and Easements.....	5,649,037.09
	Other Wildlife Habitat Grants.....	175,676,370.54
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.....	3,868,995.63
	State Owned.....	\$1,140,635.63
	Grants.....	2,728,360.00

J. Sales and/or exchanges.....	551,420.04
Total Allocated to Projects	\$722,845,959.29*

*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.

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