

DEPARTMENT OF FISH AND GAME

**WILDLIFE CONSERVATION BOARD**

1807 13<sup>TH</sup> STREET, SUITE 103  
SACRAMENTO, CALIFORNIA 95814  
(916) 445-8448  
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State of California  
The Resources Agency

Department of Fish and Game  
**WILDLIFE CONSERVATION BOARD**

**Minutes**

February 23, 2001

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DEPARTMENT OF FISH AND GAME

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**WILDLIFE CONSERVATION BOARD**

February 23, 2001

The Wildlife Conservation Board met at the State Capitol, Room 4203, Sacramento, California on February 23, 2001. The meeting was called to order at 10:00 A.M. by Mr. Michael Chrisman, President, Fish and Game Commission and Chairman of the Board. Mr. Chrisman introduced the Board members present and Mr. Al Wright, Executive Director of the Board. At this time, Mr. Wright welcomed everyone to the meeting and informed those present that the meeting agenda was now available on the Wildlife Conservation Board's website.

1. Roll Call

WILDLIFE CONSERVATION BOARD MEMBERS

Michael Chrisman, Chairperson  
President, Fish and Game Commission  
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  
Terri Muzik, Associate Land Agent  
Peter Perrine, Wetlands Program Manager  
Scott Clemons, Riparian Program Manager  
Tony Chappelle, Public Land Management Specialist  
Sean Woods, Public Land Management Specialist  
Roxanne Woodward, Budget Officer  
Gary Cantrell, Staff Services Analyst  
Maureen Rivera, Executive Assistant  
Jan Beeding, Office Technician  
Caroline Fudge, Office Technician  
Pat Butcher, Office Technician

Others Present:

Ron Wootton, Buena Vista Lagoon Foundation  
Jeanne Krosch, City of San Diego  
Margaret Wolford, Willson Ranch  
Ruth Blyther, Jacoby Creek Land Trust  
Gary Friedrichsen, Jacoby Creek Land Trust  
Henry Coletto, CDA  
Michael Lango, County of Solano  
Mark Andre, City of Arcata  
Jon McKinley  
Mary Angle, San Gabriel and Lower Los Angeles Rivers  
and Mountains Conservancy  
Bud Thrapp, Department of Water Resources  
Jim Neukirchner  
Martha Schauss  
Larry Eng, Department of Fish and Game  
Terri Stewart, Department of Fish and Game  
Sam Lawson, The Nature Conservancy  
Marlyce Myers, The Nature Conservancy  
Robert Lourey, Tahoe City Public Utilities District

Others Present: (continued)

Bob Duffield, Tahoe City Public Utilities District  
 J. Kenneth Kiser, Kiser Ranch  
 Glenn Black, Department of Fish and Game  
 Jennifer Johnson, The Nature Conservancy  
 JimWell, Ducks Unlimited, Inc.  
 Harriett Burgess, American Land Conservancy  
 Jared Vollmer, Department of Conservation  
 Graham Chisholm, The Nature Conservancy  
 Carol Baudler, The Nature Conservancy  
 Kevin O'Connor, Department of Fish and Game  
 John Anderson, Department of Fish and Game  
 Jeff Shellito, Senator Byron Sher's Office  
 Paul Veisze, Department of Fish and Game  
 Cathy Morris, The Nature Conservancy  
 Ron Wooten  
 Barbara Briggs

2. Funding Status as of February 23, 2001 Informational

(b) 2000-01 Wildlife Restoration Fund Capital Outlay Budget

Governor's Budget - Minor Projects.....	\$100,000.00
Less Previous Board Allocations .....	(100,000.00)
Unallocated Balance .....	\$0.00

(b) 1999-00 Wildlife Restoration Fund Capital Outlay Budget

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

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

Governor's Budget - Land Acquisition.....	\$200,000.00
Less Previous Board Allocations .....	(158,937.77)
Unallocated Balance .....	\$41,062.23

(d) 2000-01 Habitat Conservation Fund Capital Outlay Budget

Governor's Budget.....	\$20,005,000.00
Less Previous Board Allocations .....	(1,791,425.44)
Unallocated Balance .....	\$18,213,574.56

(e) 1999-00 Habitat Conservation Fund Capital Outlay Budget

Governor's Budget.....\$18,932,000.00  
Less Previous Board Allocations .....(10,326,921.58)  
Unallocated Balance .....\$8,605,078.42

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

Governor's Budget.....\$17,960,000.00  
Less Previous Board Allocations .....(17,960,000.00)  
Unallocated Balance .....\$0.00

(g) 2000-01 General Fund Capital Outlay Budget

Governor's Budget.....\$115,000,000.00  
Less Previous Board Allocations .....(5,568,000.00)  
Unallocated Balance .....\$109,432,000.00

(h) 1999-00 General Fund Capital Outlay Budget

Governor's Budget.....\$33,100,000.00  
Less Previous Board Allocations .....(16,820,422.00)  
Unallocated Balance .....\$16,279,578.00

(i) 1998-99 General Fund Capital Outlay Budget

Governor's Budget.....\$4,850,000.00  
Less Previous Board Allocations .....(4,352,320.00)  
Unallocated Balance .....\$497,680.00

(j) 1999-00 Harbors and Watercraft Revolving Fund

Governor's Budget.....\$1,050,000.00  
Less Previous Board Allocations .....(200,000.00)  
Unallocated Balance .....\$ 850,000.00

(k) 2000-01 Safe Drinking Water, Clean Water, Watershed Protection and  
Flood Protection Bond Fund (River Protection Subaccount)

Governor's Budget.....\$24,000,000.00  
Less Previous Board Allocations .....(1,230,000.00)  
Unallocated Balance .....\$22,770,000.00

(l) 2000-01 Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund Capital Outlay Budget

Governor's Budget.....\$216,125,000.00  
 Less Previous Board Allocations .....(10,140,550.00)  
 Unallocated Balance .....\$205,984,000.00

Governor's Budget (San Joaquin River Conservancy Projects) .....\$14,562,000.00

(m) 1999-00 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

Continuously Appropriated [Sec. 5096.350 (a)(1), (2), (4) and (7)].....\$38,000,000.00  
 Less Previous Board Allocations .....(5,097,270.00)  
 Unallocated Balance .....\$32,902,730.00

**RECAP OF FUND BALANCES**

Wildlife Restoration Fund (a), (b) and (c) .....\$239,062.23  
Habitat Conservation Fund (d), (e) and (f) .....\$26,818,652.98  
General Fund (g), (h) and (i) .....\$126,209,258.00  
Harbors and Watercraft Revolving Fund (j) .....\$850,000.00  
Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Bond Fund (k) .....\$22,770,000.00  
Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (l) and (m) .....\$253,449,180.00

**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

Mr. Wright asked if there were any questions or comments regarding this informational item. There were none.

3. Special Project Planning Account Informational

The Board has historically used a special project account to provide working funds for staff

evaluation (appraisals, engineering, preliminary title reports, etc.) of proposed projects. Upon Board approval of a project, all expenditures incurred and recorded in the Special Project Planning Account are transferred to the Board approved project account which reduces the Special Project Planning Account expenditures. This procedure, therefore, acts as a revolving account for the pre-project expenses.

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

The Board, at the May 6, 1986 meeting, authorized the Executive Director to use up to one percent of a budgeted appropriation to set up and maintain an appropriate planning account with the provision it would be reported to the Board as an informational item at the next meeting.

Accordingly, a planning account has been set up as follows:

General Fund.....	\$100,000.00
Habitat Conservation Fund .....	\$60,000.00
Wildlife Restoration Fund.....	\$50,000.00

Mr. Wright asked if there were any questions regarding this informational item. There were none.

4. PROPOSED CONSENT CALENDAR (Items 5 - 18)

Mr. Wright reported that the Consent Calendar consisted of Items 5 through 18 and asked if there were any questions or comments. There were none.

Staff recommended that the Board approve Consent Calendar items 5 through 18, as proposed in the individual agenda explanations, including funding as noted therein.

**It was moved by Ms. Annette Porini that the Board approve Consent Calendar items 5 through 18, as proposed in the individual agenda explanations, including funding as noted therein.**

**Motion carried.**

\*5. Approval of Minutes–November 2, 2000 Meeting

Staff recommended that the minutes of the November 2, 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 Ms. Annette Porini that the minutes of the November 2, 2000 Board meeting be approved as written.

**Motion carried.**

\*6. 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.

**\$13,651.84** to the **General Fund**  
**\$4,281.33** to the **California Environmental License Plate Fund**  
**\$29,372.92** to the **Habitat Conservation Fund**  
**\$20,022.52** to the **Wildlife Restoration Fund**  
**\$0.00** to the **Forest Resources Improvement Fund**

**GENERAL FUND**

Coal Canyon Wildlife Corridor, Orange County

Allocated	\$2,000,000.00
Expended	<u>-2,000,000.00</u> Balance for Recovery \$0.00

Heenan Lake Water and Storage Rights, Exp. # 2, Alpine County

Allocated	\$1,010,000.00
Expended	<u>-1,001,559.59</u>
Balance for Recovery	\$8,440.41

Heeser Drive Fishing Access, Mendocino County

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

Mattole River Ecological Reserve, Exp. #8 and #9, Mendocino County

Allocated	\$1,870,000.00	
Expended	<u>-1,865,788.57</u>	
Balance for Recovery		\$4,211.43

Palos Verdes Peninsula Restoration, Los Angeles County

Allocated	\$100,000.00	
Expended	<u>-100,000.00</u>	
Balance for Recovery		\$0.00

Redwoods to the Sea Corridor, Exp. #1, Humboldt County

Allocated	\$460,000.00	
Expended	<u>-460,000.00</u>	
Balance for Recovery		\$0.00

**Total General Fund Recoveries .....\$13,651.84**

**CALIFORNIA ENVIRONMENTAL LICENSE PLATE FUND**

Plaisted Creek Ecological Reserve, Exp. #1, San Diego County

Allocated	\$75,000.00	
Expended	<u>-70,718.67</u>	
Balance for Recovery		\$4,281.33

Scott River Riparian Restoration, Siskiyou County

Allocated	\$66,474.14	
Expended	<u>-66,474.14</u>	
Balance for Recovery		\$0.00

**Total California Environmental License Plate Fund Recoveries .....\$4,281.33**

**HABITAT CONSERVATION FUND**

Andrew Creek Ecological Reserve, Tuolumne County

Allocated	\$96,000.00	
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Expended	<u>-93,000.00</u>	
Balance for Recovery		\$3,000.00

Bass Hill Wildlife Area, Exp. #6, Lassen County

Allocated	\$300,000.00	
Expended	<u>-295,464.00</u>	
Balance for Recovery		\$4,536.00

Battle Creek Wildlife Area, Exp. #3, Tehama County

Allocated	\$530,000.00	
Expended	<u>-522,776.45</u>	
Balance for Recovery		\$7,223.55

Coal Canyon Wildlife Corridor, Orange County

Allocated	\$1,000,000.00	
Expended	<u>-1,000,000.00</u>	
Balance for Recovery		\$0.00

Eel River Wildlife Area, Cock Robin Island Restoration Phase II, Humboldt County

Allocated	\$99,700.00	
Expended	<u>-99,700.00</u>	
Balance for Recovery		\$0.00

Gray Lodge Wildlife Area-Mineral Rights Donation, Butte County

Allocated	\$1,000.00	
Expended	<u>-804.00</u>	
Balance for Recovery		\$196.00

Kinsman Flat Wildlife Area, Exp. #5, Madera County

Allocated	\$62,000.00	
Expended	<u>-59,640.96</u>	
Balance for Recovery		\$2,359.04

Mountain Meadows Reservoir, Upland Restoration, Lassen County

Allocated	\$10,000.00	
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Expended	<u>-10,000.00</u>	
Balance for Recovery		\$0.00

Plaisted Creek Ecological Reserve, Exp. #2, San Diego County

Allocated	\$70,000.00	
Expended	<u>-62,724.22</u>	
Balance for Recovery		\$7,275.78

Rodman Slough Wildlife Area, Lake County

Allocated	\$395,000.00	
Expended	<u>-390,217.45</u>	
Balance for Recovery		\$4,782.55

Scott River Riparian Restoration, Siskiyou County

Allocated	\$333,502.86	
Expended	<u>-333,502.86</u>	
Balance for Recovery		\$0.00

**Total Habitat Conservation Fund Recoveries .....** **\$29,372.92**

**WILDLIFE RESTORATION FUND**

Hope Valley Fishing Access (Carson River), Alpine County

Allocated	\$250,000.00	
Expended	<u>-240,021.25</u>	
Balance for Recovery		\$9,978.75

Hot Creek Hatchery Public Access, Mono County

Allocated	\$42,630.00	
Expended	<u>-42,630.00</u>	
Balance for Recovery		\$0.00

Knights Landing Fishing Access, Yolo County

Allocated	\$131,020.00	
Expended	<u>-120,976.23</u>	

Balance for Recovery \$10,043.77

Stearns Wharf, Santa Barbara County

Allocated \$250,250.00  
Expended -250,250.00  
Balance for Recovery \$0.00

**Total Wildlife Restoration Fund Recoveries.....\$20,022.52**

**FOREST RESOURCES IMPROVEMENT FUND**

Redwoods to the Sea Corridor, Exp. #1, Humboldt County

Allocated \$2,100,000.00  
Expended -2,100,000.00  
Balance for Recovery \$0.00

**Total Forest Resources Improvement Fund Recoveries.....\$0.00**

**As one of the consent items heard at the beginning of the Board meeting, it was moved by Ms. Annette Porini that the Board recover funds for the projects listed on pages 6 through 10 of these minutes and close the project accounts. Recovery totals include \$13,651.84 to the General Fund, \$4,281.33 to the California Environmental License Plate Fund, \$29,372.92 to the Habitat Conservation Fund, and \$20,022.52 to the Wildlife Restoration Fund.**

**Motion carried.**

- \*7. Wetland Habitat Restoration, Eel River Wildlife Area, Humboldt County \$115,000.00

This proposal was to consider an allocation for a grant to Ducks Unlimited, Inc., for a cooperative project with the Department of Fish and Game (Department) and the Wildlife Conservation Board (Board) to restore 200± acres of wetland wildlife habitat on the Eel River Wildlife Area, located in the Eel River Delta, approximately ten miles south of the City of Eureka.

The WCB has been involved in the restoration and acquisition of property in the Eel River Delta since 1988. In 1988, the Board authorized the purchase and restoration of the 933± acre Eel River Wildlife Area, formerly known as “Ocean Ranch”, with the purpose of protecting, restoring, and improving wildlife habitat, particularly coastal wetlands, in the Eel River Delta. Between 1988-1997, the Board continued the acquisition and expansion of the Eel River Wildlife Area in five separate authorizations, totalling 976± additional acres. In 1995, the Board also embarked upon the first phase of a long-term restoration and

enhancement project of the riparian habitat on Cock Robin Island to ensure the protection of existing coastal riparian forest and to restore a significant area of the Eel River Delta to riparian forest and associated freshwater habitat. In approving the funding for acquisition and restoration of the wetlands of the Eel River Delta, the Board has taken into consideration the critical nature of California's coastal wetlands and the pressure from development of California's coastal areas.

The Eel River Delta coastal wetlands are of particularly high wetland-associated fish and wildlife habitat value. The Delta system supports at least 35 species of mammals and over 250 species of birds. Thousands of ducks, shorebirds and many other species of coastal and pelagic birds pass through the area annually. The average annual bird days used in the Delta exceeds 1,350,000. The Eel River and its associated channels also provide habitat for 26 species of fish, including chinook and coho salmon, steelhead trout and coastal cutthroat trout. This project has the potential to expand freshwater marsh habitat, which is one of the most important wildlife habitats in California.

The project is located on the Department's Eel River Wildlife Area. A levee that separates a tidally-influenced slough from freshwater wetlands was damaged during high winter flows, allowing saline tidal waters to encroach on high value freshwater wetlands and riparian areas.

Riparian vegetation has been reduced and freshwater marshes have been damaged to the point where waterfowl and other water birds no longer use the area.

Rather than simply repairing the levee breach, the project includes raising and strengthening a small interior levee to allow the Department to maintain a portion of the site as freshwater marsh. Approximately 40,000 cubic yards of earth will be moved to strengthen the levee. Excavations for that work will create more than two acres of additional freshwater wetlands.

The project will restore approximately 200 acres of freshwater marsh creating a mosaic of brackish tidal marsh, freshwater marsh and riparian habitats. Three water control structures will be installed to better manage the water flows for habitat enhancement. The project includes surveys, engineering and design, and the acquisition of all necessary permits. Construction is expected in the summer of 2001 and should be complete by early fall 2001. The Department is contributing staff time and funding to the project and Ducks Unlimited, Inc. is providing engineering support and will manage the construction activities for the project.

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

<u>Description</u>	<u>Estimated Cost</u>
Engineering and Management	\$31,720.00
Water Control Structures (3 @ \$6,000.00)	18,000.00
Earthwork/Levee Construction	

(40,357 cy @ \$3.50/cy)	141,250.00
<b><u>TOTAL ESTIMATED COST</u></b>	<b><u>\$190,970.00</u></b>
<u>Proposed Funding Breakdown</u>	
Wildlife Conservation Board	\$115,000.00
Department of Fish and Game	70,000.00
Ducks Unlimited Inc.	5,970.00
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$190,970.00</u></b>

The Department has reviewed this proposal and supports the proposed improvements. The Department has circulated and filed a Negative Declaration for the project, which was approved on April 18, 2000. Ducks Unlimited, Inc. will handle the contract administration for the construction of the improvements.

Staff recommended that the Board approve this project as proposed; allocate \$115,000.00 from the Habitat Conservation Fund, Section 2786 (d), as designated for Wetlands Outside the Central Valley; authorize staff to enter into the appropriate agreement 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 Board meeting, it was moved by Ms. Annette Porini that the Board approve this project as proposed; allocate \$115,000.00 from the Habitat Conservation Fund, Section 2786 (d), as designated for Wetlands Outside the Central Valley; authorize staff to enter into the appropriate agreement necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

- \*8. Wetlands Habitat Restoration, Upper Butte Basin Wildlife Area, \$35,500.00  
Little Dry Creek Unit, Butte County

This proposal was to consider an allocation of funds for a grant to Ducks Unlimited, Inc., a nonprofit conservation organization, for a cooperative project to rehabilitate a degraded pumping station and improve the existing water supply system on the eastern edge of the Little Dry Creek Unit of the Department of Fish and Game's (Department) Upper Butte Basin Wildlife Area. The project site is along the western side of the Cherokee Canal, a major water delivery system within the Butte Sink, approximately ten miles west of the community of Biggs. The proposed project would allow the Department to safely and

efficiently supply water to 480± acres of wetlands and 60± acres of uplands.

The Central Valley and associated wetlands are host to over 60 percent of wintering and migrating Pacific Flyway waterfowl. It provides habitat for more than 200 species of birds and 43 species of mammals. The Upper Butte Basin Wildlife Area provides an important part of this habitat and is also a significant component of the Central Valley Habitat Joint Venture (CVHJV). This project will help the CVHJV meet its goal of enhancing and restoring wetlands in the Central Valley. The project will enhance wetland productivity by providing year-round habitat for waterfowl and wetland-dependent species across a mosaic of seasonal, semi-permanent and permanent wetlands, as well as upland nesting cover and foraging areas. These proposed enhancements will also benefit the thousands of migrating and wintering waterfowl and shorebirds that depend on the resources of the Sacramento Valley, such as mallards, northern pintails, northern shovelers, wigeon, green-winged teal, snow, Canada, and white-fronted geese, tundra swans, greater sandhill crane and long-billed dowitcher. The proposed project also supports the objectives of the Department's wildlife area management plan and the Board's Inland Wetlands Conservation Program.

There are currently 9,208± acres of habitat within the total Upper Butte Basin Wildlife Area.

These lands were acquired and protected to preserve interior wetlands for waterfowl habitat and other game and non-game species within the Butte Sink. The Little Dry Creek Unit totals 2,255± acres of managed wetlands, and was acquired in a series of purchases approved by the Board starting in 1989, which included water rights to several sources, including the Cherokee Canal. In 1991, additional funds were approved by the Board for a cooperative project to create wetland habitat on a 3,100± acre portion of the wildlife area, which included the Little Dry Creek Unit. The work approved in 1991 consisted of removal of the rice check levees throughout the 3,100± acres of the formerly farmed area and construction of 45,600 linear feet of major new pond levees and improvement of existing levees to create the existing 2,800± acres of wetland, 436± acres of oak grassland, 300± acres of riparian habitat and 200± acres of goose pasture.

This proposal will improve the water supply to 480± acres of wetland and 60± acres of upland habitat on the Little Dry Creek Unit. The Department owns water rights to several sources of water that can be used on the Little Dry Creek Unit, including Little Dry Creek, Butte Creek, the Cherokee Canal and deep wells. Of these, the Cherokee Canal site has the advantage of natural topography that would allow for the most efficient water delivery to the Little Dry Creek Unit. Unfortunately, the existing pumps are old, the delivery ditch is choked with sediment and cattails, and the pumping station is degraded and unsafe to operate. The pumps sit in a concrete basin that has no walkways or safety rails. The proposal includes installation of two new pumps and discharge lines, three new electrical panels, and safety rails and walkways. In addition, approximately 1,320 lineal feet of header ditch will be cleaned to remove excessive cattails and sediment that has reduced the capacity of the ditch.



The project will enhance the Department's ability to manage habitats on the wildlife area, which will provide improved wetland and associated upland habitats, and will result in greater production and bird use within the area. The general public will benefit from the project through improved wildlife viewing opportunities and aesthetic appearance of the managed habitat areas. Additionally, the improvements will ensure high quality habitat which can be managed to provide quality hunting opportunities. The Upper Butte Basin Wildlife Area is a very popular destination for waterfowl hunters and is open for hunting of coots, moorhens, snipe, doves pheasants and rabbits during the regular California hunting seasons. The proposed improvements will increase the overall attractiveness and use of the area, which will increase the economic benefits to the community. The Department has coordinated with Ducks Unlimited, Inc. (DU) staff to develop this proposed project, and the Department's wildlife area manager has reviewed and approved the proposal submitted by DU. In addition to working with DU in developing the project, the Department is contributing to the project, utilizing funds from the California Duck Stamp Program.

Cost estimates for this proposal have been developed by Ducks Unlimited, Inc., and have been reviewed and approved by staff as follows:

<u>Description</u>	<u>Estimated Cost</u>
Engineering and Design	\$ 2,933.00
Project Management	1,100.00
Pumping Plant (2 @ \$28,750.00)	57,500.00
Earthwork	3,012.00
Administration	8,975.00
<b><u>TOTAL ESTIMATED COST</u></b>	<b><u>\$ 73,520.00</u></b>
 <u>Proposed Funding Breakdown:</u>	
Wildlife Conservation Board	\$35,500.00
California Duck Stamp	35,500.00
Ducks Unlimited, Inc. (In-kind)	2,520.00
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$73,520.00</u></b>

Consistent with the provisions of the California Environmental Quality Act, this project is categorically exempt under Section 15304, Class 4, as a minor alteration to land to benefit fish and wildlife and the appropriate notice has been filed.

Staff recommended that the Board approve the grant as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$35,500.00 from the 98/99 General Fund (Inland Wetland Conservation Program), 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 Board meeting, it was moved by Ms. Annette Porini that the Board approve the grant as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$35,500.00 from the 98/99 General Fund (Inland Wetland Conservation Program), and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

- \*9. Lake Redding Fishing Access Amendment, Shasta County \$82,260.00

This proposal was to consider a cooperative project with the City of Redding (City) to amend an existing contract for the replacement of the boarding floats, reconstruction of the restroom and other improvements at Lake Redding Fishing Access, which is located on lands owned by the City on the Sacramento River just west of Highway 273.

The Lake Redding Fishing Access was constructed in 1964 and consists of a two-lane boat ramp with a small parking lot and restroom. It provides the only fishing access to a five-mile stretch of the Sacramento River from the Keswick Dam downstream to a small dam located in the City. The site is a popular fishing destination for boaters who fish the Sacramento River for rainbow trout, salmon and steelhead. During the fall of 1999, the City contacted Wildlife Conservation Board staff to construct a boarding float, replace the existing restroom and construct other improvements at the Lake Redding Fishing Access area. In February 2000 the Board approved this project and authorized the expenditure of \$195,000.00 toward that goal. Additional construction costs totaling \$109,500.00 were identified as the City's share of the project, bringing the total project cost to \$304,500.00. Upon approval by the Board, Board staff applied for and received a grant from the U.S. Fish and Wildlife Service's (FWS) Sport Fish Restoration Act (SFRA) for reimbursement of 75 percent of project costs.

The FWS has agreed that the costs to be funded all qualify for reimbursement under the SFRA, but cannot directly pay the City for its share. This proposal is a request to the Board to authorize an amendment to the existing contract with the City to increase the amount payable to the City by \$82,125.00. The amendment will allow the Board to pay the City 75 percent of the City's costs and, upon final billing to the FWS, the Board will be reimbursed by the SFRA.

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 \$82,260.00.

Staff recommended that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$82,260.00 from the 99/00 General Fund; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Annette Porini that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$82,260.00 from the 99/00 General Fund; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

- \*10. Wetlands Habitat Restoration, East Grasslands \$178,500.00  
(Castle Land and Cattle), Phase III, Merced County

This proposal was to consider an allocation for a grant to the California Waterfowl Association (CWA) for a partnership project to enhance and restore 460± acres of wetlands and 260± acres of adjacent uplands for waterfowl and other water-dependent wildlife. The partners in this proposal include the CWA, the landowners, the U.S. Fish and Wildlife Service (FWS), the Department of Fish and Game (Department) and the Wildlife Conservation Board (Board). The project is located on private land, approximately ten miles southwest of the City of Merced, on the west side of Lone Tree Road and south of Sandy Mush Road. The property lies adjacent to the Merced National Wildlife Refuge and ten miles east of the Department's Los Banos Wildlife Area.

The subject site has been operated as a duck club for many decades. In February 1998, and again in May 1999, the Board approved funds for wetlands habitat enhancement projects on this site that included fencing, levees, a new pump, improved supply ditches and new water control structures. Waterfowl and other wildlife usage increased dramatically after these projects were initiated. However, it became clear that the groundwater pumped to supply these new wetlands was of low quality and wetland vegetation was suffering. In addition, a natural swale, Cinnamon Slough, which is located on the western edge of the property, had been dammed in the past and had silted in as a result. Finally, adjacent uplands and vernal pools were in need of restoration.

This proposed project will enhance all of the seasonal wetlands on the property by connecting the property to a Merced Irrigation District (MID) canal. Water to flood the ponds will be bought by the landowners from MID when it is available, which is typically every fall and winter, and in the summer during those years that have at least average rainfall.

Water will be transported through an existing ditch to the subject property. The installation of a new lift pump and construction of an underground pipeline will complete the water delivery system to the site.

The second proposed improvement is the removal of sediment from Cinnamon Slough, a natural channel on the western boundary of the property. Last year, the landowners removed a small dam from this channel that, over the decades, had filled the slough with sediment.

The removal of the dam and sediment will open up this channel between this property and the FWS's Merced National Wildlife Refuge located immediately to the west. The landowner will plant riparian vegetation adjacent to this slough, providing additional habitat on this property. These actions mark a continuing and deepening cooperation between these two landowners for region-wide wildlife improvements. The third and final proposed improvement is the enhancement of more than 150 acres of degraded vernal pools and upland grassland through the removal of a mile of road and the reseeding of an area of natural land that had been disced in the past.

Wetland habitat with adjacent uplands and pastures, as described here, are known to support a wide variety of wildlife species. Thousands of sandhill cranes winter on this property every year. Many species of waterfowl will benefit from these improvements, and other bird species, such as rails, yellowthroats, song sparrows, herons and egrets will also inhabit the marshes and seasonal wetlands. The uplands and vernal pools provide habitat for grassland species, such as meadowlarks and savannah sparrows, and provide foraging areas for hawks. Mammals supported by this habitat matrix include voles, deer mice and muskrats, which are prey for coyotes, kit foxes and raptors. A noticeable increase in the numbers of birds using this property since restoration began in 1998 is evident, and the completion of the proposed project should continue this trend.

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

<u>Description</u>	<u>Estimated Cost</u>
Site preparation and earthmoving	\$34,310.00
Pump and accessories	40,500.00
Pipeline, delivered and installed	81,800.00
Riparian and uplands restoration	12,650.00
Engineering and management	14,500.00
Contingencies	18,390.00
<b><u>TOTAL ESTIMATED COST</u></b>	<b><u>\$202,150.00</u></b>

<u>Proposed Funding Breakdown:</u>	
Wildlife Conservation Board	\$178,500.00
U.S. Fish and Wildlife Service	11,000.00
Castle Land and Cattle	12,650.00
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$202,150.00</u></b>

The landowner has agreed to manage and maintain the property for twenty-five years, pursuant to the terms and conditions of the habitat management plan. If at any time during the twenty-five year life of the project, the landowners are unable to manage and maintain the

project improvements, they will refund to the Board an amortized amount of funds based on the number of years remaining in the project life.

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

Staff recommended that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$178,500.00 from the 98/99 General Fund, Inland Wetlands Conservation Program; 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 Board meeting, it was moved by Ms. Annette Porini that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$178,500.00 from the 98/99 General Fund, Inland Wetlands Conservation Program; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

- \*11. Fields Landing Public Access Amendment, Humboldt County \$10,260.00

This proposal was to consider an amendment to an existing contract with the County of Humboldt (County) for the replacement of the boarding floats at Fields Landing Public Access, and to accept Sport Fish Restoration Act grant funding for this project, which is located in the community of Fields Landing, approximately ten miles south of Eureka.

The Wildlife Conservation Board (Board) has a long history of involvement in the development of the County-owned Fields Landing Public Access area, which provides boating access to Humboldt Bay. The Board funded the original development in 1958, which consisted of a parking area and a boat launching ramp. The ramp is heavily used by boaters wishing to leave the harbor to fish the north coast waters for salmon. Additional funds were approved in 1974 and in 1988 to construct needed ramp extensions, floats, sanitary facilities and improvements to the parking area. In November 1999, the Board approved a request by the County to fund the replacement of a worn-out boarding float, upgrade the existing restroom and authorized the expenditure of \$82,250.00 to the County toward that goal. Upon approval by the Board, Board staff applied for and received approval from the U.S. Fish and Wildlife Service's (FWS) Sport Fish Restoration Act (SFRA) for reimbursement of 75 percent of the project costs.

Construction bids received by the County were \$13,500.00 higher than available funds. The County has agreed to pay for the additional construction costs and the FWS has agreed that these additional expenses qualify for a 75 percent reimbursement under the SFRA grant, but

cannot directly pay the County. This proposal requests authorization to amend the existing contract with the County by increasing the amount payable to the County by 75 percent of the additional costs, or \$10,125.00, and authorizes the Board's receipt of federal reimbursement from the SFRA grant funding for this project. The amendment will allow the Board to pay the County 75 percent of the additional costs. Upon final billing to the FWS, the Board will be reimbursed by the SFRA for all qualified costs.

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 \$10,260.00.

Staff recommended that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$10,260.00 from the 99/00 General Fund; authorize the receipt of federal reimbursements from the Sport Fish Restoration Act; 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 Board meeting, it was moved by Ms. Annette Porini that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$10,260.00 from the 99/00 General Fund; authorize the receipt of federal reimbursements from the Sport Fish Restoration Act; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

- \*12. Belden's Landing Fishing Access, Phase III, Solano County \$395,135.00

This proposal was to consider a cooperative project with Solano County, the Department of Boating and Waterways (DBW) and the Department of Fish and Game (DFG) for the third phase of the construction of a public fishing access project. The project site is located on DFG land at the junction of Grizzly Island Road and Montezuma Slough, approximately ten miles south of the City of Fairfield in the Suisun Marsh.

The 10± acre project site was purchased by the Board in November 1986, expressly to provide for fishing access. Approximately half of the site would be developed for fishing and boating access, while degraded wetlands on the remainder of the site would be enhanced. The site was chosen as a fishing access site because of its proximity to the large sloughs of the southern half of the marsh and the open water of Suisun Bay. These large water areas are well known for their production of striped bass and sturgeon. Other boat launching facilities on the edges of the marsh are many miles from these prime fishing sites, forcing boaters to motor long distances through small sloughs.

The first and second phases of the project were approved by the Board in May 1995 and May 1996, respectively. Phase I was planned for the construction of the boat ramp, boarding

float and various amenities associated with the ramp. Under Phase II, funds were made available for a fishing pier and restroom. This final phase will allow for the development of the remainder of the site, and will include the parking area, sidewalks, landscaping and wetland development, fencing, gates and signs.

The project is truly a partnership. The land is owned by the DFG, and departmental personnel have been involved with the project design and the development of the wetland enhancement. The DBW has assisted with the funding for the site and have spent many hours in design and project oversight. Solano County has been closely involved with the development of project design and has agreed to operate and maintain the site for 25 years, at no cost to the State.

Construction on Phases I and II has not yet begun, due to unexpected difficulties in getting a permit from the U.S. Army Corps of Engineers. Permit conditions required that wetland enhancement work and additional fencing to restrict encroachment into sensitive habitat areas be incorporated into the project. The Corps' permit was finally acquired late in the summer of 2000, but too late to begin work during the short environmental construction window allowed by the permits. These delays and additional requirements have resulted in significantly higher costs for the entire project. Cost estimates for the entire proposal, which have been reviewed and approved by staff, are shown on the following page:

<u>Description</u>	<u>Estimated Cost</u>
Mobilization	\$10,000
Ramp and floats	108,250
Fishing pier	171,500
Parking lot	188,000
Walkways, bleacher steps, pads	125,000
Drainage and oil/water separator	33,000
Wetland restoration	73,700
Striping and signs	8,700
Fencing and gates	45,500
Shore protection	217,000
Restroom	50,000
Utilities	22,000
Landscaping	45,000
Contingencies	109,765
Engineering, permitting, construction management	95,000
<b><u>TOTAL ESTIMATED COST</u></b>	<b><u>\$1,302,415</u></b>

Cost estimates for the Board's portion of Phase III, which will include portions of the parking area, walkways, wetlands and landscaping, fencing and portions of the shore protection, have been reviewed and approved by staff, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Mobilization	\$10,000.00
Walkways, bleacher steps	125,000.00
Wetland restoration	73,700.00
Landscaping	45,500.00
Fencing and gates	45,000.00
Parking lot	25,000.00
Shore protection	30,000.00
Contingencies	40,800.00
<b><u>TOTAL ESTIMATED COST</u></b>	<b><u>\$395,000.00</u></b>

Due to project delays, the prior approved funds were advanced to the County to prevent reversion of the funds. The funds were placed in an interest bearing account and have since accrued interest totaling approximately \$60,000.00. The total amount of money available that could be spent on this project, including past phases already approved by the Board, interest accrued from advanced funds, and DBW funds, is outlined as follows:

<u>Proposed Funding Breakdown:</u>	
Wildlife Conservation Board, Phases I and II	\$500,000.00
Wildlife Conservation Board, Phase III	395,000.00
Department of Boating and Waterways	350,000.00
Accrued interest (approximate)	60,000.00
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$1,305,000.00</u></b>

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 \$395,135.00. Staff has applied for a reimbursement grant from the Federal Sport Fish Restoration Act grant program which, if approved, will provide a 75 percent reimbursement of all approved project costs.

The DFG has reviewed this proposal and recommends it for funding by the Board. A Negative Declaration has been prepared and filed for this project. The County has agreed to manage and maintain the property for twenty-five years, pursuant to the terms and conditions of the Operating Agreement.

Staff recommended that the Board approve this project as proposed; allocate \$395,135.00 from the 99/00 General Fund; authorize staff to enter into appropriate agreements necessary to accomplish this project; authorize the use of accrued interest from previously advanced funds; 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 Board meeting, it was moved**



**by Ms. Annette Porini that the Board approve this project as proposed; allocate \$395,135.00 from the 99/00 General Fund; authorize staff to enter into appropriate agreements necessary to accomplish this project; authorize the use of accrued interest from previously advanced funds; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

- \*13. Wildwood Native Park Public Access, Madera County \$75,000.00

This proposal was to consider a cooperative project with the San Joaquin River Conservancy (SJRC) to construct public access improvements at SJRC's 22-acre Wildwood Native Park. The Wildlife Conservation Board (Board) previously helped facilitate and fund the acquisition of this property for SJRC in 1996.

Wildwood Native Park is located in Madera County on the north bank of the San Joaquin River just upstream of the old Highway 41 bridge. Currently, the park functions as an access point to the river for canoers and nature enthusiasts. As part of the San Joaquin River Parkway, which stretches 23 miles from Friant Dam to Highway 99, the facility is managed by the SJRC. Since 1957, the Board has approved acquisitions, or grants to enable the purchase of 1,546± acres along this stretch of the San Joaquin River.

In 1996 the Board allocated \$5,000.00 to complement a Transportation Enhancement Activities (TEA) grant and an Environmental Enhancement and Mitigation Program (EEMP) grant for the purchase of the Wildwood parcel by SJRC. Following the acquisition of the property, Caltrans implemented a riparian habitat restoration project on this former beach club and pool supply business site. They removed a swimming pool, tennis courts, and buildings, recontoured the site to achieve appropriate elevations for the desired restoration acreage and planted riparian species. This restoration project mitigated wetland and riparian impacts resulting from the construction of the new Highway 41 bridge. Through an agreement with Caltrans, the Department of Fish and Game is monitoring and maintaining the restoration site until 2008, at which time SJRC will take over this responsibility. As part of its planning for the Wildwood Native Park, the SJRC applied for and received grant funding from the Department of Boating and Waterways. These grant funds were used to construct a parking lot, restrooms, and paved path for car-top boat launching and landing at the site.

The proposed project involves construction of a nature trail with interpretive signs, providing limited public access to the restoration site and the adjacent wetland and riparian habitat. Access improvements include a foot bridge over a small swale to provide access in the winter months and to prevent visitors from walking through the wetland area in the summer.

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

<u>Description:</u>	<u>Estimated Cost</u>
Fencing	\$41,250.00
Information Signs	5,000.00
Trash Bins	2,000.00
Trail	10,580.00
Foot Bridge	75,000.00
Design and Administration	44,320.00
Contingencies	20,075.00
<b><u>TOTAL ESTIMATED COST</u></b>	<b><u>\$198,225.00</u></b>
 <u>Proposed Funding Breakdown:</u>	
Wildlife Conservation Board	\$75,000.00
San Joaquin River Conservancy	123,225.00
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$198,225.00</u></b>

SJRC will be responsible for the long-term operation and maintenance of the completed improvements, and currently has an agreement with the City of Fresno to maintain the site (except for the restoration area). SJRC will ensure that the proper CEQA clearance and any necessary permits are obtained for this project.

Staff recommended that the Board approve this project as proposed; allocate \$75,000.00 from the Safe Neighborhood, Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Prop 12), Section 5096.310 (r) for project 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 Board meeting, it was moved by Ms. Annette Porini that the Board approve this project as proposed; allocate \$75,000.00 from the Safe Neighborhood, Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Prop 12), Section 5096.310 (r) for project 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.**

\*14. Kern River Planting Base Public Access (Restroom), Kern County \$120,135.00

This proposal was to consider a cooperative project with the Department of Fish and Game (Department) to construct barrier-free restroom facilities at the Department's Kern River Planting Base site. The facility, which is located in the Sequoia National Forest approximately one mile north of Kernville and 43 miles northeast of Bakersfield, was opened as a hatchery in 1939. In 1949 the Board allocated \$51,600.00 to fund the construction of a workshop/tool room for the facility. In the early 1970's, the hatchery was converted to a planting base because water temperatures at the site were too variable for efficient hatchery production. Currently, the facility receives about 120,000 pounds of catchable trout annually from other Department hatcheries for distribution in local streams. From 1984 to 1994, the facility participated in the Department's successful recovery program for the Little Kern golden trout. As part of this program, the Department established a brood stock at the planting base, which produced offspring for transplantation to their native watershed. This federally threatened species is now being considered for de-listing. The planting base is now involved with the Kern River rainbow trout recovery program in a similar capacity.

Like many hatcheries, this site has become popular with the public, especially during the summer months. The facility is visited by 15 to 20 thousand people annually, and the permanent and temporary staff has increased from 5 to 41 since 1939. Despite this heavy use, the planting base has only 2 public toilets, which do not meet the requirements for the Americans with Disabilities Act (ADA).

This proposal will provide new restroom facilities in conformance with the ADA and will consist of both a men's and a women's restroom, each with two flush toilets and two sinks. Water and electricity to the facility will be obtained from an existing waterline and utilities on site. The new facilities will utilize an existing sewer line. While water, electricity and sewer are available on site, costs will be incurred connecting into these systems. The design for the restroom was prepared by the Department's engineering staff.

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

<u>Description:</u>	<u>Estimated Cost</u>
Restroom	\$80,000.00
Concrete walkway	6,000.00
Handrails	6,000.00
Gate	1,000.00
Mechanical	5,000.00

Electrical	10,000.00
Signs	6,000.00
Contingencies	6,000.00
<b><u>TOTAL ESTIMATED COST</u></b>	<b><u>\$120,000.00</u></b>

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 acquire any permits that may be necessary to complete the proposed work and will be responsible for maintenance of the completed improvements. Consistent with the provisions of the California Environmental Quality Act (CEQA), this project is Categorically Exempt under Section 15303, Class 3, as new construction of a small structure, and the appropriate notice has been filed.

Staff recommended that the Board approve this project as proposed; allocate \$120,135.00 from the 99/00 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 Board meeting, it was moved by Ms. Annette Porini that the Board approve this project as proposed; allocate \$120,135.00 from the 99/00 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.**

- \*15. South Fork Kern River Ecological Reserve \$248,000.00  
(Canebrake Creek Expansion 1), Kern County

This proposal was to consider the acquisition of 120± acres of land for the first expansion of the Department of Fish and Game's (DFG) South Fork Kern River Ecological Reserve, Canebrake Creek Unit, for protection of critical riparian and upland habitat for threatened and endangered species known to occur on the site.

The Canebrake Creek Unit consists of 1,290± acres located at the confluence of Canebrake Creek Unit and the South Fork Kern River approximately 10 miles northeast of Lake Isabella. The majority of the subject property is located on the northwest side of Highway 178 at Arabian Way, approximately four miles east of Onyx, in Kern County. The property

is straddled by Highway 178, with a small portion of the property situated on its southeast side.

Acquisition of the subject property is important because it will protect threatened and endangered wildlife, native plants and special habitats found in the area, including the yellow-billed cuckoo and the willow flycatcher. The DFG has identified the site 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 ecological reserve.

It is anticipated that the area will offer both nonconsumptive and consumptive recreational uses, as the habitat is maintained and developed in conjunction with the reserve.

The property owner has agreed to sell the subject 120± acre property to the Wildlife Conservation Board at the approved, appraised fair market value of \$235,000.00. It is estimated that an additional \$20,000.00 will be needed for administrative expenses, including Department of General Services' review costs, and \$3,000.00 for fencing, bringing the total allocation for this proposal to \$248,000.00

This project is exempt from CEQA as an acquisition of land for wildlife habitat conservation purposes and the appropriate Notice of Exemption has been filed.

Staff recommended that the Board approve the acquisition of this property, as proposed; allocate \$248,000.00 for the purchase and related costs from the Habitat Conservation Fund (T&E), Section 2786 (b/c); 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.

**As one of the consent items heard at the beginning of the Board meeting, it was moved by Ms. Annette Porini that the Board approve the acquisition of this property, as proposed; allocate \$248,000.00 for the purchase and related costs from the Habitat Conservation Fund (T&E), Section 2786 (b/c); 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.**

- \*16. San Bruno Mountain, Brisbane Acres, San Mateo County \$1,000.00

This proposal was to facilitate funding in the amount of \$200,000.00 pursuant to a Cooperative Agreement from the U.S. Fish and Wildlife Service (FWS) to the City of Brisbane (City), for the City's acquisition of 6.3± acres located on San Bruno Mountain. In this proposal, the Board would serve as the required state agency applicant for the federal funds and provide oversight in the City's purchase.

The subject property consists of six lots located in two locations in the Brisbane Acres tract. Four of the lots are situated in the southeastern portion of Brisbane Acres along the ridge line adjacent to San Mateo County Park. The other two lots are located in the central portion of Brisbane Acres adjacent to the city water tank.

The property to be acquired falls within the San Bruno Mountain Habitat Conservation Plan (HCP). This Plan was the nation's first HCP. Brisbane Acres is a 154± acre area within the HCP and consists of over 100 single parcels of land owned by numerous individuals. Approximately 18 of these parcels support habitat for the mission blue and callippe silverspot butterflies and have been identified by the Department of Fish and Game (Department) and the City as important for protection. It is the City's intention to acquire fee title to the subject property and assume full management responsibility.

The City has entered into an agreement with the property owner to acquire the subject properties at the approved, appraised fair market value of \$300,000.00. Pursuant to the Cooperative Agreement, the FWS will contribute \$200,000.00 toward the purchase of the property, and the City will provide the balance of \$100,000.00. In addition to the proposed grant, it is proposed that the Board provide the estimated costs needed for administrative expenses, including Department of General Services' appraisal review costs, bringing the total allocation for this acquisition project to \$1,000.00.

The terms and conditions of the proposed Cooperative Agreement provide that staff will review all proposed title documents, appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds directly into an escrow.

Staff recommended that the Board accept the \$200,000.00 grant from the U. S. Fish and Wildlife Service for deposit directly into an escrow for the purchase of the subject property by the City of Brisbane, as proposed; allocate \$1,000.00 from the General Fund for related project expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff of the Department of Fish and Game to proceed substantially as planned.

**As one of the consent items heard at the beginning of the Board meeting, it was moved by Ms. Annette Porini that the Board accept the \$200,000.00 grant from the U. S. Fish and Wildlife Service for deposit directly into an escrow for the purchase of the subject property by the City of Brisbane, as proposed; allocate \$1,000.00 from the General Fund for related project expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff of the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

- \*17. Camp Cady Wildlife Area, Expansion 7, San Bernardino County \$825,000.00

This proposal was to consider the acquisition of a single ownership totalling approximately 317.4 acres of vacant land and associated water rights as an expansion of the Department of Fish and Game's (Department) Camp Cady Wildlife Area in Newberry Springs in north central San Bernardino County. This acquisition will protect the remaining riparian habitat downstream from the proposed acquisition.

The project area is located in Newberry Springs approximately 21 miles east of Barstow. The westerly boundary of the wildlife area is adjacent to the subject property. Initial acquisitions for the wildlife area began in 1979 and parcels have been added through 1987 for a total of approximately 1,579 acres. The wildlife area in 1979 had six acres of groundwater-fed perennial ponds and approximately 1,000 acres of riparian habitat. The wildlife area now has lost about 400 acres of riparian habitat (forest) and there are no naturally-fed surface water ponds. These losses are due to a decline in the elevation of the water table caused by crop irrigation pumping within the proposed acquisition area and, collectively, from pumping 12 miles or more upstream of the state property.

The Department has identified the subject property as being significant to the wildlife area and has recommended the purchase of the property and associated water rights. The property is situated in the historic Mojave Riverbed. This parcel is the only major water rights owner within this portion of the riverbed aquifer and is critical to the wildlife area. Typically the river bed is dry with all water underground and available by pumping. A portion of the property is a pivot-irrigated alfalfa farm that uses up to 900 acre feet of water when available. Studies have revealed that cessation of pumping on this parcel would benefit the wildlife area and raise the water table significantly. Recent court adjudication has set the maximum amount to be pumped by the subject property owner at 1,215 acre feet of water (base annual production [BAP]). Further adjustment to the maximum amount to be pumped has been reduced or ramped down to 80 percent or approximately 972 acre feet of water. The 1,215 acre feet of water available for pumping is based on the total ownership of 407± acres. An equivalent proportional share of the water rights would total approximately 75 percent of the entitlement.

The property would be incorporated into and managed in conjunction with the existing wildlife area at little or no additional cost. It is expected that over a few years, perhaps five, the cottonwood/willow forest area will recover, and seeps and small riverbed depressions will refill on, at least, a seasonal basis. It is anticipated that the area will offer passive recreational uses, as the habitat is maintained and developed in conjunction with the area. This acquisition is anticipated to benefit many plants including the Screwbean mesquite,

willow, cottonwood, saltgrass, saltbush and salt cedar. Numerous birds, mammals, reptiles and amphibians would benefit, including quail, doves, hawks, Northern harrier, Golden Eagle, various shore birds, passerine birds, coyote, badger opossum, rabbits, skunk, lizards, red racer snake and western toad.

The approved appraised value of the property is \$815,000.00 and the owner has agreed to sell for the approved value. An additional \$10,000.00 will be needed for appraisal, escrow, title insurance and Department of General Services' review costs.

The Department of Fish and Game has recommended the purchase of this property. There are no claims of sovereign State Land ownership over any of the property. The purchase is exempt from CEQA, under Class 13 of the Categorical Exemption, as an acquisition of land for wildlife conservation purposes.

Staff recommended that the Board approve the acquisition of the property and the associated water rights, as proposed; allocate \$825,000.00 from the Habitat Conservation Fund, Section 2786 (e/f), to cover the purchase price and related expenses; and 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.

**As one of the consent items heard at the beginning of the Board meeting, it was moved by Ms. Annette Porini that the Board approve the acquisition of the property and the associated water rights, as proposed; allocate \$825,000.00 from the Habitat Conservation Fund, Section 2786 (e/f), to cover the purchase price and related expenses; and 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. Chilcoot Wildlife Area and Expansions 1 and 2, Plumas County \$230,000.00

This proposal was to consider the acquisition of 275± acres of private property, consisting of three separate ownerships, for the protection of deer and mountain lion habitat. The properties are located in the eastern portion of the Sierra Valley, approximately 1.5 miles east of the community of Chilcoot, and lie westerly of the Hallelujah Junction Wildlife Area, easterly of the Crocker Meadows Wildlife Area and northerly of both the Smithneck Creek and Antelope Valley Wildlife Areas, all of which are held and managed by the Department of Fish and Game (Department). In addition, the property is adjacent to the U.S. Bureau of Land Management property on its eastern boundary further connecting to U.S. Forest Service land to the north and east. All parcels are readily accessible to State Highway 70, which runs east-west through Chilcoot. The properties range in elevation from a low of 6,000 feet to a high of 8,000 feet, and vary in terrain from relatively level to steep mountain slope. These properties are subdivided and are threatened with development by the continued expansion of



Reno, Nevada's bedroom communities. Reno lies approximately 30 miles southeast of the subject properties.

The properties proposed for acquisition contain critical deer wintering range and provide a migration corridor for the Doyle Deer Herd. Bitterbrush and sagebrush habitats are established on areas of the subject as well as mountain mahogany at the higher elevations. The winter range is used primarily from late October through April of each year. Some low level areas are used by deer through summer. In addition to deer, other non-game mammals and several bird species, including dove and quail, are found on the properties and the general area is a raptor wintering area utilized by bald and golden eagles and red-tailed hawks.

This proposal involves the purchase of three contiguous ownerships, discussed below as Chilcoot Wildlife Area and Expansions 1 and 2. All properties are currently vacant and unused.

Chilcoot Wildlife Area \$ 124,000.00

This parcel consists of 235± acres and is the largest parcel being considered for purchase. It lies to the east of the other two parcels and has a common boundary with Expansion 1. This parcel contains the steepest terrain and has legal access. The owners have agreed to sell at the approved fair market value of \$120,000.00. An additional \$4,000.00 will be needed for administrative expenses bringing the total allocation for this purchase to \$124,000.00.

Expansion 1 \$48,000.00

This parcel is 20.08± acres in size and lies adjacent to, and at the southwest corner of the larger 235-acre parcel. It is of milder terrain, adjoins Expansion 2 and has legal access. The owners have agreed to sell at the approved fair market value of \$45,000.00. It is estimated that an additional \$3,000.00 will be needed for administrative costs bringing the total allocation needed for this acquisition to \$48,000.00.

Expansion 2 \$58,000.00

This parcel contains 20.13± acres and lies adjacent to and westerly of Expansion 1. It is fairly level in nature and, as the other parcels, has legal access. The owners have agreed to sell their property for the approved fair market value of \$55,000.00. It is estimated that an additional \$3,000.00 will be needed for administrative costs bringing the total allocation needed for this purchase to \$58,000.00.

The acquisitions are exempt from CEQA under Class 13 of Categorical Exemptions as acquisitions of land for wildlife conservation purposes and the appropriate Notice of Exemption has been filed. Management of the properties would be by the Department in conjunction with its management of its four nearby wildlife areas with minimal additional

anticipated costs.

Staff recommended that the Board approve these acquisitions as proposed; allocate \$230,000.00 from the Habitat Conservation Fund, Section 2786 (a) (Deer/Mountain Lion habitat protection), for the purchase price and associated costs; authorize staff to enter into the appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Annette Porini that the Board approve these acquisitions as proposed; allocate \$230,000.00 from the Habitat Conservation Fund, Section 2786 (a) (Deer/Mountain Lion habitat protection), for the purchase price and associated costs; authorize staff to enter into the 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.**

19. Lake Tahoe Public Access Improvements, Placer County \$652,270.00

Mr. Wright reported that this proposal was to consider a cooperative project with the Tahoe City Public Utilities District (TCPUD) and the Department of Fish and Game (Department) to amend an existing contract for the reconstruction of the Lake Tahoe Public Access facility. The project is located on Department-owned property at Lake Tahoe, approximately one mile east of Tahoe City. Mr. Peter Perrine described the project and its location.

This public access site was first developed with Wildlife Conservation Board (Board) funding in 1961, with the construction of a 36-foot wide concrete ramp, an adjacent pier, a parking area, restroom and access road. The access area is operated and maintained by TCPUD under an agreement with the Board. Some improvements have been made over the years, but essentially, the project remains the same as originally constructed. Many of the original structures, including the pier and parking area, are in very poor condition. In addition, prevailing southwest offshore winds, especially in the afternoons, create a hazard for boaters launching or retrieving their boats.

In an attempt to solve some of these problems, the Board allocated \$250,000.00 in 1994 to provide for improvements to the ramp and the construction of a pier/wave attenuation structure to the west of the existing ramp. As a result of design changes required by the Tahoe Regional Planning Agency (TRPA), the contract was amended to include boarding floats, the demolition of the existing pier and a reduction to the length of the wave attenuation structure. It was felt the shortened pier would still provide some wave attenuation to allow for safer launching and retrieval of boats; and, if needed, approval for a subsequent phase to lengthen the structure for more protection could be requested at a later

date. However, due to the environmental restrictions on construction at Lake Tahoe, it was decided that construction of the pier should not be phased and that all in-water structures should be constructed at one time. The proposed project calls for the removal of the existing pier, construction of the entire pier/wave attenuation structure, shoreline protection, pier lighting and landscaping.

Delays and additional requirements from TRPA have resulted in significantly higher costs for the entire project. Cost estimates for this project, which include the entire pier/wave attenuation structure, have been reviewed and approved by staff and are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Mobilization	\$25,000.00
Water quality protection	34,850.00
Shoreline protection	34,000.00
Rock cribbing	198,500.00
Pilings	130,500.00
Sheet piling	96,000.00
Pier decking, supports and guardrail	155,750.00
Power and lights	28,000.00
Floats	61,250.00
Remove existing pier	26,500.00
Pier approach	10,500.00
Landscaping	5,500.00
Contingencies	80,650.00
Engineering, construction management	65,000.00
<b><u>TOTAL ESTIMATED COST</u></b>	<b><u>\$952,000.00</u></b>

Due to project delays, the prior approved funds were advanced to the TCPUD to prevent reversion of the funds. The advanced funds were placed in an interest bearing account and

have accrued interest of approximately \$50,000.00. The total amount of money currently available for the project, including funds already approved by the Board and interest accrued from advanced funds, is approximately \$300,000.00, leaving a shortfall of \$652,000.00. Funds in the sum of \$500,000.00 were identified in the Board's 1999/00 budget from the Harbors and Watercraft Revolving Fund specifically for the Lake Tahoe Public Access facilities. Utilizing these specified funds and additional available General Fund monies from the Board's budget, the proposed project funding is as follows:

Proposed Funding Breakdown:

Wildlife Conservation Board, 1994 approval	\$250,000.00
Accrued interest (approximate)	50,000.00
General Fund-Specified Funds for Lake Tahoe (WCB)	500,000.00
General Fund (WCB)	152,000.00
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$952,000.00</u></b>

In addition to the costs listed above, 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 \$652,135.00. Staff has applied for a reimbursement grant from the Federal Sport Fish Restoration Act program and, if approved, will provide the Board with a 75 percent reimbursement of all project costs.

The Department of Fish Game has reviewed this proposal and recommends it for funding by the Board. A Negative Declaration has been prepared, circulated and filed for this project. The TCPUD has agreed to manage and maintain the property, pursuant to the terms and conditions of the existing Operating Agreement.

Mr. Perrine reported that Mr. Larry Eng of the Department of Fish and Game and Mr. Robert Lourey, General Manager of the Tahoe City Public Utilities District were in the audience to answer any questions or concerns.

Mr. Chrisman asked if there were any questions or comments. Ms. Barbara Briggs expressed her appreciation for the opportunity to question and protest the use of the WCB money for demolishing the old pier and building a big breakwater and new pier. Ms. Briggs expressed reservation that the old pier presented safety issues. She also expressed concern that she heard the old pier would be demolished in April and that the new pier would be built in October, forcing the boaters to use the ramp without a pier, thereby creating a safety issue. She expressed greater concern for the continued commercial use of the pier and provided photographs of boats using the pier for commercial purposes. Mr. Chrisman requested she clarify the commercial use. Ms. Briggs expressed disappointment regarding the lack of management and control by the Tahoe City Public Utilities District and the solicitation for construction bids at this time.

Mr. Perrine explained that the existing pier would not be demolished until there is a structure

to replace it, possibly a floating dock. He addressed the spawning gravel issue and that the design was changed to avoid any related problems during the construction of the pier.

Mr. Robert Lourey, General Manager of the Tahoe City Public Utilities District responded to Ms. Briggs' comments. Regarding the safety issues, he explained that the District has numerous parks and recreation facilities that they operate and maintain, including this boat ramp, bike trails, beaches, and that they are aware of the safety issues and pay close attention to safety risks at all sites. He stated that it is a known fact that people that recreate assume some risks. Therefore, numerous accidents occur and never are reported. He admitted that only a few accidents have been reported at the pier site, citing an occasion where an individual lost a finger while trying to get his boat back on the trailer. He also stated that he is a boater and has experienced problems and that boaters regularly experience difficulty landing their boats at this site. He explained that the District called for bids for Phase IA, that is the first section of the pier which will include a short pier and floating ballast, that will serve as the interim pier until the end of the spawning season. He explained that construction in these waters could not take place after April 30 and before October 1, thereby presenting an urgent need to complete a portion of the project prior to the end of April, demobilize and bid the second portion, and then mobilize a contractor October 1. He stated that it was their plan to have a shortened pier in place with a breakwater system for this boating season and that the parking lot improvements, drainage improvements and kiosk would be a future phase, possibly in 2002, if funding is available. Regarding commercial use issues, he admitted that there has been a problem with contractors using the pier. Mr. Chrisman asked for clarification regarding this use. Mr. Lourey stated that there is a need for construction work at the lake, to stabilize shorelines, etc., and that the District uses contractors for these reasons on occasion. He stated that some of the photos displayed by Ms. Briggs show a contractor working for the District, using that site to repair a broken sewer line that the District operates and maintains along the shoreline. He stated that the District had no choice but to correct this situation by using a contractor with appropriate equipment to make the repairs. He stated that last year, the District closed off a portion of the Department of Parks and Recreation land with posts and chain, which has eliminated some inappropriate activity in that area. Mr. Lourey suggested that the District and Board staff meet with those who have an interest in the neighboring properties to discuss the operation of the facility, solicit their feedback and see where they could make corrections. Mr. Chrisman agreed that such discussion was an excellent idea. Mr. Lourey went on to comment regarding the littoral drift and the impact on Star Harbor, Mr. Lourey stated that he talked with Ms. Briggs yesterday and that his comment to her was that they do not believe there will be significant impact from this and that their environmental document with the technical studies that were prepared have substantiated that opinion. He stated that the District has reached an agreement with the Star Harbor's Homeowners Association and their representatives to do ongoing monitoring of the sediment buildup at the entrance to Star Harbor. Mr. Lourey recently submitted a report to the Association and that the District has committed to annual monitoring of the sediment at the entrance to Star Harbor.

Ms. Porini requested clarification regarding the location of the new boat ramp and pier. Mr. Lourey explained the location of the pier and that the pier would be protected from the prevailing wind direction on the other side.

Mr. Chrisman asked if there were any further questions or comments. Ms. Briggs added that there is a pier located 20 minutes away by boat that could be used commercially and that the commercial users should have a lake access site of their own. Mr. Chrisman stated that assuming the Board approved this project, he encouraged the District and Board staff to meet with the surrounding property owners to work out a process of monitoring the area. There were no further comments.

Staff recommended that the Board approve this project as proposed; allocate \$500,000.00 from the Harbors and Watercraft Revolving Fund and \$152,270.00 from the 99/00 General Fund; authorize staff to enter into appropriate agreements necessary to accomplish this project; authorize the use of accrued interest; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**It was moved by Mr. Robert Hight that the Board approve this project as proposed; allocate \$500,000.00 from the Harbors and Watercraft Revolving Fund and \$152,270.00 from the 99/00 General Fund; authorize staff to enter into appropriate agreements necessary to accomplish this project; authorize the use of accrued interest; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

20. Riparian Habitat Restoration, Sacramento River Wildlife Area, \$248,420.00  
Moulton Weir Unit, Colusa County

**THIS ITEM WAS WITHDRAWN FROM BOARD CONSIDERATION AT THIS TIME.**

21. Ferry Point Pier, Contra Costa County \$500,270.00

Mr. Wright reported that this proposal was to consider an allocation for a cooperative project with the East Bay Regional Park District (EBRPD) to restore a portion of the historic 550-foot Ferry Point Pier, which is located on the San Francisco Bay in the City of Richmond. Mr. Sean Woods briefly described the project and its location.

The EBRPD currently operates and maintains fishing piers in four East Bay communities: Antioch, Martinez, Carquinez and Point Pinole Regional Shorelines, all to the north of Ferry Point. The cities of Berkeley, Emeryville and Oakland have fishing piers to the south. The proposed restoration of Ferry Point pier will provide the public with the only fishing pier in

the City of Richmond. The pier is within 30 minutes driving time to more than one million residents in Marin, Alameda, Contra Costa and Solano Counties. The Association of Bay Area Governments' statistics indicate that the populations of these counties will grow by more than 25 percent by 2010 increasing the need for recreational opportunities in this highly urbanized area.

The pier is located in the "mixing zone" between the freshwaters of the Sacramento and San Joaquin Rivers and the saline waters entering through the Golden Gate. This area provides excellent foraging and habitat for a variety of fish. Anglers utilizing Ferry Point pier should fetch king salmon, striped bass, sturgeon, California halibut and various skates, sharks and flatfish.

Ferry Point, which was built in 1899, originally served as the western land terminus of the Atchinson, Topeka and Santa Fe Railroad System and was the longest-lived, rail-based, land-sea transfer facility for a transcontinental railroad on San Francisco Bay. For 75 years Ferry Point operated as an intermodal site for passenger and freight during the era when Santa Fe was a leader in the use of oil-fired locomotive technology. The trains would end their run at Ferry Point, transferring passengers and cargo to waiting ferries and ships. A unique feature of the pier is the historic gallows frame which moved a section of the pier apron up or down in conjunction with the tides to accommodate the loading and unloading of passengers and freight. The pier is currently eligible for California State Historic Landmark Status and for placement on the National Register of Historic Places.

The pier, which is predominately a timber structure, was damaged by fire in 1984. However, much of the original pier and freight barge slip remains intact despite fire damage, corrosion, age and marine borer degradation. After the fire, the land bridge section of the pier was removed to prevent access to the damaged pier for security and safety reasons. The project, which is intended to increase public access for sportfishing on San Francisco Bay, will consist primarily of repair of a 170-foot section of the right wharf as well as the replacement and reconstruction of pilings, decking and other elements of the existing pier structure. Rip rap will also be added to a portion of the shoreline for protection. EBRPD is proposing to bridge the burned section of the pier with a 10' X 170' span, thereby connecting the pier back to land. The bridge will also connect to the existing Bay Trail, a planned recreational corridor that, when complete, will encircle San Francisco and San Pablo Bays, connecting the shoreline of all nine Bay Area counties with a continuous 400-mile network of bicycling and hiking trails. To date, approximately 210 miles of the alignment has been completed. In addition, the historic gallows frame will also be stabilized and an additional 2,600 square feet of pier will be made accessible in accordance with the Americans with Disabilities Act (ADA). The EBRPD is providing partial funding, engineering design and construction management for the project. In addition to Wildlife Conservation Board funding, the State Coastal Conservancy is contributing to the project and the EBRPD has received a grant from the Intermodal Surface Efficiency Act.

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

<u>Description</u>	<u>Estimated Cost</u>
Design/Engineering and administration	\$180,941.00
Mobilization/Demobilization	100,000.00
Demolition	110,000.00
Paving (connecting pier to existing Bay Trail)	45,000.00
Shoreline protection	68,000.00
Concrete wall repairs	65,000.00
Access bridge	120,000.00
Concrete pile and cap repairs	90,000.00
Steel pipe piles for pier rehabilitation	90,000.00
Timber piling	55,000.00
Polyethylene pile wraps	20,000.00
Pier rehabilitation including decking, timber and railing	135,000.00
Gallows structure upgrades	85,000.00
Freight apron upgrades	80,000.00
Fencing and gates	20,000.00
Misc. including bollards, benches, water fountains preparation and painting	65,000.00
Water/Electrical system	210,000.00
Inspection and testing	181,342.00
Contingencies	371,500.00
<b><u>TOTAL ESTIMATED COST</u></b>	<b><u>\$2,091,783.00</u></b>

<u>Proposed Funding Breakdown</u>	
East Bay Regional Park District	\$723,283.00
Intermodal Surface Transportation Efficiency Act (Caltrans/Federal Highway Administration)	376,000.00
California Coastal Conservancy	492,500.00
Wildlife Conservation Board	500,000.00
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$2,091,783.00</u></b>

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 \$500,270.00.

The Department of Fish and Game has reviewed this proposal and supports the proposed improvements. The EBRPD completed an Initial Study under CEQA requirements, determined the proposed project would not have a significant effect on the environment and has filed the appropriate notice as required. The EBRPD has agreed to operate and maintain



the property for 25 years through a Lease and Operating Agreement, and will handle the contract administration for the construction of the improvements.

Mr. Woods reported that Ms. Susan Williams of the East Bay Regional Park District was in the audience to answer questions regarding the project.

Staff recommended that the Board approve this project as proposed; allocate \$500,270.00 from the Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Act (Prop 12), Section (a)(5); 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 Ms. Annette Porini that the Board approve this project as proposed; allocate \$500,270.00 from the Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Act (Prop 12), Section (a)(5); 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.**

22. Buena Vista Lagoon, Expansion 3, San Diego County \$1,117,000.00

Mr. Wright reported that this proposal was to consider the acquisition of a single ownership totaling approximately 9.0 acres of vacant land as an expansion of the Department of Fish and Game's (Department) Buena Vista Lagoon Ecological Reserve, in the City of Oceanside in northern San Diego County, about 33 miles northerly of the City of San Diego and approximately one mile east of Interstate 5, adjacent to State Highway 78. The northeasterly boundary of the reserve is adjacent to subject property. Initial acquisitions for the reserve began in 1969 and parcels have been added through 1977. The reserve now totals approximately 200 acres. Mr. William Gallup briefly described the project and its location. The Department has identified the subject property as being significant to the reserve and has recommended the purchase of the property. The property is situated adjacent to Jefferson Street, a high volume arterial that provides access to Highway 78 and numerous shopping centers and commercial activities both north and south of the freeway. The property has been proposed for commercial development for many years, but has proven to be difficult to develop, with the many different permits to be acquired as well as the physical constraints of the site itself. An asphalt street and cul-de-sac have been in place on the property for over 15 years and attracts overnight "campers" and encourages dumping, vandalism and vehicular trespass. The property is part of one of the few freshwater lagoons within the Pacific flyway and would be ideal for wetlands enhancement and restoration activities. The property would be incorporated into and managed in conjunction with the existing reserve at little or no cost. It is anticipated that the area will offer passive recreational uses, as the habitat is maintained

and enhanced in conjunction with the reserve. State and federally listed species such as the California least tern, Brown pelican, Belding's savannah sparrow and the light-footed clapper rail utilize the Lagoon, and suitable habitat acquisition and enhancement would be of benefit.

The subject property is unimproved with the exception of a paved roadway and limited grading. The approved appraised value of the property is \$1,100,000.00 and the owner has agreed to sell at the approved appraised value. An additional \$17,000.00 will be needed for fencing, gates, appraisal, escrow, title insurance and Department of General Services' review costs.

The Department of Fish and Game has recommended the purchase of this property. There are no claims of sovereign State Land ownership over any of the property. The purchase is exempt from CEQA, under Class 13 of the Categorical Exemption, as an acquisition of land for wildlife conservation purposes.

Mr. Gallup stated that the Board received two letters of support for this acquisition. He introduced Ms. Terri Stewart, Senior Biologist from the Department of Fish and Game representing the project area. He also introduced Mr. Ron Wooton, Executive Director of the Buena Vista Lagoon Foundation. Mr. Wooton commented that since the early 1980's there have been documented plans for acquisition in this area and that the Foundation, in conjunction with the Department of Fish and Game, is going through a process of finding out what they have in the lagoon and its included environments, actual ownership and surveys to determine all of the parcels. He added that the Coastal Conservancy recently approved funding to continue with the studies that the Foundation, in conjunction with the Department of Fish and Game, has had ongoing for the past year. He stated that the Foundation encouraged the Board's approval of this acquisition.

Mr. Chrisman asked if there were any questions or comments from the audience. There were none.

Staff recommended that the Board approve this acquisition as proposed; allocate \$1,117,000.00 from 00/01 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 Mr. Robert Hight that the Board approve this acquisition as proposed; allocate \$1,117,000.00 from 00/01 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.**

23. Hollenbeck Canyon Wildlife Area, San Diego County \$ -0-

Mr. Wright reported that this proposal was to consider a change in scope for a previously authorized grant to the County of San Diego (County), approved by the Board at its August 10, 2000, meeting. The grant, as proposed, would have assisted the County in completing its purchase of a 285.7± acre portion of a larger 3,800± acre ownership located in Hollenbeck Canyon. The primary purpose of the County's acquisition project would be to preserve critical habitat and wildlife corridors of lands identified in the County's Multiple Species Conservation Program (MSCP) Reserve to further implement the Department of Fish and Game's (Department) Natural Community Conservation Planning (NCCP) efforts in the County. Ms. Debra Townsend briefly described the project and its location.

Due to the terms and conditions of the option agreement between the County and the property owner, the County was forced to close escrow prior to the completion of the Board's funding, which eliminated the Board's participation in the acquisition. Consequently, staff is proposing a change of scope and a minor amendment of the existing grant to redirect the allocated grant funds toward another, yet to be identified, Department- recommended acquisition project in the approved NCCP. As proposed, all other terms and conditions of the grant agreement would remain unchanged and the acquisition would be subject to Board staff review and will be reported to the Board at the time of completion.

Staff recommended that the Board approve the change of scope and a minor amendment of the existing grant agreement (WC-0007-DT) to redirect the grant funds, in the amount of \$1,000,000.00, toward the County of San Diego's purchase of another Department of Fish and Game- recommended acquisition project in the approved NCCP; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**It was moved by Ms. Annette Porini that the Board approve the change of scope and a minor amendment of the existing grant agreement (WC-0007-DT) to redirect the grant funds, in the amount of \$1,000,000.00, toward the County of San Diego's purchase of another Department of Fish and Game- recommended acquisition project in the approved NCCP; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

24. Hollenbeck Canyon Wildlife Area (Exchange), San Diego County \$30,000.00

Mr. Wright reported that this proposal was to consider a land exchange between the Wildlife Conservation Board (Board) and the County of San Diego (County) to provide both entities with an opportunity to preserve and more effectively manage critical habitat and wildlife corridors under their respective current management or abutting lands targeted as high priorities for their respective acquisitions. The proposed exchange involves the state transferring 1,375± acres to the County located at the Department of Fish and Game's (Department) Iron Mountain Wildlife Area. In return, the County proposes to transfer to the state 598± acres at its Hollenbeck Canyon Preserve, commonly referred to as the Daley Ranch, and one or more mutually agreed upon properties to offset the difference in value of the two properties. Ms. Debra Townsend briefly described the project and its location.

The Hollenbeck Canyon area is located approximately five miles east of the communities of Jamul and Lyons Valley at the junction of State Highway 94, Otay Lakes Road and Honey Springs Road. The ranch can be accessed via State Highway 94 (Campo Road), which forms the southwesterly boundary of the property, and from Honey Springs Road, which traverses the southerly portion of the ranch in an east-west direction.

The landscape in the vicinity is comprised of a chain of peaks and ridges and several canyons, the most prominent feature being Hollenbeck Canyon. Elevations range from 2,076 feet at the highest peak to 750 feet at the lowest point where Hollenbeck Canyon approaches State Highway 94. Acquisition of this portion of the ranch property, together with the staff's proposal to acquire the balance of the 3,500± acre ranch (agenda item #25), is particularly important in that it will preserve a key canyon in the western-most front of the San Diego County mountains, providing a wildlife corridor between Otay Mountain and the Jamul Mountains. The protection of the canyon will also enhance the continuity of otherwise isolated preserves north of State Highway 94. This core area of largely undisturbed habitat provides a source of plant and animal populations for maintaining healthy ecosystems functioning throughout a broad reach of south central San Diego County.

The project before the Board would offer protection to critical native habitats including coastal sage scrub, various types of chaparral, oak woodlands, riparian forests, freshwater marshes and grasslands. These vegetation communities provide suitable habitat for over 13 sensitive plant species and 25 animal species, including but not limited to California sagebrush, San Diego thornmint, the California gnatcatcher, Engelmann oak, Palmer's sagewort, Cooper's hawk and the red-shouldered hawk. Although most of the land proposed for acquisition is undisturbed and in relatively pristine condition, the property also provides restoration and revegetation opportunities in areas that have been historically used as cultivated agricultural and grazing lands.

The 1,375± acre property proposed for transfer from the state to the county was approved for purchase by the Board at its August 10, 2000 meeting. The project involved the acquisition of 1,135± acres at the approved appraised fair market value of \$3,800,000.00, and the acceptance of a 240± acre donation. The Iron Mountain property is located in the western-most front of the mountains of San Diego County, near the communities of Ramona, Lakeside, Poway and the Barona Indian Reservation. The County has identified the subject, as well as other MSCP preserve lands in this area, as having a high priority for County park acquisition.

In return, the County proposes to transfer to the state 598± acres of the Daley Ranch that it acquired in two separate purchases pursuant to an option agreement it holds for the larger 3,800± acre Daley Ranch property. The County acquired 312± acres on September 7, 2000, and 285± acres on October 20, 2000. Each property has an approved appraised fair market value of \$1,000,000.00, a total \$2,000,000.00 for both sites. Acceptance of the County's 598± acres at Hollenbeck Canyon will provide the Department with an opportunity to connect several open space preserves, including the Rancho Jamul Ecological Reserve immediately south of Highway 94.

The state and the County have entered into a Letter of Intent to initiate the land exchange, which would be advantageous to both entities. The County and the Department propose to identify one or more additional County properties for transfer to the state to offset the \$1,800,000.00 shortage in creating an exchange of equal value. Therefore, no funds will change hands in this transaction. Upon completion of the transfer to the state, staff will provide an appropriate report to the Board. It is proposed that the County and the Department enter into an interim management agreement for the two primary exchange properties pending the final transfer of all properties involved in the exchange. It is estimated that \$30,000.00 will be needed for processing costs, including Department of General Services' review costs and title and escrow fees. The proposed exchange is categorically exempt from CEQA and the appropriate Notices of Exemption have been filed with the State Clearinghouse.

Mr. Wright commented that an important feature of this exchange is that the Hollenbeck property will provide opportunities for hunting in Southern California which is somewhat scarce and that the Department of Fish and Game and the county have successfully worked this out so that people that want to hike and hunt can go places and not be worried about the impact each might cause to each other.

Mr. Chrisman asked if there were further questions or comments. There were none.

Staff recommended that the Board approve the transfer of 1,375± acre state-owned property to the County of San Diego as proposed; authorize the acceptance of the 598± acre county-owned property, as well as others to be identified; allocate \$30,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Act (Prop 12), Section

5096.350 (a)(6)–NCCP for processing costs of the exchange; authorize staff to enter appropriate agreements as necessary to carry out this land exchange; 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 transfer of 1,375± acre state-owned property to the County of San Diego as proposed; authorize the acceptance of the 598± acre county-owned property, as well as others to be identified; allocate \$30,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Act (Prop 12), Section 5096.350 (a)(6)–NCCP for processing costs of the exchange; authorize staff to enter appropriate agreements as necessary to carry out this land exchange; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

25. Hollenbeck Canyon Wildlife Area, Expansion 1, San Diego County            \$11,295,000.00

Mr. Wright reported that this proposal was to consider the acquisition of 3,210± acres of land located in the Hollenbeck Canyon area and referred to as the Daley Ranch property. The primary purpose of the proposed acquisition project is to preserve critical habitat and wildlife corridors that would provide a connection between the Department of Fish and Games' (Department) Rancho Jamul Ecological Reserve and Hollenbeck Canyon, and ultimately connect other wildlands with the Cleveland National Forest. Ms. Debra Townsend briefly described the project and its location.

The Hollenbeck Canyon area is described more completely in the previous agenda item (#25) and the Department has identified the subject property as its highest priority for acquisition within the canyon. Acquisition of the property would allow for the efficient implementation of a long-term management plan over the entire 7,408± acre area encompassed by the Daley Ranch property and the Rancho Jamul Ecological Reserve. Ms. Debra Townsend described the project and its location.

Acquisition of the subject property is important because it will protect threatened and endangered wildlife, native plants, and special habitats found within this western mountain range of San Diego County (County) including coastal sage scrub and the California gnatcatcher. Although most of the land is undisturbed and in relatively pristine condition, the property also provides restoration and revegetation opportunities in areas historically used as cultivated agricultural and grazing lands. The only current remaining use of the subject is a three-acre lease to the federal government for use as a border patrol checkpoint. The state proposes to accept title to the property with the lease in place.

The County has an option agreement with the property owner to acquire the subject property. In addition to the County's transfer of the 598± acres to the state in a proposed land exchange, described in Agenda Item 25, the County would withdraw from its option agreement with the property owner, thus providing the state with an opportunity to purchase

the 3,210± balance of the Daley Ranch. The property owner has agreed to sell the property to the Wildlife Conservation Board at the approved, appraised fair market value of \$11,240,000.00. Costs to carry out this purchase, which include Department of General Services' review costs, appraisal costs, title insurance costs and escrow fees, are estimated at \$50,000.00. In addition, start up costs in the amount of \$5,000.00 would be made available to the Department to be used for signage, gates and fence repairs. Therefore, the total allocation necessary to complete this purchase, with costs, is \$11,295,000.00.

The Sunroad Otay Partners, in satisfying mitigation imposed by the County, has requested that it be permitted to contribute \$243,450.00 directly into escrow to be applied to the state's acquisition. In the event the payment of mitigation occurs as planned, staff will request a recovery of the Board's allocation in the amount of \$243,450.00 at a future Board meeting. The acquisition is categorically exempt from CEQA and the appropriate Notice of Exemption has been filed with the State Clearinghouse.

Ms. Townsend reported that Ms. Terri Stewart from the Department of Fish and Game was in the audience and available to answer questions. Ms. Townsend also introduced Mr. John McKinley, representing the property owner. Mr. Chrisman asked if there were questions or comments. Mr. David Lavinsky, President of Pheasants Forever, Southern California Chapter, and Vice President of the San Diego County Wildlife Federation, complimented the Board on their progress with this property and expressed appreciation to the Board for its consideration of this project. Mr. Lavinsky stated that the Federation would assist in whatever way they could with this project.

Staff recommended that the Board approve the acquisition of 3,210± acres as proposed and the acceptance of mitigation funds in the amount of \$243,450.00 to be deposited directly to escrow in this purchase; allocate \$11,295,000.00 for the acquisition as proposed [\$8,295,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Act (Prop 12), Section 5096.350 (a)(6)–NCCP and \$3,000,000.00 from the General Fund, unscheduled]; authorize staff to enter 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 the acquisition of 3,210± acres as proposed and the acceptance of mitigation funds in the amount of \$243,450.00 to be deposited directly to escrow in this purchase; allocate \$11,295,000.00 for the acquisition as proposed [\$8,295,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Act (Prop 12), Section 5096.350 (a)(6)–NCCP and \$3,000,000.00 from the General Fund, unscheduled]; authorize staff to enter 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.**

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| 26. | <u>Santa Ysabel Valley Wildlife Area, San Diego County</u> | <u>\$6,110,000.00</u> |
|-----|--|-----------------------|

Mr. Wright reported that this proposal was to consider an allocation for two grants to the County of San Diego to assist in its purchase of 3,807± acres referred to as the Edwards Ranch East and 1,512± acres referred to as the Edwards Ranch West, located in central San Diego County. In addition, the proposal involves the acceptance of a federal Transportation Enhancement Activities (TEA) grant, and the assignment of that grant to the County, to be applied toward the Edwards Ranch East. Protection of these properties by the County will effectively link several large public holdings, which is crucial to regional efforts to establish a viable “ocean-to-desert” reserve system in San Diego County. Ms. Debra Townsend described the project and its location.

The Santa Ysabel Valley area surrounds the community of Santa Ysabel, lying just two miles south of the historic town of Julian and fifty miles from downtown San Diego. The subject properties are key stepping stones for connecting the public holdings that they abut in the area, including the County of San Diego’s Volcan Mountain Wilderness Preserve to the east, the Cleveland National Forest to the south, the Santa Ysabel Indian Reservation to the north and the Mesa Grande Indian Reservation and Cleveland National Forest to the west. The Edwards Ranch East is physically connected to the Department’s holdings at the San Felipe Wildlife Area via the Volcan Mountain Wilderness Preserve.

The landscape in this vicinity varies from gently rolling hills with some level areas to steeply sloping ridges. Elevations range from 2,800 to 4,300 feet above sea level. Numerous creeks and expansive meadow areas are located throughout the site, including Santa Ysabel Creek, an important headwater tributary of the San Dieguito River which flows west to the Pacific Ocean at Del Mar. Acquisition of these properties presents a rare opportunity to protect over five miles of diverse riparian habitat along the Santa Ysabel Creek, the upper watershed of both the San Dieguito River and the San Diego River and a significant portion of the watersheds of Lake Sutherland, Lake Hodges and El Capitan Reservoir, which are City of San Diego drinking water reservoirs.

The area supports large, unfragmented blocks of riparian woodlands, Engelmann and coast live oak woodlands, as well as extensive native grasslands and wet meadows. The most threatened oak woodland in the South Coast Ecoregion, the Engelmann oak woodland, dominates much of the land. The properties support abundant wildlife, including golden eagle, badger, bobcat, gray fox, mountain lion, mule deer and a number of sensitive amphibians, reptiles and birds. Connecting these large, protected ownerships greatly increases the long-term viability of the habitat for wildlife by providing migration corridors with a diversity of vegetation for food and cover.

It is the County’s intention to acquire fee title to the subject properties and assume full management responsibility. The County will work with state and federal agencies to prepare a detailed management plan to ensure the protection of the fragile resources that are present within the proposed boundaries of the area. The strategic location of these properties, adjacent to state and federal lands, also increases the opportunity for cooperative



partnerships. Public agencies involved in the project area include the Bureau of Land Management, U.S. Forest Service, California Department of Parks and Recreation, San Diego County Water Authority and San Dieguito River Valley Joint Powers Authority.

The two proposed projects are more specifically described as follows:

Santa Ysabel Valley Wildlife Area (Edwards Ranch East) \$3,105,000.00

The subject 3,807± acre property, referred to as the Edwards Ranch East, has been historically used as cultivated agricultural and grazing lands. Primary access to the subject is provided from an asphalt-paved road from Julian Road (Highway 78/79). Interior dirt and gravel roads extend throughout the subject property.

The Nature Conservancy (TNC) has recently purchased the East Ranch to provide the state and the County with the time needed to carry out the acquisition. The County has now entered into an agreement with TNC to purchase the property at its approved, appraised fair market value of \$6,100,000.00. The Board's proposed grant would provide \$3,100,000.00 to be applied toward the property, with the balance being provided by an approved federal TEA grant, in the amount of \$3,000,000.00. The California Transportation Commission is considering an assignment of this grant from the state to the County, or as an alternative, may entirely transfer the grant to the County as lead agency. In the event of an assignment, the Board is proposing acceptance of the grant for deposit directly into an escrow for the County's purchase of the East property.

Santa Ysabel Valley Wildlife Area, Expansion 1 (Edwards Ranch West) \$3,005,000.00

The subject 1,512± acre property, referred to as the Edwards Ranch West, is located along Julian Road. The nearest city is Julian, located about 12 miles to the east. Primary access to the west property is also provided from Julian Road or Highway 79. This vacant property is crossed with interior dirt and gravel roads, which were historically used for management of these ranch lands.

TNC has also acquired the West Ranch and has entered into an agreement with the County to sell at its approved appraised fair market value of \$3,000,000.00. The Board's proposed grant, in the amount of \$3,000,000.00 would provide for the purchase of this property.

In addition to the proposed grants, it is estimated that \$10,000.00 will be needed for administrative expenses, including Department of General Services' review costs, \$5,000.00 for each acquisition, bringing the total allocation for these two grants to \$6,110,000.00. The terms and conditions of the proposed grants provide that staff will review all proposed title documents, appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds directly into an escrow or escrows. The proposals are exempt from CEQA as acquisitions of land for wildlife habitat conservation purposes and the appropriate Notices of Exemption have been

filed with the State Clearinghouse.

Funding for acquisitions in the San Dieguito River Corridor were specifically identified and made available to the Board in the River Protection Subaccount of Proposition 13 of 2000.

Mr. Chrisman asked if there were any questions or comments. There were none.

Mr. Wright reported that the Board received two letters of support from the San Dieguito River Valley Land Conservancy and the San Dieguito River Valley Regional Open Space Park

Staff recommended that the Board approve the award of two grants to the County of San Diego to be applied to the acquisition of 5,319± acres, as proposed, together with the acceptance of a federal TEA grant in the amount of \$3,000,000.00 for assignment to the County or for direct deposit to the Edwards Ranch East escrow; allocate \$6,110,000.00 from the Proposition 13 of 2000 Bond Act. River Protection Subaccount; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**It was moved by Mr. Robert Hight that the Board approve the award of two grants to the County of San Diego to be applied to the acquisition of 5,319± acres, as proposed, together with the acceptance of a federal TEA grant in the amount of \$3,000,000.00 for assignment to the County or for direct deposit to the Edwards Ranch East escrow; allocate \$6,110,000.00 from the Proposition 13 of 2000 Bond Act. River Protection Subaccount; 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.**

27. Montana Mirador Preserve, San Diego County \$3,385,000.00

Mr. Wright reported that this proposal is to consider an allocation for a grant to the City of San Diego (City) to assist in its purchase of 538± acres adjacent to the City's Black Mountain Park and open space preserve. Acquisition of the property will preserve critical habitat and key wildlife connections with core habitats in the San Dieguito River Valley to the north and west and the Del Mar Mesa in the south, and will further implement the joint federal, state and local Natural Community Conservation Planning (NCCP) efforts in the San Diego area. Ms. Debra Townsend described the project and its location.

The Montana Mirador property is located on the south half of Black Mountain, east of Interstate 15 and north of Carmel Mountain Road, in the Rancho Penasquitos community of San Diego. The north half of Black Mountain is currently the City's Black Mountain open

space park. The topography of the area is characterized by a series of canyons and ridges culminating in Black Mountain and several smaller nearby hilltops. There are a number of steep, rocky areas and numerous vistas. The area constitutes one of the largest and most biologically important open space areas within the City of San Diego's Multiple Species Conservation Program (MSCP) preserve.

The property contains valuable native habitats including mixed and chamise chaparral, coastal sage scrub and native grassland, all native habitat for numerous threatened and endangered species, among which are the California gnatcatcher, least Bells vireo, San Diego button-celery, San Diego mesa mint and Otay mesa mint. The City's land use plan for the area allows a residential development on the Montana Mirador property and the property owner received City approval for a 575-unit residential subdivision map consistent with the City's regulations in 1996. Although the subdivision map conserved portions of the property as open space, development of the project would require extensive grading of ridge tops and fill of canyon areas. The map was approved prior to the MSCP and, although the open space approved with the project is consistent with the community plan for the area, the development would impact sensitive habitat types targeted for conservation by the MSCP and would create some detrimental edge effects adjacent to open space. Acquisition of the entire property would preclude development of the project, significantly increase the MSCP core habitat in this area and create a habitat block relatively unaffected by development edge effects.

The City will assume full management responsibilities of the property in conjunction with the adjacent Penasquitos Park system. As identified in the City's MSCP Subarea Plan for the acquisition area, specific management objectives include providing habitat preservation, compatible public access, 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 City currently has a purchase agreement with the property owner that was negotiated when the cost to develop the property was being negatively affected by the economic downturn in the mid 1990's. The Department of General Services has established that the market supports the proposed purchase price of \$7,803,900.00. The County Water Authority has identified 325± acres of this property as potential mitigation for its emergency water storage project and has agreed to contribute \$4,424,875.00 directly into an escrow to be applied toward the purchase price. The Board's proposed grant, in the amount of \$3,379,025.00, would provide the balance of the purchase price. It is estimated that an additional \$5,975.00 will be needed for administrative expenses, including Department of General Services' review costs, bringing the total recommended allocation for the proposal to \$3,385,000.00.

The terms and conditions of the proposed grant provide that staff will review all proposed

title documents, appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to the disbursement of funds directly into escrow for acquisition of the property. The project is exempt from CEQA as an acquisition of land for wildlife conservation purposes and the appropriate Notice of Exemption has been filed.

Mr. Chrisman asked if there were any comments or questions.

Staff recommended that the Board approve the grant to the City of San Diego to be applied toward the acquisition of 538± acres, as proposed; allocate \$3,385,000.00 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; 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 Ms. Annette Porini that the Board approve the grant to the City of San Diego to be applied toward the acquisition of 538± acres, as proposed; allocate \$3,385,000.00 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; 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. Hight commented that as time goes by we will be seeing more NCCP/HCP acquisitions and that they are extremely valuable by enabling the Department to preserve some open space in development areas.

28. Coachella Valley Ecological Reserve, Expansions 6 - 11 and Further Expansions (Sand Source Corridor Unit), Riverside County \$1,230,000.00

Mr. Wright reported that this proposal was to consider the acquisition of six separate properties totaling 21.42 acres of vacant land as newly recommended expansions to the Department of Fish and Game's (Department) Coachella Valley Ecological Reserve near Thousand Palms in eastern Riverside County. These acquisitions will allow further protection of the "blow sand wind corridor" and ensure the viability of the blow sand dependent species within the Reserve. Mr. William Gallup described the project and its location.

The project area is located in the Coachella Valley approximately one mile north of

Interstate 10 near the community of Thousand Palms. Palm Desert is approximately two miles south and Palm Springs is five miles northwest. The City of Riverside is located approximately 50 miles west of the reserve. The Department holds a total of 528 acres and when combined with the properties of the Center for Natural Lands Management, The Nature Conservancy, U.S. Bureau of Land Management, State Parks and the U.S. Fish and Wildlife Service, the total protected area is approximately 17, 200 acres. The newly recommended expansion area is approximately 3,000 acres in all.

Initial acquisition for the Reserve began in 1982 and has grown through public and private acquisitions and exchanges to its current size. The acquisitions of the subject properties are important as they insure the continuance of sand transport through the blow sand corridor. Development has been sporadic over the past 20 years with a number of homes built within the corridor. Additional construction and development within the acquisition area is considered to be detrimental to the corridor as the sand transport would be blocked and the dune habitat would not be maintained. Historically, the blow sand was thought to originate from northerly of the reserve through Thousand Palms Canyon. More recent studies indicate that the sand source is from five smaller canyons to the northwest of the reserve.

The Department has identified Expansions 6 through 11 and numerous others in the vicinity as being critical to the protection of the Reserve and has recommended the purchase of the properties, which would be incorporated into and managed in conjunction with the existing Reserve. It is anticipated that the area will offer passive recreational uses, as the habitat is maintained and developed in conjunction with the Reserve. All of the properties are currently vacant.

Preservation of the properties identified within the sand source area will insure the continued success of the Reserve and enhance the habitat for the Coachella Valley fringe-toed lizard. The Reserve also provides habitat for several other species that are currently being considered in the Coachella Valley Multi-Species Habitat Conservation Plan, including the flat-tailed horned lizard, Coachella Valley milk vetch, Palm Springs pocket mouse, Palm Springs ground squirrel and the Coachella giant sand treader cricket.

Expansion 6

\$79,200.00

This proposal is for the acquisition of 4.86 acres of unimproved desert land. The Grantor has agreed to sell for the approved fair market value of \$75,000.00. An additional \$4,200.00 will be needed for appraisal, escrow, title insurance and Department of General Services' review costs.

Expansion 7

\$79,200.00

This proposal is for the acquisition of 4.88 acres of unimproved desert land. The Grantor has agreed to sell for the approved fair market value of \$75,000.00. An additional \$4,200.00 will

be needed for appraisal, escrow, title insurance and Department of General Services' review costs.

Expansion 8 \$14,000.00

This proposal is for the acquisition of 2.2 acres of unimproved desert land. The Grantor has agreed to sell for the approved fair market value of \$10,000.00. An additional \$4,000.00 will be needed for appraisal, escrow, title insurance and Department of General Services' review costs.

Expansion 9 \$14,000.00

This proposal is for the acquisition of 2.2 acres of unimproved desert land. The Grantor has agreed to sell for the approved fair market value of \$10,000.00. An additional \$4,000.00 will be needed for appraisal, escrow, title insurance and Department of General Services' review costs.

Expansion 10 \$79,200.00

This proposal is for the acquisition of 4.86 acres of unimproved desert land. The Grantor has agreed to sell for the approved fair market value of \$75,000.00. An additional \$4,200.00 will be needed for appraisal, escrow, title insurance and Department of General Services' review costs.

Expansion 11 \$14,400.00

This proposal is for the acquisition of 2.42 acres of unimproved desert land. The Grantor has agreed to sell for the approved fair market value of \$10,500.00. An additional \$3,900.00 will be needed for appraisal, escrow, title insurance and Department of General Services' review costs.

A private donor has offered to contribute \$100,000.00 toward the purchases, thus qualifying the projects for funding under the section of Proposition 12 of 2000 providing matching funds for protection of threatened and endangered species habitats.

Further Expansions \$1,050,000.00

Approval is also requested from the Board to acquire between 50 to 100 parcels with a total estimated value of \$1,000,000.00 to \$2,000,000.00 to accomplish the expansion plan in a more timely manner. The newly recommended Coachella Valley Ecological Reserve Expansion Program (Sand Source) is 3,035± acres in size and consists of approximately 231 separate parcels proposed for acquisition. Approximately 200 of the parcels range in size from less than .5 acre to 10 acres with the appraised values ranging from less than

\$10,000.00 to \$50,000.00 for each property. The advance approval and funding of these low cost properties would significantly shorten the acquisition process for the property owners and reduce valuable Board and staff time that would otherwise be required for parcel-by-parcel approvals.

In all cases, the acquisitions would require appraisals be reviewed and approved by the Department of General Services prior to negotiations with the affected landowners. In addition to the \$1,000,000.00 estimated purchase costs, staff anticipates \$50,000.00 would be necessary to cover appraisals, escrow expenses and Department of General Services' review charges.

Staff is informed that there may also be available private donations of up to a total of \$1,000,000.00 to match the state's share of the Board's purchases. As acquisitions occur, staff would propose to arrange for deposit of the donated sums to the state's various escrows. Agenda items will be prepared for informational purposes to the Board as the various properties are acquired as covered by this agenda item.

Mr. Gallup reported that Mr. Glen Black, Environmental Specialist representing the Department of Fish and Game was in the audience to answer questions.

Mr. Chrisman asked if there were any comments or questions. Ms. Porini requested clarification regarding the delegated authority included in this item and what mechanism was in place for advising the Board of further expansions.

Mr. Gallup responded that the items would be presented at a future Board meeting and staff would advise exactly which parcels were acquired, the appraised price and the cost to purchase the properties.

Staff recommended that the Board approve the acquisitions of Expansions 6 through 11 totalling 21.42± acres, as proposed; allocate \$180,000.00 from The Safe Neighborhood and Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Prop 12), Section 5096.350 (a)(5), \$155,500.00 for acquisitions and \$25,500.00 to cover related expenses; authorize the acceptance of the private donation of \$100,000.00 for deposit to the appropriate escrow accounts for these purchases; approve in advance the acquisitions of the "Further Expansions" as described above and as proposed; allocate \$1,050,000.00 from The Safe Neighborhood and Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Prop 12), Section 5096.350 (a)(5) to cover the anticipated purchase price and related expenses; and authorize the acceptance of private donations of up to \$1,000,000.00 for direct deposit to the appropriate escrow accounts for these purchases; authorize staff to enter into agreements as necessary to carry out these acquisitions as described; 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 acquisitions of Expansions 6 through 11 totalling 21.42± acres, as proposed; allocate \$180,000.00 from The Safe Neighborhood and Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Prop 12), Section 5096.350 (a)(5), \$155,500.00 for acquisitions and \$25,500.00 to cover related expenses; authorize the acceptance of the private donation of \$100,000.00 for deposit to the appropriate escrow accounts for these purchases; approve in advance the acquisitions of the “Further Expansions” as described above and as proposed; allocate \$1,050,000.00 from The Safe Neighborhood and Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Prop 12), Section 5096.350 (a)(5) to cover the anticipated purchase price and related expenses; and authorize the acceptance of private donations of up to \$1,000,000.00 for direct deposit to the appropriate escrow accounts for these purchases; authorize staff to enter into agreements as necessary to carry out these acquisitions as described; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

29. Gateway to Lake Isabella Wetlands Preserve, Kern County \$29,000.00

Mr. Wright reported that this proposal was to consider the allocation of a grant in the amount of \$27,740.00 to the County of Kern (County) for their acquisition of 19± acres of land for an “environmental focus center” and wetlands preserve for the Lake Isabella area. In addition to the Wildlife Conservation Board (WCB), the California Department of Transportation (Caltrans) will be contributing to the County’s purchase through an Environmental Enhancement and Mitigation Program (EEMP) Grant in the amount of \$72,260.00. Ms. Linda Drake described the project and its location.

The subject property is located near State Highway 155 (Kernville Road) and Highway 178 in Lake Isabella. The topography is relatively level and the area is home to the alkali mariposa lily, a federally listed species of concern.

The grant funds will be used to acquire the subject land for the purposes of wildlife habitat preservation, restoration and management, wildlife-oriented education and research and for compatible public uses, all as may be consistent with wildlife habitat preservation. Later development plans for the property include an office/visitors’ center, wetlands preserve and an interpretive trail, which will serve to educate visitors regarding wildlife, recreation and tourism in the local area. Only four acres of the commercially zoned portion of the parcel are usable. The remaining 15± acres have been designated as wetlands and cannot be developed.

The County currently has a purchase agreement with the property owner to acquire the subject property at its approved, appraised fair market value of \$100,000.00. The Board’s



proposed grant would provide \$27,740.00 to be applied toward the property, with the balance being provided by an approved EEMP grant, in the amount of \$72,260.00. It is estimated that an additional \$1,260.00 will be needed for administrative services, including Department of General Services' appraisal review costs, bringing the total recommended allocation for the proposal to \$29,000.00.

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 the instruments of conveyance prior to the disbursement of funds directly into escrow for acquisition of the property. The project is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes.

Ms. Drake expressed appreciation to Kern County and Kern Valley Heritage Foundation for their assistance in this project. Ms. Drake stated that Mr. Kevin O'Connor, representing the Department of Fish and Game, was in the audience to answer any questions or concerns.

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

Mr. O'Connor stated that this project was a good example of land use and public access along the South Fork Kern River and urged support for the project.

Mr. Wright reported that the Board received letters of support from Senator Pete Knight and Assembly member Roy Ashburn. Mr. Wright stated that this project represented a great opportunity for partnership with Kern County and the Department of Fish and Game.

Staff recommended that the Board approve the grant to the County of Kern to be applied toward the acquisition of 19± acres, as proposed; allocate \$29,000.00 from the Wildlife Restoration Fund, for the grant amount and related expenses; 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 Mr. Robert Hight that the Board approve the grant to the County of Kern to be applied toward the acquisition of 19± acres, as proposed; allocate \$29,000.00 from the Wildlife Restoration Fund, for the grant amount and related expenses; 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.**

30. Upper Cosumnes River Basin, El Dorado County \$590,000.00

Mr. Al Wright reported that this proposal was to consider the allocation of a grant in the amount of \$580,000.00 to the American River Conservancy (ARC) for a cooperative project with Packard Foundation (Packard) for the ARC purchase of an easement over 1,178± acres of foothill oaklands and riparian habitat located in the Upper Cosumnes River Basin. The Upper Cosumnes River Basin consists of properties from the mainstem Cosumnes River between Latrobe Road and Highway 49 in El Dorado and Amador Counties. The subject property is located along the Cosumnes River, north of Spring Valley Road and south of Melody Lane in El Dorado County. Packard will be contributing \$1,187,000.00 toward the total purchase price of \$1,767,000.00. Ms. Linda Drake described the project and its location.

Development pressure in the vicinity of the property has become evident over the past few years, especially from vineyard and residential development. The conservation easement will preserve open space, eliminate vineyard and housing development and protect/preserve wildlife and its habitat along this portion of the Cosumnes River. The ARC will manage the easement.

This project is the first purchase in the effort to preserve a hydrologically intact, landscape-scale ecosystem, running the 80-mile length of the Cosumnes River, from its headwaters in the El Dorado National Forest, through the Cosumnes River Preserve in the Central Valley. The Cosumnes River is the only river on the western slope of the Sierra Nevada without a major dam and the last free flowing river system on the west side of the Sierra Nevada. Flora and fauna thrive along the river including spring and fall salmon runs. The Cosumnes River has enormous local, statewide and global significance as a biological and hydrological model, a baseline river extremely useful in comparative analysis with other river systems. The Sierra Nevada Ecosystem Project (SNEP) recognizes the entire Cosumnes River Basin as supporting a wide variety of plant communities, significant areas where native fishes are still present, and habitats for endemic birds and aquatic insects. The California River Assessment (CARA) also ranks several segments of the upper Cosumnes River as having substantial or outstanding riparian and aquatic resource conditions. The property is dominated by Blue oak and Live oak woodland, Mixed chaparral, Chamise/Redshank chaparral, Annual grassland and Foothill riparian habitats. The habitat on the site include deer, mountain lion, quail, mountain and foothill yellow legged frog, bald eagle and other species common to this habitat type.

The appraised fair market value as approved by the Department of General Services, is \$1,767,000.00. As noted above, Packard Foundation has granted \$1,187,000.00 to the ARC and the WCB will grant an additional \$580,000.00 (Challenge Grant) funds which will be deposited in the ARC's escrow account. It is anticipated that an additional \$10,000.00 for administrative services, including Department of General Services' review costs, bringing WCB's total allocation for this proposal to \$590,000.00. This project is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes.

The terms and conditions of the proposed grant provide that staff will review all proposed title documents, appraisal, preliminary title reports, agreements for purchase and sale, escrow instructions and instruments of conveyance prior to disbursements of funds directly into escrow.

Ms. Drake stated that Mr. Alan Ehrgott representing the American River Conservancy was in the audience to answer questions or concerns. Mr. Chrisman thanked Mr. Ehrgott for his efforts in this project and also expressed appreciation to the Packard Foundation for their help in many worthwhile projects.

Staff recommended that the Board approve the award of a grant of \$580,000.00 to the American River Conservancy to be applied toward the purchase of a conservation easement as proposed; allocate \$590,000.00 from the General Fund (Challenge Grant) 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 Ms. Annette Porini that the Board approve the award of a grant of \$580,000.00 to the American River Conservancy to be applied toward the purchase of a conservation easement as proposed; allocate \$590,000.00 from the General Fund (Challenge Grant) 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.**

31. Canada de Los Osos, Santa Clara County \$7,475,000.00

Mr. Wright reported that this was a proposal to consider the acquisition of 4,400± acres of land for the protection of habitat for threatened and endangered species and to expand access for public recreational opportunities, and also to consider the subsequent transfer of a portion of the property to the Department of Parks and Recreation (DPR) as an addition to Henry Coe State Park. Mr. John Donnelly described the project and its location.

The property is located in a geographical area known as the Mt. Hamilton Range, at the southern edge of Henry Coe State Park, about six miles east of Gilroy in southern Santa Clara County. The property ranges in elevation from approximately 1,200 feet to 2,200 feet and access can be achieved from Jamieson Road, a small paved road off of Canada Road, approximately three miles south of the junction of Gilroy Hot Springs Road.

The property has a mix of annual grasslands, oak and montane woodland, chaparral, riparian

and wetland habitats, with numerous springs and ponds that provide habitat for a host of sensitive species including the California red-legged frog, California tiger salamander, western pond turtle and western spadefoot. Raptors, including golden eagles, nest throughout the region and wintering bald eagles are occasionally seen. Horned larks and loggerhead shrikes utilize the area throughout the year, as do several sensitive bat species, including the Yuma myotis, Townsend's big-eared bat, pallid bat and western mastiff bat. Other wildlife species found on the property include, mountain lions, black-tailed deer, wild pigs, wild turkeys and California quail.

This property, if acquired, will offer an opportunity for the Department of Fish and Game (DFG) to partner with DPR and the California Deer Association (CDA) in the management of the property. The CDA has already received a substantial endowment to be used specifically for youth outdoor education and has agreed to provide ongoing funding to manage the property and conduct the planned management programs. The DFG will develop management goals for the property and CDA will carry out habitat improvements and educational programs to achieve the DFG's goals. Wildlife habitat improvements will focus on enhancement of sensitive species and game species by protection of riparian and wetland areas, controlled burning, enhancing native perennial grasses and limited planting of wildlife forage species. Outdoor education programs will include providing hands-on experience to youth and adult volunteers in the implementation of management and monitoring projects, junior deer, pig and turkey hunts, hunter education, youth fishing programs and other youth outdoor recreational activities.

The Nature Conservancy (TNC) was able to pre-purchase the property to allow time for the state to secure an appraisal, funding and project approvals. TNC has agreed to sell the property to the state at the Department of General Services' approved appraised value of \$7,450,000.00. It is estimated that an additional \$25,000.00 will be needed for Department of General Services' review charges, title and escrow company fees. The project is exempt from CEQA as an acquisition of land for wildlife conservation purposes.

As part of the overall project, it is proposed that the DFG, through and with the approval of the Board, sell 200± acres of the total 4,400± acres, including appurtenant improvements, to the DPR at the current Department of General Services' approved value of \$1,700.00 per acre. The DPR proposes to use the portion transferred from the DFG for additional access to, and parking for, Henry Coe State Park.

Mr. Donnelly reported that staff representing Department of Fish and Game's Central Coast Region were in the audience to answer questions as well as representatives from the California Deer Association and a adjacent landowners.

Mr. Chrisman asked if there were any comments from staff regarding this project. He reported that Margaret Wolford had indicated an interest in speaking on this project. Ms. Wolford requested clarification regarding hunting and access to the area. She was advised that the hunting would be restricted to the youth hunting education program. Mr. Donnelly

went on to explain that it was proposed that Coe Park would receive 200 acres on the western edge which is adjacent to the park on the southern boundary with some use of the building. She was also assured that as a property owner in the area, she could continue to use the access road to reach her property and that they would be allowed to carry weapons on the property.

Mr. Chrisman requested clarification regarding Ms. Wolford's access to the property. Mr. Donnelly advised that there is a deeded easement which provides for continued access.

Mr. Henry Colletto of the California Deer Association commented that the Association is looking forward to a long-term partnership with Department of Fish and Game to manage this property for youth and youth education as well as some hunting and fishing programs. He stated that the Association is committed to provide funding over a long period of time to make sure these programs and projects are carried out. He urged support for this project.

Mr. Chrisman asked a question regarding when the management program would be in place. Mr. Colletto stated that it was their plan to start the program right away.

Mr. Chrisman asked for further comments. There were none.

Staff recommended that the Board approve the acquisition of the subject property as proposed; allocate \$7,475,000.00 [\$4,000,000.00 from The Safe Neighborhood and Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Prop 12) Section 5096.350 (a)(3) and \$2,000,000.00 from the Habitat Conservation Fund, Section 2786 (b/c)] and \$1,475,000.00 from Habitat Conservation Fund, Section 2786 (a)] to cover acquisition costs and to pay for project expenses; authorize the sale and transfer to 200± acres to the California Department of Parks and Recreation; authorize staff to enter into appropriate agreements necessary to complete this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**It was moved by Mr. Robert Hight that the Board approve the acquisition of the subject property as proposed; allocate \$7,475,000.00 [\$4,000,000.00 from The Safe Neighborhood and Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Prop 12) Section 5096.350 (a)(3) and \$2,000,000.00 from the Habitat Conservation Fund, Section 2786 (b/c)] and \$1,475,000.00 from Habitat Conservation Fund, Section 2786 (a)] to cover acquisition costs and to pay for project expenses; authorize the sale and transfer to 200± acres to the California Department of Parks and Recreation; authorize staff to enter into appropriate agreements necessary to complete this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

Mr. Hight commented that it was his hope that this project was the first of many to come where the Department of Fish and Game and Department of Parks and Recreation could work cooperatively together to provide better opportunities to the public.

32. Bear Valley Conservation Area, Colusa County \$1,115,000.00

Mr. Wright reported that this was a proposal to consider a Grant to the American Land Conservancy (ALC) to assist in a cooperative project to acquire a conservation easement over 12,896± acres of land for the protection of native plants, riparian and grassland habitats, and oak woodlands, located in southwestern Colusa County. Mr. John Donnelly described the project and its location.

More specifically, the property is located north of Highway 20 near the eastern boundary of Lake County in the coastal mountain range. Located between the towns of Clear Lake and Williams, the Bear Valley watershed feeds into Bear Creek which enters the property at the north and flows approximately eight miles south exiting the property near its confluence with Cache Creek, a critically important tributary to the San Francisco Bay Delta System. Access to the subject property is off Bear Valley Road located near the junction of State Highways 16 and 20.

The Bear Creek watershed is an ecologically significant landscape that comprises 65,000± acres in California's Inner Coast Range. A wealth of native plant communities are found within the watershed and over 400 species of native plants have been reported in the area. The subject property occupies the northern portion of the watershed and is visited by thousands of people each year viewing the vast expanses of native flowering plants. The subject property is bisected by a county maintained road, making the stunning wildflower displays easily accessible for public viewing. Colusa County and the ranching community have expressed interest in creating a public viewing and education area on the subject property. Consequently, a one-acre parking area will be developed with interpretive signs explaining the relationship between ranching and native plant health.

The subject property is a diverse assemblage of plants and animals. In addition to the native prairie plant community found on the property, other plant communities include wetlands, valley and blue oak savannah, chaparral, serpentine barrens, annual grassland and a variety of riparian types. The diversity of habitats in the watershed provide home to a rich array of wildlife, including 33 special-status plants and animals listed by the California Natural Diversity Data Base, 14 of which are state or federally listed species of concern. Neotropical migratory birds, including obligate riparian species, use several critical habitats found on the property. The Bear Creek drainage is a rare aquatic ecosystem, supporting native fishes, northwestern pond turtle and yellow legged frogs. In addition, the property supports populations of black-tailed deer and tule elk.

At this time, several large tracts of land surrounding the subject property are currently in public ownership or are protected by conservation easements which are held by non-profit conservation organizations. The subject property lies between 24,795 acres of land owned and managed by the Bureau of Land Management (BLM) and consisting of Walker Ridge, located to the west, and Cortina Ridge, located to the east. In addition, the popular Wilbur Hot Springs, a rustic resort adjacent to the southern edge of the subject property, currently encompasses 1,530± acres and is permanently protected under conservation easement held by the ALC.

Because of its agricultural and ecological value, Bear Valley Conservation Area is an ideal location for demonstrating that cattle ranching can coexist with protecting and improving natural resource values. With a conservation easement prohibiting detrimental practices, a restoration program in place and responsible and experienced ranchers managing the land, both natural and economic values will be upheld. Achievement of these goals has already begun and the National Fish and Wildlife Foundation (NFWF), through its Pulling Together Initiative, has awarded two grants to initiate noxious weed control projects on the subject property and the surrounding Bear Creek watershed. The NFWF has granted to the ALC \$98,000.00 over a two-year period to fund this long-term restoration effort, which is a partnership of land agencies, academic institutions, environmental organizations and local landowners who have joined forces to manage and control the invasive plants that are threatening the native diversity of the watershed.

The ALC has secured an option to purchase a conservation easement over the 12,896± acre property and will assign its rights under the conservation easement to the California Rangeland Trust upon completion of the project. The property has been appraised and the Department of General Services (DGS) has approved the value of the conservation easement at \$1,610,000.00. It is proposed that the Board provide a grant in the amount of \$1,110,000.00, with the balance of the purchase price (\$500,000.00) being provided by The Packard Foundation. Processing costs, including DGS review fees, are estimated to be an additional \$5,000.00, bringing the total allocation necessary to complete this purchase to \$1,115,000.00. The project is exempt from CEQA under Class 13 of Categorical Exemptions as participating in an acquisition of land for wildlife conservation purposes.

Mr. Chrisman asked if there were any comments or questions. Mr. Wright commented that this is one of the first projects presented to the Board where the California Rangeland Trust will manage the easement and that the Trust may become more involved in this type of partnership in the future.

Staff recommended that the Board approve the award of a grant to the American Land

Conservancy to be applied to the acquisition of a conservation easement over 12,896± acres of habitat as proposed; allocate \$1,115,000.00 for the grant and related expenses [\$500,000.00 from the 2000/01 General Fund Challenge Grant Fund and \$615,000.00 from 2000/01 General 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.

**It was moved by Ms. Annette Porini that the Board approve the award of a grant to**

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**Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

33. Sacramento River Conservation Area, Glenn County \$1,372,500.00

Mr. Wright reported that this was a proposal to consider the allocation of a grant to The Nature Conservancy (TNC) for the purchase of two separate ownerships totaling 191± acres of land for inclusion in the Sacramento River Conservation Area for the protection, restoration and enhancement of fisheries and riparian habitats along the Sacramento River. The project is within the “Upper River Fisheries and Riparian Habitat Management Plan” (1989) developed and resulting from passage of Senate Bill 1086 (1986). Mr. Dave Means described the project and its location.

The property is located in Glenn County, west of Chico, on the east side of the Sacramento River, 1 mile south of Hamilton City situated outside the levee and adjacent to a California Department of Fish and Game managed area (located within the river channel). On the opposite and west side of the river are TNC, California Department of Fish and Game and U.S. Fish and Wildlife Service managed areas.

Senate Bill 1086, called for development of a management plan for the Sacramento River and its tributaries to protect, restore and enhance fisheries and riparian habitats. The law created an Advisory Council, composed of representatives of federal, state and local agencies, county supervisors, landowners, commercial and sport fisheries and conservation representatives.

To help guide and implement the Management Plan, they developed the Sacramento River Conservation Area Handbook. The subject property is situated within what is described as the “Red Bluff to Chico Landing Reach.” The proposed acquisition and restoration by TNC is consistent with the Management Plan for this reach and has been presented to the advisory

council as an information item.

The property is currently operated as prune and walnut orchards. Located on the northern and eastern boundaries of the property is a privately maintained levee, commonly referred to as the "J" levee. The area is prone to flooding and erosion threatens the levee's effectiveness. The Advisory Council has voted unanimously to support the Hamilton City Flood Protection Project, to study the potential reconstruction and relocation of the levee. Local landowners, the Hamilton City Community Services District, Butte and Glenn Counties, the State Reclamation Board and TNC are all working with the US Army Corp. of Engineers to support this effort. In the interim, TNC will manage the property as orchards, removing trees as they reach the end of their production cycle.

TNC, by purchasing the property, will allow for the relocation and reconstruction of the levee further west of the property. After the levee is constructed, the subject property will lie within the new river channel and flood plain, allowing TNC to retire the orchards and restore the property to a riparian habitat. This will provide an important seasonal habitat and contribute to the recovery of several groups of species including salmonids, neotropical migratory birds, waterfowl and native amphibians. Individual species found within the project area include the giant garter snake, least Bell's Vireo, bank swallow, western yellow-billed cuckoo, greater sandhill crane, Swainson's hawk, California yellow warbler, western pond turtle and the Valley Elderberry Beetle.

The two proposed acquisitions are more specifically described as follows:

Sacramento River Conservation Area \$808,000.00

The property is 102± acres in size, improved with walnut trees. The terms 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 Department of Fish and Game is highly supportive of the project and the efforts of the Advisory Council and recommends the purchase of the property through this grant assistance. The fair market value of the property, as approved by the Department of General Services (DGS), is \$805,000.00. An additional \$3,000.00 will be needed for DGS review costs.

Expansion 1 \$564,500.00

The property is 89± acres in size, improved with prune trees and adjacent to the property described above. The terms 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 Department of Fish and Game is highly supportive of the project and the efforts of the Advisory Council and recommends the purchase of the property through this grant assistance.

The fair market value of the property, as approved by DGS, is \$561,500.00. An additional \$3,000.00 will be needed for DGS review costs.

Mr. Means reported that this project has been presented to the Sacramento River Conservation Board for comments and that the Wildlife Conservation Board received a letter of support from the Glenn County Board of Supervisors in favor of this project. He reported that Mr. Sam Lawson representing The Nature Conservancy was in the audience to answer any questions regarding management of the property.

Mr. Wright reported that he received a letter from Mr. John Muirs representing the Sacramento River Preservation Trust questioning future restoration activities and that he has some legitimate concerns. Mr. Wright went on to explain that he talked with Mr. Muirs and that he is not opposed to the acquisitions. Mr. Chrisman requested clarification regarding the future of the orchards. Mr. Means explained that in the interim the orchards would be leased out and maintained as orchards. In the future, it is hoped that the levee will be moved and the orchards will be retired.

Ms. Porini asked a question regarding time frames. Mr. Sam Lawson of The Nature Conservancy stated that the fruit orchard is near the end of its useful life, three to five years, and the walnut orchard has perhaps five to eight years left in its useful life. He stated that the orchards could be maintained for those periods of time and that the income derived would be used to pay local taxes, manage the property and contribute toward the restoration at the time that the orchards come out of production.

Staff recommended that the Board approve the grant to TNC for the fee purchase of the subject properties as proposed; allocate a total of \$1,372,500.00 for the grant and related costs from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Board Act (Prop 12), Section 5096.350 (a)(2) (Riparian Habitat and Watershed Conservation); 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 as substantially as planned.

**It was moved by Ms. Annette Porini that the Board approve the grant to The Nature Conservancy for the fee purchase of the subject properties as proposed; allocate a total of \$1,372,500.00 for the grant and related costs from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Board Act (Prop 12), Section 5096.350 (a)(2) (Riparian Habitat and Watershed Conservation); 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 as substantially as planned.**

**Motion carried.**

Mr. Hight expressed his appreciation to The Nature Conservancy for their hard work in that area, as well as the SB 1086 working group.

34. Humboldt Bay Wildlife Area, Jacoby Creek/Gannon Slough Unit, \$550,000.00  
Humboldt County

Mr. Wright reported that this proposal is to consider the allocation of a grant to the Jacoby Creek Land Trust for a cooperative project with the City of Arcata and the Department of Fish and Game to protect, enhance and restore habitat in the Jacoby Creek watershed located south of the City of Arcata in Humboldt County. Mr. William Gallup described the project and its location.

The subject property is located on Old Arcata Road which originates in the City of Arcata and extends southerly to the City of Eureka approximately ½ mile east of State Highway 101.

Land uses in the area are generally rural in nature with homes situated on small acreage parcels with many developed to agricultural use. Topography of the subject is generally flat with Jacoby Creek forming the southerly boundary. The subject property is currently a “Class B” dairy with a single family residence and barns. The property has full perimeter fencing.

The primary purpose of this proposed grant is to protect and allow for the restoration of the Jacoby Creek corridor which is part of the larger Humboldt Bay ecosystem that provides wetland habitat for fish, waterfowl, wading birds, shorebirds, passerines, raptors and other water associated wildlife. The Jacoby Creek/Gannon Slough Enhancement Area properties are adjacent to the U.S. Fish and Wildlife Service’s Humboldt Bay Wildlife Refuge and the southeast boundary of the City of Arcata Marsh and Wildlife Sanctuary. The McDaniel Slough Unit of the Department of Fish and Game’s Humboldt Bay Wildlife Area is immediately west of the Wildlife Sanctuary. The Jacoby Creek Land Trust currently has approximately 21 acres of conservation easements for the protection of Jacoby Creek.

Most of Jacoby Creek was originally part of Humboldt Bay’s extensive intertidal salt marsh and mud flats prior to the construction of the Northwestern Railroad line adjacent to the bay and later State Highway 101. Construction of these facilities as well as timber harvest in the upper watershed and conversion of the riparian areas to agricultural uses in the lower watershed have impacted Jacoby Creek. Installation of tide gates to stop saltwater intrusion onto the land and other types of construction has degraded habitat for fish and other aquatic organisms. Tidal restoration and freshwater wetland enhancement in this area will benefit a variety of wildlife. In addition, restoration and enhancement on Jacoby Creek should benefit listed and sensitive species including the northern red-legged frog, the foothill yellow-legged frog, coastal cutthroat trout, coho salmon, steelhead and the tidewater goby. Some coastal

cutthroat trout, Pacific giant salamander, California slender salamander and northern red-legged frogs populations still exist in the area.

Management of the property after acquisition will be handled by the Jacoby Creek Land Trust in cooperation with the Department of Fish and Game and the City of Arcata. This will include providing passive public access, maintenance and restoration of habitats and protection of the species of concern.

This proposal is to make a grant to acquire 63± acres of land and improvements within the Jacoby Creek drainage. The owner has agreed to sell this property for the approved appraised value of \$540,000.00. An additional \$10,000.00 will be needed for appraisal costs, appraisal review and other related expenses.

The Department of Fish and Game has recommended the acquisition of this property through this grant assistance. There are no claims of sovereign State Land ownership over any of the property. The purchase is exempt from CEQA, under Class 13 of the Categorical Exemption, as an acquisition of land for wildlife purposes. Funding is available in the General Funds made available to the Board specifically for wetland habitat protection and restoration projects.

Mr. Gallup reported that the Board received five letters of support from local groups and citizens, including letters from the Humboldt County Board of Supervisors, Senator Wesley Chesbro and Assembly member Virginia Strom-Martin. Mr. Gallup introduced Mr. Tim Burton, Senior Biologist from the Department of Fish and Game, Mr. Mark Andre from the City of Arcata and Mr. Gary Friedrichson and Ms. Ruth Blyther from the Jacoby Creek Land Trust. Mr. Chrisman expressed his appreciation to them for traveling so far to attend the meeting. Ms. Blyther stated that the Jacoby Creek Land Trust has been working with the City of Arcata and that this was the first purchase for their small land trust and that they're really excited about this project including the riparian habitat restoration and fisheries habitat restoration. Mr. Mark Andre stated that this is the City's first partnership with the Land Trust, partnering with Department of Fish and Game and that the project compliments other plans for the area.

Staff recommended that the Board approve a grant to the Jacoby Creek Land Trust for the acquisition of the subject property; allocate a total of \$550,000.00 to cover the grant and related costs from the General Fund, Wetlands Account; authorize staff to enter appropriate agreements necessary to carry out 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 a grant to the Jacoby Creek Land Trust for the acquisition of the subject property; allocate a total of \$550,000.00 to cover the grant and related costs from the General Fund, Wetlands Account; authorize staff to enter appropriate agreements necessary to carry out this project and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

35. Resolutions Honoring Senators Patrick Johnston and Mike Machado

Mr. Wright reported that the following resolutions were submitted for enactment by the Wildlife Conservation Board.

Resolution Honoring Senator Patrick Johnston

WHEREAS, Senator Patrick Johnston has served with distinction as a dedicated member of the Joint Legislative Advisory Committee of the Wildlife Conservation Board for close to eight years; and

WHEREAS, Senator "Pat" Johnston's love for the outdoors is noted by his support of many WCB projects, wherein he developed a special affection for the Woodbridge Ecological Reserve, where he is known to be a frequent visitor to view and enjoy the splendor of the area and its winter visitor, the Sandhill Cranes; and

WHEREAS, Senator Johnston's sound judgement, wise counsel and leadership, drawn from his long career in the California Legislature has greatly assisted the Board and its staff in furthering the cause of wildlife conservation and his support for funding public access projects has enhanced related recreation in California; and

WHEREAS, the Senator's earnest desire to promote this program for the good of all the citizens of California has certainly been observed in the accomplishments of the Board during his tenure.

NOW THEREFORE BE IT RESOLVED, that we, the members of the Wildlife Conservation Board, the Joint Legislative Advisory Committee, and the Board staff convey to "Pat" Johnston our heartiest congratulations and best wishes to him in his retirement from the California Senate; and be it further

RESOLVED, that this resolution be made a part of the official minutes of this Board and that a copy of this resolution be furnished to Senator Johnston.

Resolution Honoring Senator Mike Machado

WHEREAS, Senator Mike Machado, in his capacity as a California Assemblyman, has served as a dedicated member of the Joint Legislative Advisory Committee of the Wildlife Conservation Board for more than three years; and

WHEREAS, through his knowledge and interest in wildlife matters he has furthered the cause of wildlife conservation and related recreation throughout California; and

WHEREAS, it is the desire of the Board to gratefully acknowledge Senator "Mike" Machado's contributions to the work of the Board through his personal support as well as that of his great staff.

NOW THEREFORE BE IT RESOLVED, that we, the members of the Wildlife Conservation Board, the Joint Legislative Advisory Committee and the Board staff convey to Mike Machado our heartiest congratulations and best wishes to him as he continues his legislative career in a new capacity as California Senator; and be it further

RESOLVED, that this resolution be made a part of the official minutes of this Board and that a copy of this resolution be furnished to Senator Machado.

Staff recommended that the Board approve the resolutions as proposed, that they be made a part of the official minutes of this Board and that copies of the resolutions be provided to Senators Pat Johnston and Mike Machado.

The Board Members felt it was very appropriate to honor the Senators for their public service and commitment to the Wildlife Conservation Board.

**It was moved by Mr. Robert Hight that the Board approve the resolutions as proposed, that they be made a part of the official minutes of this Board and that copies of the resolutions be provided to Senators Pat Johnston and Mike Machado.**

**Motion carried.**

36. Natural Heritage Preservation Tax Credit Act of 2000

Mr. Wright reported that this item is to report on the status of the new Natural Heritage Preservation Tax Credit Act of 2000 and to seek authorization to proceed with the implementation of the program. Ms. Marilyn Cundiff described the program.



Recently enacted legislation, Chapter 113, Statutes of 2000, created the Natural Heritage Preservation Tax Credit Act of 2000. As previously reported at the November 2, 2000 Board meeting, the intent of this program is to provide an additional tool to protect and conserve open space, agricultural lands, plant and wildlife habitat. Further, the intent is to provide additional state, local or regional parks for the enjoyment of the people of California.

To accomplish these goals, the Act provides \$100,000,000 in tax credits for donations of qualified lands and water for permanent protection. State tax credits are available to private landowners interested in donating qualified lands to state resource departments, local governmental entities and qualified nonprofit organizations for conservation purposes.

Designed to compliment other resource protection efforts, this program provides an opportunity to private landowners to reduce their California State tax liability and contribute toward the conservation of California's natural heritage. Specifically, in exchange for donated property, the landowner or donor, 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.

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. Consistent with these requirements, staff have prepared internal and administrative procedures necessary to implement this program. Moreover, selection guidelines have been prepared to assist with the evaluation of donated lands.

Recognizing the sensitivities associated with the development of selection guidelines, a one day workshop was held. Workshop participants represented resource oriented state departments, farming and rangeland interests, water interests and nonprofit groups representing conservation organizations. Selection guidelines were discussed and ultimately developed to elicit information from the donee (organization responsible for submitting the donation application) that would further describe the merits and value of the property. Questions were designed to tap into the donation's contribution toward a larger landscape or regional conservation effort, the "added value" associated with the property and whether or not the property contributed to multiple objectives. The questions will be used to review and evaluate the application and prepared recommendations for the Board's consideration and ultimate approval.

The Act was silent with respect to the distribution of the tax credits across all five criteria and distribution throughout the entire state. As such, staff proposes to monitor the accepted donations and perform an evaluation of the program after the first six months. If it appears that additional guidelines are needed to distribute the tax credit across all eligible criteria on a

statewide basis, further guidelines will be developed.

The Act exempts the Board from provisions of the Government Code that require the Office of Administrative Law (OAL) to review any guidelines or regulations a state entity proposes to establish. As such, the proposed selection guidelines are exempt from OAL review and are ready for distribution as part of the application package designed to implement the program. To assure proper implementation of this program, development of the operating procedures, guidelines and application package have been coordinated with the Franchise Tax Board, Department of Finance, Resources Agency and the Department of General Services.

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. Staff proposes that all lands accepted into the program be reviewed on an annual basis. State departments that accept qualified donations are responsible for monitoring their lands, and the Board is identified as the responsible entity to monitor donations accepted by nonprofit organizations and local governmental entities. Staff further proposes that state departments responsible for monitoring donations report to the Board on an annual basis regarding the status of state-owned donated lands.

Mr. Chrisman requested clarification regarding the state tax credit. Ms. Cundiff explained that it involved state income taxes and that the value of the tax credit, 55 percent of the appraised Department of General Services' approved value, would be the credit used from what the donor would owe in his income taxes. She went on to explain that if a donor did not have a significant tax liability in the first year, the excess credit may be carried forward for up to eight years.

Mr. Wright stated that staff have coordinated the development of the package and the criteria with staff from the Department of Finance, Department of General Services and Franchise Tax Board.

Mr. Chrisman stated that he was very impressed with this program and that he was glad to see it available for Californians. Ms. Porini and Mr. Hight also expressed their enthusiasm for the program.

Staff recommended that the Board approve the selection guidelines and authorize staff to proceed with the distribution of the application package; and authorize staff to proceed with the implementation of the program substantially as planned.

**It was moved by Ms. Annette Porini that the Board approve the selection guidelines and authorize staff to proceed with the distribution of the application package; and**

**authorize staff to proceed with the implementation of the program substantially as planned.**

**Motion carried.**

Mr. Wright expressed his appreciation to the staff for their hard work and diligence in the preparation of these projects and agenda. Mr. Chrisman expressed his gratitude to the Board staff for their professionalism in carrying out the Board's mission.

There being no further business to discuss, the meeting was adjourned at 11:45 A.M.

Respectfully submitted,

Al Wright  
Executive Director

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