

DEPARTMENT OF FISH AND GAME

WILDLIFE CONSERVATION BOARD

1807 13TH STREET, SUITE 103
 SACRAMENTO, CALIFORNIA 95814
 (916) 445-8448
 FAX (916) 323-0280
 www.dfg.ca.gov/wcb



State of California
 The Resources Agency
 Department of Fish and Game
WILDLIFE CONSERVATION BOARD
Minutes
August 30, 2001

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WILDLIFE CONSERVATION BOARD

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GRAY DAVIS,

SACRAMENTO,



WILDLIFE CONSERVATION BOARD

August 30, 2001

The Wildlife Conservation Board met at the State Capitol, Room 112, Sacramento, California on August 30, 2001. The meeting was called to order at 10:00 A.M. by Mr. Michael Chrisman, President of the Fish and Game Commission and Chairman of the Board. At this time he introduced Mr. Robert C. Hight, Director of the Department of Fish and Game, Mr. Michael Endicott representing Assembly Member Hannah-Beth Jackson, and Mr. Al Wright, Executive Director of the Wildlife Conservation Board. Mr. Chrisman welcomed the large audience and commented that the Board would be considering a full agenda. Mr. Chrisman then turned over the meeting to Mr. Wright. Mr. Wright stated that Board Member Annette Porini, Chief Deputy Director of the Department of Finance, would be joining the meeting in a few minutes. Mr. Wright thanked the audience for their attendance and their input on the projects being considered.

1. Roll Call

WILDLIFE CONSERVATION BOARD MEMBERS

Michael Chrisman, Chairperson
President, Fish and Game Commission
Robert C. Hight, Member
Director, Department of Fish and Game
Annette Porini
Vice, B. Timothy Gage, Member
Director, Department of Finance

JOINT LEGISLATIVE INTERIM ADVISORY COMMITTEE

Michael Endicott
Vice, Assembly Member Hannah-Beth Jackson
Gavin Payne
Vice, Senator Jack O'Connell

EXECUTIVE DIRECTOR

Staff Present: Al Wright
Al Wright, Executive Director
Jim Sarro, Assistant Executive Director
Georgia Lipphardt, Assistant Executive Director
Jan Beeding, Office Technician
Ron Boeck, Senior Land Agent
Pat Butcher, Office Technician
Gary Cantrell, Staff Services Analyst
Tony Chappelle, Public Land Management Specialist
Scott Clemons, Public Land Management Specialist
Marilyn Cundiff, Public Land Management Specialist
John Donnelly, Senior Land Agent
Linda Drake, Senior Land Agent
William Gallup, Senior Land Agent
Dave Means, Senior Land Agent
Terri Muzik, Assistant Land Agent
Randy Nelson, Senior Land Agent
Peter Perrine, Public Land Management Specialist
Maureen Rivera, Executive Assistant
Jenny Smith, Staff Services Analyst
Debra Townsend, Senior Land Agent
Roxanne Woodward, Budget Officer

Others Present: Senator Wesley Chesbro
Jake Messerli, California Waterfowl Association
Cindy Gustafson, Tahoe City Public Utility District
Robert Lourey, Tahoe City Public Utility District
Gary Kuwabara, Department of Defense
Jack Peters, United States Air Force
Paul Shaw, Los Padres National Forest
Gary Kukkola, Sacramento County Regional Parks
Laura Svendsgaard, Sacramento County Regional Parks
Steve Arrison, Department of Fish and Game
Terry Stewart, Department of Fish and Game
Gail Presley, Department of Fish and Game
Bonnie Turner, Department of Fish and Game
Banky Curtis, Department of Fish and Game
Chris Kelly, Mendocino Land Trust
Jessie Lee, Mendocino Land Trust
Jenny Griffin, Big River
Chris Unkel, The Nature Conservancy
Vince Daly
Rorie Skei, Santa Monica Mountains Conservancy

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Carolyn Chandler, Land Trust for Santa Barbara County
Karen Worcester, Regional Water Quality Control Board/Morro Bay
National Estuary Program
Dave Paradies, Bay Foundation of Morro Bay/Morro Bay National
Estuary Program
Lois Wolk, Yolo County Board of Supervisors
Russell White
Richard L. Hall
Scott Stone
Elly Fairclough, Office of Assembly member Helen Thomson
Kathy Fairclough
Tom Paulek, Department of Fish and Game
Sarah Christie, California Coastal Commission
Margit Aramburu, Delta Protection Commission
Mike Flaherty, Daily Republic
Dave Feliz, Department of Fish and Game
Brian Micek, Hill and Knowlton
Tom Stallard, Yolo County Board of Supervisors
Mike Jessop, Suisun City
Michael Lebeau, Trust for Wildlands Communities
Ed Flynn
Henry Rodegerdts
Valerie Gordon, The Nature Conservancy
Jeff Calvert, Department of Forestry and Fire Protection
Lydia MacMillen, San Joaquin River
Mike Reagan, Office of Senator Maurice Johannessen
Vern F. VanBuskirk, Citizens Committee to Protect Travis AFB
Lori Clamurro, Delta Protection Commission
Julian DeSantiago, Department of Fish and Game
Greg Lowther
Daniel Olson
Bud Thrapp, Department of Water Resources
Robin Kulakow, Yolo Basin Foundation
David Colfax, Mendocino County Board of Supervisors
Geneva Brett, Waterskiers with Disabilities
George Basye, Downey, Brand, Seymour and Rohwer
Larry Horan, El Sur Ranch
James Hill, El Sur Ranch
C.A. Rasmussen
Jennifer Johnson, The Nature Conservancy
Nancy Schaefer, The Conservation Fund
Katherine Boxer Latipou, City of Fresno
Christopher Kost, Stanford University
John Martini, California Natural Gas Producers Association

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Skip Thomson, Solano County Board of Supervisors
Corey Brown, Big Sur Land Trust
Lauren DeRoy, Palos Verdes Peninsula Land Conservancy
Jack Reagan, San Joaquin River Conservancy
Dave Koehler, San Joaquin River Parkway and Conservation Trust
Audrey Rust, Peninsula Open Space Trust
Walter Moore, Peninsula Open Space Trust
Jim Swanson, Department of Fish and Game
Banky Curtis, Department of Fish and Game
Jeanie Darby, Los Padres National Forest
Tim Burton, Department of Fish and Game
Jan Lowery, Cache Creek Conservancy

2. Funding Status as of August 30, 2001 (Informational)
- (a) 2001-02 Wildlife Restoration Fund Capital Outlay Budget
- Governor's Budget - Minor Projects.....\$200,000.00
- (b) 2000-01 Wildlife Restoration Fund Capital Outlay Budget
- Legislation, San Francisco Baylands Restoration Program Acct.....\$25,000,000.00
Less Previous Board Allocations (50,000.00)
Unallocated Balance\$24,950,000.00
- (c) 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
- (d) 1998-99 Wildlife Restoration Fund Capital Outlay Budget
- Governor's Budget - Land Acquisition.....\$200,000.00
Less Previous Board Allocations (200,000.00)
Unallocated Balance\$0.00
- (e) 2001-02 Habitat Conservation Fund Capital Outlay Budget
- Governor's Budget.....\$20,191,000.00
- (f) 2000-01 Habitat Conservation Fund Capital Outlay Budget

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Governor's Budget.....\$20,005,000.00
Less Previous Board Allocations(6,149,571.00)
Unallocated Balance\$13,855,429.00

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

Governor's Budget.....\$18,932,000.00
Less Previous Board Allocations(15,595,246.08)
Unallocated Balance\$3,336,753.92

(h) 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

(viii) 2001-02 General Fund Capital Outlay (Local Assistance) Budget

Governor's Budget.....\$559,000.00

(j) 2000-01 General Fund Capital Outlay Budget

Governor's Budget.....\$115,000,000.00
Less Previous Board Allocations(30,045,700.00)
Unallocated Balance\$84,954,300.00

(k) 1999-00 General Fund Capital Outlay Budget

Governor's Budget.....\$33,100,000.00
Less Previous Board Allocations(25,521,930.59)
Unallocated Balance\$7,578,069.41

(l) 1998-99 General Fund Capital Outlay Budget

Governor's Budget.....\$4,850,000.00
Less Previous Board Allocations(4,715,788.57)
Unallocated Balance\$134,211.43

(m) 1999-00 Harbors and Watercraft Revolving Fund

Governor's Budget.....\$1,050,000.00
Less Previous Board Allocations(700,000.00)

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Unallocated Balance	\$350,000.00	
 (n) <u>2000-01 Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Bond Fund (River Protection Subaccount)</u>		
Governor's Budget.....	\$24,000,000.00	
Less Previous Board Allocations	(7,340,000.00)	
Unallocated Balance	\$16,660,000.00	
 (o) <u>2000-01 Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund Capital Outlay Budget</u>		
Governor's Budget.....	\$216,125,000.00	
Less Previous Board Allocations	(54,791,862.00)	
Unallocated Balance	\$161,333,138.00	
 Governor's Budget (San Joaquin River Conservancy Projects)		\$14,562,000.00
Less Previous Board Allocations	(75,000.00)	
Unallocated Balance	\$14,487,000.00	
 (p) <u>1999-00 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund</u>		
Continuously Appropriated [Sec. 5096.350 (a)(1), (2), (4) and (7)]....	\$38,000,000.00	
Less Previous Board Allocations	(8,724,070.00)	
Unallocated Balance	\$29,275,930.00	

RECAP OF FUND BALANCES

<u>Wildlife Restoration Fund</u> (a), (b), (c) and (d).....	\$25,348,000.00
<u>Habitat Conservation Fund</u> (e), (f), (g) and (h).....	\$37,383,182.92
<u>General Fund</u> (i), (j) (k) and (l).....	\$93,225,580.84
<u>Harbors and Watercraft Revolving Fund</u> (j)	\$350,000.00
<u>Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Bond Fund</u> (k)	\$16,660,000.00
<u>Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund</u> (l) and (m).....	\$205,096,068.00

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.....	(1,284,250.00)
Tax Credit Available.....	\$98,715,750.00

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 1% of a budgeted appropriation to set up and maintain an appropriate planning account with the provision it would be reported to the Board as an informational item at the next meeting.

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

General Fund.....	\$10,000.00
Habitat Conservation Fund	\$20,000.00
Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund	\$50,000.00

Mr. Wright asked the Board Members if there were any questions regarding the above informational items before proceeding with the Consent Calendar. There were none.

4. Proposed Consent Calendar (Items 5 - 8, 10 - 38 and 58)

Staff recommended that the Board approve Consent Calendar items 5 through 8, 10 through 38 and item 58.

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

It was moved by Mr. Robert Hight that the Board approve Consent Calendar items 5 through 8, 10 through 38 and item 58.

Motion carried.

Before proceeding with the remaining agenda items, Mr. Wright asked Mr. John Schmidt to provide a brief update on the San Joaquin River Riparian Habitat projects (Consent Calendar Item 22). Mr. Schmidt provided a history of the Board's involvement with the San Joaquin

River projects and cooperative efforts with the San Joaquin River Conservancy and the San Joaquin River Parkway and Conservation Trust. He commented that, as of this date, approximately 3,000 acres along the river have been protected, out of the 5,900 acres noted in the original legislation.

Mr. Chrisman thanked the Board, the San Joaquin River Conservancy and the San Joaquin River Parkway and Conservation Trust for their efforts in this area, noting that these projects, as well as many other projects throughout the state, have gained strong legislative and community support, enhancing educational activities and sensitivity to habitat along the river.

At this time Mr. Wright announced that Mr. Schmidt would be leaving his retired annuitant land agent position with the Wildlife Conservation Board to take a position with the Resources Law Group. Mr. Wright thanked Mr. Schmidt for his many years of service as Executive Director and for his assistance over the past year.

*5. Correction of Minutes - August 10, 2000 Meeting

At the August 10, 2000 meeting, the Wildlife Conservation Board considered a cooperative proposal and subsequently approved a grant to the City of San Diego to assist in its acquisition of 9.4± acres to preserve critical habitat and a key open space and wildlife corridor in the Carmel Mountain/Carmel Valley area. The final agenda item correctly identified the funds to be used for the project, but the motion failed to name all appropriate funds.

This item was to correct the minutes of the August 10, 2000 Wildlife Conservation Board Meeting pertaining to Item 27, Carmel Mountain, Torrey Surf, San Diego County, to accurately reflect the allocation of \$614,000.00 in funding, as follows: \$604,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act/P-12, Section 5096.350 (a)(6) and \$10,000.00 from the General Fund for the grant and related expenses.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the minutes of the August 10, 2000 Wildlife Conservation Board meeting pertaining to Item 27, Carmel Mountain, Torrey Surf, San Diego County, be corrected to reflect the allocation of \$614,000.00 in funding, as follows: \$604,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act/P-12, Section 5096.350 (a)(6) and \$10,000.00 from the General Fund for the grant and related expenses.

Motion carried.

*6. Approval of Minutes - May 18, 2001 Meeting

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Approval of the minutes of the May 18, 2001 meeting of the Wildlife Conservation Board was recommended.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the minutes of the May 18, 2001 meeting be approved as written.

Motion carried.

*7. 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.

\$106,295.00 to the **General Fund**
\$11,286.00 to the **Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund**
\$48,042.03 to the **Habitat Conservation Fund** **\$3,179.79** to the **Wildlife Restoration Fund**

GENERAL FUND

Fields Landing Public Access Amendment, Fresno County

Allocated	\$10,260.00
Expended	<u>-10,125.00</u>
Balance for Recovery	\$135.00

Lakeside Linkages, Exp. # 5, San Diego County

Allocated	\$105,000.00
Expended	<u>-0.00</u>
Balance for Recovery	\$105,000.00

San Bruno Mountain Ecological Reserve Disposal, San Mateo County

Allocated	\$3,000.00
Expended	<u>-1,840.00</u>

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Balance for Recovery \$1,160.00

Total General Fund.....\$106,295.00

SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR AND COASTAL PROTECTION BOND FUND

Big Chico Creek, Butte County

Allocated \$1,690,000.00
Expended -1,678,714.00
Balance for Recovery \$11,286.00

Lassen Foothills, Tehama County

Allocated \$750,000.00
Expended -750,000.00
Balance for Recovery \$0.00

Total Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund \$11,286.00

HABITAT CONSERVATION FUND

Heenan Lake Wildlife Area, Land Exchange, Alpine County

Allocated \$5,000.00
Expended -1,110.58
Balance for Recovery \$3,889.42

Lassen Foothills, Tehama County

Allocated \$410,000.00
Expended -399,144.00
Balance for Recovery \$10,856.00

Pine Hill Ecological Reserve, Cameron Park Unit, Ponderosa 50, El Dorado County

Allocated \$908,000.00

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Expended	<u>-900,000.00</u>
Balance for Recovery	\$8,000.00

Prairie Creek Riparian Enhancement, Humboldt County

Allocated	\$24,210.00
Expended	<u>-24,090.00</u>
Balance for Recovery	\$120.00

Riparian Habitat Restoration (Clover and Mad Creeks), Glenn County

Allocated	\$61,250.00
Expended	<u>-40,636.64</u>
Balance for Recovery	\$20,613.36

Wetland Habitat Restoration (North Pintail Slough), Kern County

Allocated	\$800,000.00
Expended	<u>-800,000.00</u>
Balance for Recovery	\$0.00

Wetland Habitat Restoration, (Richens), Butte County

Allocated	\$45,000.00
Expended	<u>-40,436.75</u>
Balance for Recovery	\$4,563.25

Total Habitat Conservation Fund \$48,042.03

WILDLIFE RESTORATION FUND

Canebrake Ecological Reserve Public Access, (So. Fork Kern River), Kern County

Allocated	\$20,000.00
Expended	<u>-19,017.27</u>
Balance for Recovery	\$982.73

Fields Landing Public Access, Fresno County

Allocated	\$88,510.00
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Expended	-86,312.94
Balance for Recovery	\$2,197.06

Total Wildlife Restoration Fund Recoveries\$3,179.79

OTHER

Basso Bridge Ecological Reserve, Stanislaus County

Allocated	\$0.00
Expended	-0.00
Balance for Recovery	\$0.00

At the November 2, 2000 meeting of the Wildlife Conservation Board, the Board approved the acceptance of \$15,600.00 of CalFed Grant funds into a designated escrow account for the purpose of land acquisition. This entry was to close the project for the Board.

Merced River, Robinson Ranch Unit, Merced County

Allocated	\$0.00
Expended	-0.00
Balance for Recovery	\$0.00

At the August 10, 2000 meeting of the Wildlife Conservation Board, the Board approved the acceptance of \$324,000.00 of CalFed Grant funds into a designated escrow account for the purpose of land acquisition. This entry was to close the project for the Board.

Total Other\$0.00

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board recover funds for the projects listed on pages 6 through 9 of this agenda and close the project accounts. Recovery totals include \$106,295.00 to the General Fund, \$11,286.00 to the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund; \$48,042.03 to the Habitat Conservation Fund; and \$3,179.79 to the Wildlife Restoration Fund.

Motion carried.

- *8. Riparian Habitat Restoration, American River Parkway, \$260,000.00
Sacramento County

This was a proposal to consider an allocation for a grant to the County of Sacramento, Department of Regional Parks, Recreation and Open Space for a cooperative project to remove six species of nonnative invasive plants from within the 4,700-acre American River Parkway, and to replant selected sites with up to a total of 50 acres of native riparian vegetation. The project will extend from the Hazel Avenue Bridge downstream to the confluence with the Sacramento River at Discovery Park, located in Sacramento County. The project will be conducted on land that is owned and managed by the County of Sacramento.

Comprised of riparian habitat on both sides of the American River from the Nimbus Fish Hatchery to the confluence with the Sacramento River, the 29-mile American River Parkway is widely recognized as the Sacramento region's most precious protected habitat and is considered the focal point of community pride and activities. In addition to providing access along the river for the public, the Parkway provides habitat for a wide variety of resident and migratory birds, fish and other wildlife. Increasingly, however, the widespread invasion of non-native plants within the Parkway have diminished wetland and oak woodland habitat, greatly impacting the landscape and the balance of life.

A cooperative effort to develop a strategy to effectively manage the invasive nonnative plants was initiated in 1997, with technical leadership from the California Native Plant Society, with support from the U.S. Bureau of Reclamation and the Sacramento Area Flood Control Agency (SAFCA). By the year 2000, this effort yielded the American River Parkway Invasive Plant Management Plan (Plan), which identified and mapped the locations of over 140 species of nonnative plants within the 4,700 acres of the Parkway. Recognizing that many of the plants identified do not pose an immediate threat to habitat, the cooperators identified the twenty highest priority plants and conducted several pilot projects that tested a variety of eradication and control methods. A phased approach for management is recommended in the Plan, and the proposed project is the first phase to be implemented. This phase focuses on the removal of the five most invasive plants identified in the Plan, including Chinese tallow tree, red sesbania, giant reed (*Arundo*), Spanish broom and tamarisk. Each treatment site will also be evaluated for its degree of infestation by yellow star thistle, and this nonnative plant will be treated and removed as needed.

Restoration will consist of local seeds or transplants grown from native Parkway stock, if available. Planting densities and species will be selected to mimic the surrounding naturally established plant community at maturity. A certified arborist will review all planting plans prior to implementation.

Over the long term (25 years), crews composed of volunteers and staff from the cooperating agencies will conduct periodic monitoring and removal of incipient nonnative plant

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populations. The project will be managed by the County of Sacramento, with assistance during the first three years coming from SAFCA, various technical advisors, the Department of Fish and Game, and the Department of Water Resources.

The proposed project is expected to provide year-round benefits to a wide variety of wildlife, including Fall-run Chinook salmon, Sacramento splittail, Northwest pond turtle, river otter; and a host of both migratory and resident birds, including assorted egrets and herons, Bald eagle, Swainson's hawk, burrowing owl, and tri-colored blackbird. People who visit or live near the river will benefit from enhanced wildlife viewing opportunities, improved access to the river for fishing or use of watercraft, and a reduction in flood damages to levees and other structures that are caused when the nonnative plants impede the movement of flood flows.

The SAFCA is contributing to the project and an Environmental Enhancement and Mitigation Program (EEMP) grant has been obtained by the County to help fund the project.

Estimated costs for the project have been reviewed by staff and the Department, and are as follows:

<u>Description</u>	<u>WCB</u>	<u>EEMP</u>	<u>SAFCA</u>	<u>Total Est. Cost</u>
Permits			\$15,900.00	\$ 15,900.00
Field surveys		\$20,500.00		20,500.00
Removal and follow-up	\$208,700.00	65,800.00	500.00	275,000.00
Restoration			80,000.00	80,000.00
Maintenance and Local Stewardship		65,500.00		65,500.00
Field work coordination	41,300.00			41,300.00
GIS system management and Map generation			8,400.00	8,400.00
Partnership support and coordination		16,500.00		16,500.00
Public education, training and outreach		25,000.00		25,000.00
Reports (final and quarterly)			15,200.00	15,200.00
Project management		56,700.00		56,700.00
Contingencies	10,000.00			10,000.00
<u>TOTAL ESTIMATED COST</u>	<u>\$260,000.00</u>	<u>\$250,000.00</u>	<u>\$120,000.00</u>	<u>\$630,000.00</u>

This project is categorically exempt from the provisions of the California Environmental Quality Act under Section 15307, Class 7, and Sacramento County has filed the appropriate notice.

Staff recommended that the Board approve this project as proposed; allocate \$260,000.00 from the Habitat Conservation Fund, Section 2786 (e/f); authorize staff to enter into appropriate agreements as necessary to carry out this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert High that the Board approve this project as proposed; allocate \$260,000.00 from the Habitat Conservation Fund, Section 2786 (e/f); authorize staff to enter into appropriate agreements as necessary to carry out this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

9. Riparian Habitat Restoration, Lower Owens River, Inyo County

This item was withdrawn from consideration at this time.

*10. Wetland Habitat Restoration, Joice Island Wildlife Area, Solano County \$134,600.00

This proposal was to consider an allocation for a grant to the California Waterfowl Association for a partnership project to replace water control structures, enhance approximately 1,800 acres of seasonal and semi-permanent wetlands, and improve public access on the Department of Fish and Game's (Department) Joice Island Wildlife Area. The Wildlife Area is located ten miles south of the City of Fairfield, just south of Grizzly Island Road and north of Montezuma Slough. The island is bounded by Cutoff, Suisun, Volanti and Montezuma Sloughs.

Established in 1931, Joice Island Wildlife Area was the first waterfowl refuge created by the State legislature. The area was bounded by levees and contained cross levees, water control structures and a lift pump to manage water levels for waterfowl and other wetland species. Joice Island, and Suisun Marsh in general, have supported vast numbers of wetland bird species over the years and have been recognized as one of the prime hunting areas for Bay Area residents for more than a century and a half. Today, the area continues to provide these and other recreational opportunities. Perhaps even more importantly, due to the fact that the Marsh is tidally influenced, the Marsh supports migrating and wintering waterfowl during those critical drought years when many of the wetlands in the Central Valley are dry.

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Over the years the Department has upgraded and improved much of the infrastructure, but in recent years no major improvements have been done on site. The main inlet structures off Montezuma Slough have been degraded by brackish water and the lift pump does not function well. Large portions of the interior are completely choked with vegetation, and little shallow open water remains, resulting in a lack of diversity. Finally, there is limited access to popular hunting and fishing sites on the southwestern portion of the island, and there are no barrier-free restroom facilities available.

To improve wetland habitat on the island, this project will replace the four main water inlet structures to the island, repair the existing pump, disc and seed approximately 400 acres of degraded seasonal wetlands, and control approximately 30 acres of invasive weeds. To enhance public access to the hunting and fishing areas on the island, approximately 1,000 feet of roadway will be repaired, three parking areas will be re-graveled and a barrier-free toilet will be installed.

Many wetland-dependent species, some of which are special concern species, such as the Suisun song sparrow, will benefit from this enhancement project. Additional species aided by the project include shorebirds, river otters and short-eared owls. Wintering waterfowl in the Marsh are made up primarily of pintails, shovelers and mallards. Pintails use the Marsh extensively and are of considerable interest to hunters. Pintail populations are currently at historically low levels, and the planned improvements will provide benefits to this species as well as to waterfowl in general.

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

<u>Description</u>	<u>Estimated Cost</u>
Mobilization/Demobilization	\$1,000.00
Water control structures	
Cell A	43,270.00
Volanti/Suisun Sloughs	24,380.00
Discing and seeding	20,600.00
Exotic weed control	2,550.00
Pump repair	10,500.00
Public road repairs	9,000.00
Barrier-free toilet	1,800.00
Project design and management	11,500.00
Contingency	10,000.00
<u>TOTAL ESTIMATED COST</u>	<u>\$134,600.00</u>

The Department of Fish Game has reviewed this proposal and recommends it for funding by

the Board. This project is exempt from CEQA under Section 15304, as it is a minor alteration of land to benefit wildlife.

Staff recommended that the Board approve this project as proposed; allocate \$134,600.00 from the Habitat Conservation Fund, Section 2786 (d) IWCP; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve this project as proposed; allocate \$134,600.00 from the Habitat Conservation Fund, Section 2786 (d) IWCP; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *11. Wetland Habitat Restoration, Coast Cattle Ranch, Merced County \$23,900.00

This project was to consider an allocation for a grant with Ducks Unlimited, Inc. for a cooperative project to enhance 280 acres and restore 6 acres of seasonal wetlands on two privately-owned properties within the Grasslands Ecological Area of the San Joaquin Valley, located approximately 12 miles north of Los Banos and 1 mile west of Highway 165 in Merced County. The project will enhance approximately 270 acres and restore 6 acres of seasonal wetlands on the one property and enhance approximately 10 acres of the adjacent property. Both properties are operated as private duck hunting clubs and the projects will be managed by the landowners after the construction is completed. Each landowner has agreed to manage and maintain the project improvements on their land for 25 years.

The Central Valley and associated wetlands are host to over 60 percent of wintering and migrating Pacific Flyway waterfowl. The Valley also provides habitat for more than 200 species of birds and 43 species of mammals. Private duck clubs of the San Joaquin Valley are an important component of the Central Valley Habitat Joint Venture (CVHJV). The Board, acting through partnerships in the CVHJV, has participated in funding many successful wetland habitat protection and restoration projects on public and private lands in the Grasslands Ecological Area.

The proposed project will help the CVHJV meet its goal of enhancing and restoring wetlands in the Central Valley. This project will enhance wetland productivity by increasing and improving habitat for waterfowl and wetland-dependant species across a mosaic of seasonal and semi-permanent wetlands, as well as upland nesting cover and foraging areas. Specifically, this 286-acre restoration/enhancement project is intended to improve wetland diversity on 280 acres and restore wetland hydrology to an additional 6 acres of degraded habitat. The restoration phase consists of repositioning a levee to impound additional

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wetland habitat. Portions of the old levee will be left intact to serve as nesting islands for locally breeding waterbirds. The enhancement phase will consist of the construction of swales and loafing islands to diversify the existing wetlands and to provide adequate habitat conditions for riparian vegetation to propagate. In addition, a levee will be constructed around a lake on the property, known as Alkali Lake, so efficient wetland irrigation can be accomplished in the shallow habitat outside the lake, while maintaining brood habitat in the lake proper.

This project will help achieve the wetland habitat restoration goals of the Department of Fish and Game, the CVHJV, and the Inland Wetlands Conservation Program. The project sites are part of an extensive complex of state and federal habitat areas in the Grasslands Ecological Area, including the state's Los Banos and North Grasslands Wildlife Management Areas. Other nearby habitats include San Luis National Wildlife Refuge and Great Valley Grasslands State Park. Both project sites are protected by permanent conservation easements held by the U.S. Fish and Wildlife Service.

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

<u>Description</u>	<u>WCB</u>	<u>BOR</u>	<u>L/O</u>	<u>Total</u>
Survey, Design and Project Management	\$ 5,000.00			\$ 5,000.00
Earthwork and Discing	11,700.00	\$12,000.00	\$ 3,300.00	27,000.00
Water Control Structures	4,700.00			4,700.00
Tree Planting			1,000.00	1,000.00
Maintenance			5,000.00	5,000.00
Contingencies	2,500.00		1,270.00	3,770.00
<u>TOTAL ESTIMATED COST</u>	<u>\$23,900.00</u>	<u>\$12,000.00</u>	<u>\$10,570.00</u>	<u>\$46,470.00</u>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$23,900.00
Bureau of Reclamation	\$12,000.00
Landowner	\$10,570.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$46,470.00</u>

The Department has reviewed the proposed project and has recommended Board approval. 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 \$23,900.00 from the Habitat Conservation Fund, Section 2786 (d) as designated for the Inland Wetland

Conservation Program; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve the grant as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$23,900.00 from the Habitat Conservation Fund, Section 2786 (d) as designated for the Inland Wetland Conservation Program; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *12. Wetland Habitat Restoration, Wingsetter Ranch, Stanislaus County \$49,000.00

This project was to consider an allocation for a grant to Ducks Unlimited, Inc. for a cooperative project to restore hydrology to approximately 80 acres of historic wetlands and to enhance 63 acres of associated uplands on privately-owned property. The project is located adjacent to the San Joaquin River, approximately 4 miles northeast of Newman and just west of the Department of Fish and Game-owned West Hilmar Wildlife Area in Stanislaus County. The property is operated as a private duck hunting club and the landowner has agreed to manage and maintain the project improvements on his land for 25 years.

The Central Valley and associated wetlands are host to over 60 percent of wintering and migrating Pacific Flyway waterfowl. In particular, the San Joaquin River Corridor is a critical area for migrating and wintering arctic-nesting geese, sandhill cranes and also provides habitat for migratory neo-tropical songbirds. Private duck clubs of the San Joaquin Valley are an important component of the Central Valley Habitat Joint Venture (CVHJV). The Board, acting through partnerships in the CVHJV, has participated in funding many successful wetland habitat protection and restoration projects on public and private lands. This project will help the CVHJV, the Inland Wetland Conservation Program and the Department of Fish and Game meet its goal of enhancing and restoring wetlands in the Central Valley.

Unlike the wetlands in the nearby Grassland Ecological Area, the subject property is without a dedicated water supply and only receives random amounts of agricultural tailwater (3 to 5 days per month) during the spring/summer irrigation season. Water is no longer available to the property after November 15 each year except for natural precipitation events. This regime significantly limits the amount of wetland habitats available to waterfowl, particularly in drier years when little appreciable rainfall occurs. This project will enable the landowner to provide quality seasonal wetlands, native upland and riparian habitat for waterfowl and associated wetland species. The project will also enhance approximately 340 acres of floodplain habitat at the adjacent West Hilmar Wildlife Area by providing important foraging

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habitat for egrets and other colonial waterbirds. Project improvements for the site include the installation of a well and permanent diesel power unit to access subterranean water. Subterranean water will be used to maintain wetlands during the fall and winter and provide brood habitat during the spring and summer months.

Cost estimates which have been developed by Ducks Unlimited, Inc. and reviewed by staff are as follows:

<u>Description</u>	<u>WCB</u>	<u>L/O</u>	<u>Cost</u>
Well drilling	\$20,000.00		\$ 20,000.00
Pump and diesel engine		\$18,500.00	18,500.00
Pump accessories including fuel tank, driveline, and gear drive	21,500.00		21,500.00
Water management plan	200.00		200.00
Project management/engineering review	1,800.00		1,800.00
Construction management	600.00		600.00
Maintenance/water costs		37,500.00	37,500.00
Contingencies	4,900.00	1,360.00	6,260.00
<u>TOTAL ESTIMATED COST</u>	<u>\$49,000.00</u>	<u>\$57,360.00</u>	<u>\$106,360.00</u>

Proposed Funding Breakdown

Landowner (in-kind)	\$ 57,360.00
Wildlife Conservation Board	\$ 49,000.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$106,360.00</u>

The Department has reviewed the proposed project and has recommended Board approval.

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 \$49,000.00 from the Habitat Conservation Fund, Section 2786 (d), as designated for the 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 meeting, it was moved by Mr. Robert Hight that the Board approve the grant as proposed, authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$49,000.00 from the Habitat Conservation Fund, Section 2786 (d), as designated for the Inland Wetlands Conservation Program; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *13. Wetland Habitat Restoration, Honey Lake Valley (Wild Goose Club) \$76,000.00
Lassen County

This proposal was to consider an allocation for a grant to Ducks Unlimited, Inc., (DU) for a partnership project to restore and enhance approximately 72 acres of semipermanent and seasonal wetlands and 8 acres of associated uplands on a 371-acre privately-owned property in the Honey Lake Valley in Lassen County. Project partners include the landowner, the Wild Goose Club, DU, the U.S. Fish and Wildlife Service, the North American Wetlands Conservation Act and the Board. The project site is located approximately thirty miles southeast of the City of Susanville, one mile east of Highway 395 adjacent to the Herlong Junction Road. The property is one mile from Honey Lake, five miles northwest of the Department of Fish and Game's Doyle Wildlife Area and five miles northeast of the Dixie Mountain State Game Refuge.

The site has been managed for cattle and as a duck club for many years. Much of the site is irrigated pasture, which provides habitat for migrating geese, but is of limited habitat value for other species. The eastern portion of the site is a spring-fed permanent wetland, excellent habitat for migrating waterfowl, and provides spring and summer brood habitat as well. Nearly 65 acres in the center of the property have been converted to seasonal wetlands, but this area lacks infrastructure to provide appropriate water and drainage. As such, these ponds provide limited habitat value to wetland dependent species. Finally, two small ponds on the western edge of the property are poorly designed and not functioning properly.

To improve wetland habitat on the property, this project will provide a well, pump and pipelines to supply water more reliably to the seasonal and permanent ponds in the center and eastern portions of the property. Levees adjacent to the seasonal ponds will be reconstructed to better manage water and new water control structures will be installed. The western ponds will be reconstructed and a secondary pump and water control structures added to maintain water levels as needed. Fencing will be constructed to exclude cattle from the brood ponds and upland nesting areas and to manage the cattle for habitat improvements in the seasonal wetland areas.

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The Honey Lake Valley supports numerous species of wetland and upland grassland dependent species, both migratory and summer resident. These improvements will provide breeding habitat to waterfowl such as the Canada goose and mallards and shorebirds including American avocets and Wilson's phalaropes. In addition, other ground nesting birds, such as meadowlarks and pheasants will benefit from the upland habitat provided. In the fall, thousands of migrating birds stop in the Valley, and waterfowl such as pintails, gadwall and white-fronted geese, and shorebirds, including dowitchers and sandpipers, will benefit from this project. Special status species expected to benefit include the greater sandhill crane, which has been seen on site with young. They are known to have bred on nearby wetlands and at the Honey Lake Wildlife Area, ten air miles to the north, and the project site would be large enough to support at least one breeding pair.

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

<u>Description</u>	<u>Estimated Cost</u>
Fencing	\$ 11,367.00
Well and primary pump	55,040.00
Secondary pump	7,597.00
Water control structures	17,200.00
Earthwork	32,922.00
Pipelines	31,985.00
Project survey, design and management	14,713.00
Contingency	6,755.00
<u>TOTAL ESTIMATED COST</u>	<u>\$177,579.00</u>
 <u>Proposed Funding Breakdown:</u>	
Wildlife Conservation Board	\$ 76,000.00
U.S. Fish and Wildlife Service	9,396.00
Ducks Unlimited, Inc.	6,000.00
North American Wetlands Conservation Act	36,575.00
Wild Goose Club (cash)	4,550.00
Wild Goose Club (In-kind)	5,521.00
Landowner (Cash)	39,537.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$177,579.00</u>

The Department of Fish Game has reviewed this proposal and recommends it for funding by the Board. This project is exempt from CEQA under Section 15304, as it is a minor alteration of land to benefit wildlife. 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 life of the project, the landowners are unable to manage and maintain the project improvements, they will refund to the State of California an amortized amount of funds based on the number of years left on the project life.

Staff recommended that the Board approve this project as proposed; allocate \$76,000.00 from the Habitat Conservation Fund, Section 2786 (d) as designated for wetlands outside the Central Valley; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve this project as proposed; allocate \$76,000.00 from the Habitat Conservation Fund, Section 2786 (d) as designated for wetlands outside the Central Valley; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *14. Belden's Landing Fishing Access, Phase 3, Augmentation, \$156,135.00
Solano County

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) to amend an existing contract for the construction of the Belden's Landing Fishing Access facility. 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 fishing access. The plans call for approximately half the site to be developed for fishing and boating access, while degraded wetlands on the remainder of the site will be enhanced. The total cost of the project was estimated to be \$1,305,000.00. The Board approved funding totaling \$895,000.00 for the three-phase project in May 1995, May 1996 and February 2001. The balance of the funds are to be provided by DBW and interest on project funds. Phase 1 was planned for the construction of the boat ramp, boarding float and various amenities associated with the ramp. Under Phase 2, funds were made available for a fishing pier and restroom. The final phase allowed for the development of the remainder of the site, and included the parking area, sidewalks, landscaping, wetland development, fencing, gates, signs and other planned features.

The project was sent out for bids and four bids were received. All were acceptable, but the lowest bid was higher than the estimated cost of the project. Costs were reviewed by staff, and it was determined that the total construction cost for the project is just over \$191,000.00 higher than available funds. The County has agreed to provide \$35,000.00 to install the restroom, leaving a shortfall of \$156,000.00. 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 these additional costs to \$156,135.00. The project has been approved for a Federal Sport Fish Restoration Act grant program, which will provide the Board with a 75 percent reimbursement of all qualified project costs.

Staff recommended that the Board approve this project as proposed; allocate \$156,135.00 from the 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve this project as proposed; allocate \$156,135.00 from the 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.

Motion carried.

- *15. Lake Shastina Public Access Improvements, Siskiyou County \$35,270.00

This was a proposal to consider a cooperative project with the County of Siskiyou (County) to improve public access at Lake Shastina by installing two barrier-free vault-type restrooms, and paving a parking area. Lake Shastina is located near the town of Weed, approximately 25 miles south of the City of Yreka in Siskiyou County.

Lake Shastina covers an area of approximately 1,850 acres at its maximum capacity. The improvements include two existing public access facilities at the lake, as well as a campground on the southeastern shore and a boat ramp at Milkhouse Island, both owned and operated by the County. A second boat ramp exists at the campground but is only usable when the lake is at its highest levels. Campers and anglers, fishing from the banks as well as boats, frequently use Lake Shastina. The Department of Fish and Game has reported that the lake supports one of the best bass populations in Northern California and has an excellent brown bullhead fishery as well. In 1987 the Board and the Department of Boating and Waterways (DBW) provided funding to build the Milkhouse Island boat ramp, a parking area and an access road. As part of this project, the County entered into a cooperative agreement with the Board and DBW to operate and maintain the site for twenty-five years.

The proposed project will improve public access at Lake Shastina by installing a barrier-free vault type restroom at the Milkhouse Island boat ramp and a barrier-free parking space and restroom at the public campground. Currently, there are only portable restrooms at these

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sites, which do not provide access consistent with the Americans with Disabilities Act (ADA) requirements. The County has agreed to extend the cooperative agreement and will maintain the site until August 30, 2026.

Cost estimates for this proposal, which have been developed by the County and reviewed by staff, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Site Preparation	\$ 700.00
2 Precast vault Restrooms	23,000.00
Installation	3,600.00
Paving for Parking Area	5,500.00
Design/Project Management	2,200.00
<u>TOTAL ESTIMATED COST</u>	<u>\$35,000.00</u>

The County has filed a Notice of Exemption indicating that this project is categorically exempt under Section 15301 of the California Environmental Quality Act, minor alterations of existing facilities.

Staff recommended that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$35,270.00 from the General Fund for project costs and General Services' review costs; and authorize staff and the Department to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$35,270.00 from the General Fund for project costs and General Services' review costs; and authorize staff and the Department to proceed substantially as planned.

Motion carried.

- *16. Lake Siskiyou Fishing Access, North Shore, Siskiyou County \$20,270.00

This was a proposal to consider a cooperative project with the County of Siskiyou (County) to improve public access at Lake Siskiyou by installing a barrier-free vault-type restroom and a parking space adjacent to the restroom. Lake Siskiyou is located on the upper reach of the Sacramento River, approximately 5 miles southwest of the City of Mount Shasta, in Siskiyou County.

Lake Siskiyou was created in 1969 with the completion of the Box Canyon Dam on the Sacramento River and has an average surface area of approximately 430 acres. There are several public access facilities at the lake, including a large campground with over 400

campsites, a boat ramp, a fishing dock, and a north shore barrier-free fishing access site. All of these facilities are owned and operated by the County. Campers and anglers, fishing from the banks as well as boats, frequently use Lake Siskiyou. In 2000 there were over 47,000 visitor days recorded at the facility. The lake supports populations of bass, crappie, and catfish; and the Department of Fish and Game stocks the lake regularly with trout. In 1992 the Board provided funding to build the aforementioned fishing dock. As part of this project, the County entered into a twenty-five year Lease and Operating Agreement to maintain the site.

The proposed project will improve public access at Lake Siskiyou by installing a barrier-free vault-type restroom and a barrier-free parking space at the north shore fishing access site. Currently there is only a portable restroom at this site, which is not accessible consistent with Americans with Disabilities Act (ADA) guidelines. As part of this project, the County has agreed to extend the Lease and Operating Agreement to August 30, 2026.

Cost estimates for this proposal, which have been developed by the County and reviewed by staff, and are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Precast Vault Restroom	\$11,500.00
Installation	1,800.00
Parking Area	5,600.00
Design/Project Management	1,100.00
<u>TOTAL ESTIMATED COST</u>	<u>\$20,000.00</u>

The County has filed a Notice of Exemption indicating that this project is categorically exempt under Section 15301 of the California Environmental Quality Act, minor alterations of existing facilities.

Staff recommended that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$20,270.00 from the General Fund for project costs and General Services' review costs; and authorize staff and the Department to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$20,270.00 from the General Fund for project costs and General Services' review costs; and authorize staff and the Department to proceed substantially as planned.

Motion carried.

*17. Lake Tahoe Public Access, Augmentation, Placer County \$188,135.00

This proposal was to consider an amendment to a cooperative project with the Tahoe City Public Utilities District (TCPUD) and the Department of Fish and Game, which increases the funding for 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.

This public access was first developed with WCB 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 the TCPUD under an agreement with the Board. Over the years, many of the original structures, including the pier and parking area, have deteriorated. 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 \$952,000.00 in May 1994 and February 2001 to provide for the construction of a pier/wave attenuation structure, boarding floats, shoreline protection, pier lighting, landscaping and the removal of the existing pier. Permits for the project had been obtained, and the Tahoe Regional Planning Agency (TRPA) permit allowed in-water construction only between October and May. As such, construction was planned for two phases. The first phase would take place in May 2001 for the removal of the old nonfunctional pier and the installation of a new boarding float. The second phase, which would begin in October 2001, would install the pier/wave attenuation structure and the rest of the amenities.

Phase 1 was constructed as planned, but the costs were significantly higher than estimated. As a result, engineering estimates for completion of the second phase this fall have been adjusted and a shortfall of \$188,000.00 is expected. Total project cost, originally estimated at \$952,000.00 is now estimated to be \$1,140,000.00. The total amount of money available for the project, including funds already approved by the Board and interest accrued from advanced funds, is outlined as follows:

<u>Proposed Funding Breakdown:</u>	
Wildlife Conservation Board, 1994 approval	\$ 250,000.00
Accrued interest (approximate)	50,000.00
Wildlife Conservation Board, Feb. 2001 approval	652,000.00
Wildlife Conservation Board	188,000.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$1,140,000.00</u>

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

the project to \$188,135.00. 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 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 \$188,135.00 from the 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve this project as proposed; allocate \$188,135.00 from the 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.

Motion carried.

- *18. Bair Island Restoration Plan, San Mateo County \$75,000.00

This project was to consider an allocation for a cooperative project with the State Coastal Conservancy (SCC), the Peninsula Open Space Trust (POST), the San Francisco Wildlife Society (SFWS) and the Department of Fish and Game (DFG) to fund a Restoration and Management Plan for Bair Island, which is located in Redwood City on the shores of South San Francisco Bay, in San Mateo County.

“Bair Island” includes three separate areas: Inner, Middle and Outer Bair Islands separated by tidal slough channels. The island consists of approximately 3,200 acres of tidal salt marsh, tidal mudflats, seasonal wetlands, and former salt ponds that were diked and drained from salt marshes, and uplands created by the disposal of dredge materials in former salt marshes. Much of the island was diked during the late 1800's and early 1900's for farming and cattle grazing. Leslie Salt Company converted the majority of Bair Island to salt evaporating ponds in 1965 before transferring the lands to a succession of real estate development companies. Various proposals for commercial development of the island have been proposed and rejected. In 1997, POST purchased the majority of the privately-owned portions of Bair Island. Over the next three years, POST worked with local donors, the state and the U.S. Fish and Wildlife Service (USFWS) to bring together the funds necessary to complete the acquisition and transfer of the property to public ownership. Currently the USFWS owns approximately 911 acres and the DFG owns and leases approximately

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1,995 acres of Bair Island. The DFG's interest consists of more than 1,040 acres of land leased from the State Lands Commission and approximately 945 acres owned by the Department. The Department-owned and leased lands are designated as the Bair Island Ecological Reserve and are managed jointly with the National Wildlife Refuge under a Memorandum of Agreement.

The Wildlife Conservation Board has a history of involvement at Bair Island starting in 1983, with the Board allocating funds for the construction of a 2,000 foot long levee, dike repair and for developing water controls to preserve and protect a nesting area for the endangered California least tern on the island.

The DFG has been working cooperatively with the San Francisco Bay National Wildlife Refuge and the SFWS in preparing a restoration plan for Bair Island, one of the largest remaining, restorable wetland areas in the south San Francisco Bay. The SFWS contracted to have a Restoration and Management Plan prepared for Bair Island with the goal of restoring the area to salt marsh to provide habitat for endangered species such as the California Clapper Rail, salt marsh harvest mouse, California least tern and California brown pelican, as well as to enhance the public's appreciation and awareness of the unique resources at Bair Island. The Administrative Draft Restoration and Management Plan (Draft R&M Plan) was completed November 30, 2000. During the course of developing the Draft R&M Plan, three major unresolved issues were identified, whose resolution would likely change the design configuration: (1) the potential for unacceptably high project-related velocity increases at an adjacent harbor; (2) the potential for limited sediment deposition and slow or aborted site evolution in the back (upstream) part of the system (in particular, at Middle Bair Island); and (3) the potential for project-related increases in siltation rates in the Redwood Creek dredging zone. Additional funds are needed to collect and evaluate the data needed to address these issues and complete the planning for the Bair Island Restoration Project.

Cost estimates for this proposal, which have been developed by the San Francisco Wildlife Society and reviewed by staff, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Field data collection for model calibration	\$ 91,357.00
Empirical analysis of long-term sediment supply	11,225.00
Additional hydrodynamics and sediment transport	39,470.00
Modeling	50,004.00
Reports-EIR/EIS-response to comments	
Meetings	13,773.00
Regulatory permit applications	12,335.00
Administrative/project management	26,836.00
<u>TOTAL ESTIMATED COST</u>	<u>\$245,000.00</u>

Proposed Funding Breakdown

Wildlife Conservation Board	\$ 75,000.00
Coastal Conservancy	\$120,000.00
Peninsula Open Space Trust	\$ 50,000.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$245,000.00</u>

The Department has reviewed the proposed project and has recommended Board approval. The grantee will complete the appropriate notice to satisfy CEQA requirements for the project.

Staff recommended that the Board approve this project as proposed; authorize staff to enter into the appropriate agreements necessary to accomplish this project; allocate \$75,000.00 from the Habitat Conservation Fund, Section 2786 (d), as designated for Wetlands Outside the Central Valley; and authorize staff and the Department of Fish and Game to provide substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve this project as proposed; authorize staff to enter into the appropriate agreements necessary to accomplish this project; allocate \$75,000.00 from the Habitat Conservation Fund, Section 2786 (d), as designated for Wetlands Outside the Central Valley; and authorize staff and the Department of Fish and Game to provide substantially as planned.

Motion carried.

- *19. San Francisco Bay Wildlife Area, Baumberg Tract, Alameda County \$850,000.00

On February 8, 1996, the Wildlife Conservation Board approved funding totaling \$6,923,324.00 toward the acquisition and restoration of the Baumberg Tract at San Francisco Bay Wildlife Area. Additional funds from the East Bay Regional Park District (EBRPD) and the Cities of San Jose, Fremont and Milpitas were also contributed toward the acquisition and restoration project. Of the total allocated by the Board, \$5,153,324.00 came from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (Proposition 70) and \$1,800,000.00 from the Habitat Conservation Fund. Upon close of escrow for the property acquisition, the remaining funds, totaling \$1,698,608.08, were available to be used for the restoration of the site.

The Wildlife Conservation Board subsequently entered into a restoration agreement for \$1,698,601.08 with EBRPD to complete the restoration work. The project has encountered delays in obtaining the necessary permits, but is now nearing completion.

During fiscal years 1995-96 and 1996-97 the State Controller's Office transferred a total of \$2,600,000.00 (\$1.3 million each year) in cash from Wildlife Conservation Board's Proposition 70 account into the Habitat Conservation Fund. Although, this action was taken by the State Controller's Office pursuant to specific language in the Budget Act to meet the mandates of the Habitat Conservation Fund, the cash transfer should have been made from the Department of Fish and Game's Proposition 70 cash and not from the Wildlife Conservation Board. Subsequently, the Board's cash in the Proposition 70 account is less than the amount necessary for the Board to fulfill its previous contract obligation with the EBRPD.

Between 1995 and 1997 the Board entered into numerous contracts to do acquisition and restoration work using Habitat Conservation Fund monies that had, as their origin, Proposition 70 funds. These contracts included work done by Department of Fish and Game, Department of Water Resources, State Coastal Conservancy, and Department of Parks and Recreation among others. At the end of these contracts, many of the funds were not fully utilized and the funds eventually reverted back to the Habitat Conservation Fund.

This item was to request a fund shift in the amount of \$850,000.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (Proposition 70), to the Habitat Conservation Fund to complete the restoration work. The fund shift is appropriate since not all of the transferred funds were utilized. They remain in the Habitat Conservation Fund due to the up-front cash transfers that took place during fiscal years 1995-96 and 1996-97.

Staff recommended that the Board approve this fund shift as proposed; allocate \$850,000.00 to fund Standard Agreement No. WC-0761 between the Wildlife Conservation Board and East Bay Regional Park District from the Habitat Conservation Fund, Section 2786 (b/c) to cover restoration costs and expenses; authorize staff to enter into appropriate agreements necessary to accomplish this fund shift; and authorize staff to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve this fund shift as proposed; allocate \$850,000.00 to fund Standard Agreement No. WC-0761 between the Wildlife Conservation Board and East Bay Regional Park District from the Habitat Conservation Fund, Section 2786 (b/c) to cover restoration costs and expenses; authorize staff to enter into appropriate agreements necessary to accomplish this fund shift; and authorize staff to proceed substantially as planned.

Motion carried.

*20. Cosumnes River Wildlife Area, Expansion 10, Sacramento County \$1,060,000.00

This proposal was to consider an allocation of a grant to The Nature Conservancy (TNC) for the purchase of a conservation easement over 647± acres of private land, located in southern Sacramento County, as an addition to the Cosumnes River Wildlife Area, for protection of upland and wetland habitats.

The Cosumnes River Wildlife Area lies within the floodplain of the Consumnes River, stretching from 2 miles east of Highway 99 to just west of Highway 5. The first Consumnes River Wildlife Area acquisition by the Wildlife Conservation Board, consisting of 840± acres, was approved by the Board at its May 10, 1990 meeting. Since then, through the cooperative effort with various entities including The Nature Conservancy, the U.S. Bureau of Land Management (BLM) and the County of Sacramento, the Board has completed 9 expansions, for a total of 6,351± acres. In addition the Board made a grant to Ducks Unlimited for the acquisition of another 492± acres, cooperatively managed by the above mentioned entities and the Department of Water Resources.

The easement will allow for the current agricultural use, row crop farming, and will also preserve marsh and foraging areas frequented by a number of species found on the wildlife area, including federal and state listed threatened and endangered species. The area is especially rich in bird fauna, including the state listed, threatened Greater Sandhill crane and Swainson's hawk, along with numerous waterfowl. The easement will also protect the property from development pressure, emanating from the rapidly growing communities of Galt to the south and Elk Grove to the north.

The terms and conditions of the proposed grant provide that staff review and approve all documents pertaining to the Grantee's acquisition, including any appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds.

The Nature Conservancy and the owner have agreed to a purchase price of \$1,055,800.00, a value based on a fair market value appraisal approved by the Department of General Services (DGS). TNC, will own the easement and monitor the property for compliance with the terms of the easement. An additional \$4,200.00 is needed for DGS review costs, bringing the total allocation to \$1,060,000.00.

Staff recommended that the Board approve the grant to TNC as proposed; allocate \$1,060,000.00 from the River Protection Subaccount (Proposition 13) to be applied toward the acquisition of the conservation easement and related project costs; authorize staff to enter into appropriate agreements as necessary to carry out this project; and authorize staff and the Department of Fish and game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve the grant to TNC as proposed; allocate

\$1,060,000.00 from the River Protection Subaccount (Proposition 13) to be applied toward the acquisition of the conservation easement and related project costs; authorize staff to enter into appropriate agreements as necessary to carry out this project; and authorize staff and the Department of Fish and game to proceed substantially as planned.

Motion carried.

- *21. Feather River Wildlife Area, Marysville Unit, Yuba County \$18,500.00

This proposal was to consider the acquisition of 6± acres of private land as an addition to the Department of Fish and Game's Feather River Wildlife Area, located just north of the City of Marysville, for preservation and possible future restoration of riparian habitat.

The Department of Fish and Game manages approximately 2,450 acres of property as the Feather River Wildlife Area. The area is further broken down into separate management units, known as Abott Lake, Morse Road, Star Bend, Lake of the Woods and Nelson Slough. The properties are located within the Feather River floodplain in Sutter and Yuba Counties, stretching from the Sutter bypass in the south, all the way north to the Yuba and Sutter County lines. In addition the Department also manages the 701± acre Feather River Riparian Habitat, located on the west shore of the Feather River, in Sutter County, near the Town of East Nicolaus.

Initial acquisitions began in 1985 with the Abott Lake Management Unit. Since then two Conceptual Area Acquisition Plan Additions have been approved (1990 and 1995) and additional management units, including expansions have been purchased. The primary management goal of these areas has been the preservation, restoration and management of riparian habitat, including recreational and river access where appropriate. The proposed acquisition will facilitate efforts to reverse the loss and allow for future restoration of riparian habitat within the floodplain and will increase habitat for a number of state and federal threatened and endangered species found in the Feather River Wildlife Area.

Currently the property is vacant, containing some riparian growth and is crossed by Jack's Slough. It is anticipated the property will be managed by the DFG, allowing passive recreational uses, such as limited public access to Jacks Slough. The project is exempt from CEQA under Class 13, Categorical exemption for acquisitions of land for wildlife conservation purposes.

The grantor has agreed to sell for the approved fair market value of \$12,000.00. An additional \$2,500.00 will be needed by DFG to remove debris from the property and \$4,000.00 for appraisal, escrow, title insurance and Department of General Services review costs.

Staff recommended that the Board approve the acquisition of the Marysville Unit as an addition to the Feather River Wildlife Area as proposed; allocate \$18,500.00 from the Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Proposition 12) Section 5096.350 (a)(2) to cover the acquisition cost, and to pay for initial start-up and project related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the DFG to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve the acquisition of the Marysville Unit as an addition to the Feather River Wildlife Area as proposed; allocate \$18,500.00 from the Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Proposition 12) Section 5096.350 (a)(2) to cover the acquisition cost, and to pay for initial start-up and project related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the DFG to proceed substantially as planned.

Motion carried.

- *22. San Joaquin River Riparian Habitat (SJRC 6 - 11) \$12,478,360.00
Fresno/Madera Counties

This cooperative acquisition proposal, presented on behalf of the San Joaquin River Conservancy (SJRC), was to consider the acquisition of 999.75± acres, within six (6) separate ownerships, containing riparian and upland habitat, located along the San Joaquin River. The purchase of these properties is consistent the priorities of the SJRC, as established at their April 19, 2001 Board meeting. Furthermore, at the June 21, 2001 meeting of the SJRC, the Board recommended that the Wildlife Conservation Board (WCB) allocate funds to complete these purchases and to pay appropriate administrative costs. Also to be considered was the acceptance of the transfer of any rights the owners of several of the properties claim to an additional 279.23± acres of land lying within an area claimed by the State Lands Commission. In addition, the acceptance of several grants, together with the approval to transfer some of the properties being proposed for acquisition to the SJRC were also considered in this agenda.

In addition to the SJRC, The Trust for Public Land (TPL), the San Joaquin River Parkway and Conservation Trust (TRUST), the California Resources Agency, the Packard Foundation (Packard), The Resources Law Group (RLG), Caltrans, the Federal Highways Administration, the Department of Fish and Game (DFG) and the WCB have also been parties, or will be parties to some of these proposals, as explained under the property specific descriptions noted below.

Each of the proposed purchases will further the goals of protecting riparian habitat along the San Joaquin River from Friant Dam to Highway 99, and to provide public access opportunities as appropriate. The acquisitions will also provide the opportunity to do some habitat restoration and enhancement work on the areas proposed for purchase.

The properties being proposed for purchase herein have a total approved appraised value of \$21,071,360.00. The Wildlife Conservation Board's 2000/01 budget contained \$14,562,000.00 from Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund/Prop. 12 and \$10,000,000.00 from the Safe Drinking Water, Clean water, Watershed Protection and Flood Protection Bond Fund (River Protection Sub-Account)/Prop. 13 in funding, with control language in both appropriations directing the funds for use on SJRC projects. Also, the 2001/02 State budget contains an additional \$3,000,000.00 appropriations from the General Fund to the California Resources Agency specifically designated for the purchase of the property described as SJRC# 11 below. In addition to the funds mentioned above, \$4,950,000 is anticipated to be available from a Federal Transportation Enhancement Activities/Conservation Lands Program grant (TEA) for two of the proposed acquisitions.

In 1988 the Wildlife Conservation Board (WCB) began an acquisition program along the San Joaquin River between Friant Dam and Highway 99, using funds specifically designated for this purpose in Proposition 70, a voter approved bond act. The first purchase under this program, the 286± acre Milburn Unit, was completed in November, 1988. Since that time the WCB has approved, and staff has completed, direct acquisitions, or made grants to enable the purchase of an additional 1,144.4± acres. These purchases, combined with the WCB's purchase of the 75± acre Lost Lake property in 1957, brings the total WCB protected area along this stretch of the San Joaquin River to 1,505.4± acres, prior to the actions being considered in this agenda.

The SJRC is responsible for coordinating a program to preserve and restore natural habitat along the San Joaquin River, from Friant Dam to Highway 99, and to provide compatible public access with appropriate facilities for the use of this area. Habitat values found along this portion of the river corridor are extensive, although some areas have experienced degradation, requiring on-site restoration to bring habitat values back to their full potential. Some restoration has already taken place on properties previously acquired, with great success.

Habitat types found along the river provide home to a wide variety of wildlife species. Among these are water-oriented birds common to the area, which include herons, egrets, grebes and a variety of duck species. Many songbirds also inhabit the area, the use of which is fully expected to diversify and expand with proper management of this riverine habitat. Also found along this stretch of the river are numerous raptors, including the Cooper's hawk, northern harrier, sharp-shinned hawk, prairie falcon and an occasional bald or golden eagle. Mammals found include raccoon, opossum, coyote and deer. Topography of the parcels proposed for purchase are all quite similar, generally flat to undulating and sloping to the river.

Several of the purchases, as explained below, contain lands subjects to State Lands Commission jurisdiction. In most of these cases the acquisitions will provide for a quitclaim transfer of these state-claimed lands to the state. The DFG has reviewed each of these proposals and has added its support for each of the purchases proposed. The purchases of these properties are categorically exempt from CEQA as acquisitions of land for wildlife habitat conservation purposes and the appropriate Notices of Exemption have been filed.

It was proposed that all of the properties will either be managed by the SJRC or the DFG. In those cases where management and control is to be assumed by the SJRC, it was proposed that the lands be transferred to SJRC through a "Transfer of Control and Possession" once the purchase is completed. Regardless of which agency assumes the management and control of these lands, management will no doubt ultimately be accomplished under a cooperative management plan between the DFG, SJRC and other participating public and private landowners along the parkway.

The acquisitions being proposed at this time are more specifically described as follows:

SJRC 6 (River Vista Partners), Madera County \$3,194,880.00

This proposal was to consider the acquisition of a 176.66± acre parcel located on the northwesterly side of the San Joaquin River, separated by County Road 206 which provides easy access to both pieces. The property contains approximately one and one-half miles of frontage along the San Joaquin River, providing good riparian wildlife habitat normal to the San Joaquin River in this area, with more open space in areas lying further from the river corridor. In general the property has good potential for future riparian habitat restoration and enhancement. Located along the subject's easterly property line is a parcel (SJRC 4) acquired pursuant to action of the WCB at the February 17, 2000 meeting.

The property's topography goes from generally steep to the northwest, gradually sloping to a relatively flat plateau as it gently slopes to the river. It is unimproved except for an old, unoccupied single family residence and necessary fencing for grazing that has historically taken place on the property. Riparian water is available from the San Joaquin River. The property does not contain any lands below the low water line, hence no sovereign land claims are made by the State Lands Commission.

While the property is currently vacant, it is certainly under the threat of development. In fact, it is located within the boundaries of the Rio Mesa Area Plan of the County of Madera and, as such, is subject to possible future development into single family residential sites. The

current minimum lot size for development is 2.5 acre minimums, which could go to one acre minimum under the land use designation of the plan. Such development would certainly have a detrimental effect on the habitat values along this stretch of the river.

It was proposed that once this property is acquired that it will be transferred to the SJRC through a "Transfer of Control and Possession". Management will be the responsibility of the SJRC, but will no doubt ultimately be accomplished under a cooperative management agreement with the Department of Fish and Game and other participating private and public landowners along the parkway.

The owners have agreed to sell their property for \$3,179,880.00, the appraised value, as approved by the Department of General Services (DGS). It was anticipated that an additional \$15,000.00 will be needed for administrative services, including appraisal cost, DGS' review costs and title insurance and escrow fees, bringing the allocation necessary for this proposal to \$3,194,880.00.

The SJRC Board has passed a motion recommending that the WCB Board approve an allocation in this amount, from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund/Prop. 12, to cover the purchase price and related costs, and has agreed to accept the control and possession of the property at the completion of the purchase. The WCB staff therefore recommended that the Board approve this purchase as proposed, allocate \$3,194,880.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund/Prop. 12 as appropriated for this purpose, for the purchase price and administrative costs, and approve the transfer of control and possession to the SJRC upon completion of the acquisition.

SJRC 7 (Finch), Fresno County \$510,000.00

This was a cooperative proposal with the Trust, for the acquisition of a 20± acre parcel of vacant land located between Friant Road and the San Joaquin River, with access to Friant Road being obtained via Birkhead Road. The property is located immediately adjacent to the southwesterly boundary of the DFG's Willow Unit Ecological Reserve, and is proposed to be managed by DFG as part of this reserve. The Trust, which has obtained an option to acquire this property, proposes to transfer it to the state upon the completion of its acquisition.

The subject property is generally flat, containing very good wildlife habitat values similar to those common along the San Joaquin River in this area. Because of the property's location adjacent to the reserve, its excellent habitat values and the additional access it will provide to the reserve, the DFG highly recommends its purchase. While it is currently vacant, it could be developed for residential purposes, a use that would conflict with the overall operation of the Ecological Reserve.

The owners of this property have agreed to sell it for the DGS approved fair market value of \$500,000.00. It is estimated that an additional \$10,000.00 will be necessary to cover normal administrative costs, including appraisal costs, DGS' review cost and title and escrow fees. A total allocation of \$510,000.00 will therefore be necessary to complete this purchase.

It was proposed that the DFG will assume control of this property once the purchase is completed. With this understanding the SJRC Board passed a motion recommending that the Wildlife Conservation Board approve the acquisition of this property and approve an allocation of \$510,000.00 from the Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Bond Fund/Prop.13 for the purchase price and related acquisition costs, and allowing for the continued management by the DFG.

The WCB staff therefore recommended that the Board approve this purchase and allocation of funds as recommended by the SJRC Board.

SJRC 8 (Glaspey), Fresno County

\$897,000.00

This was a cooperative proposal with the Trust, to consider the acquisition of a 20± acre parcel of land located between Friant Road and the San Joaquin River, with access to Friant Road being obtained via Birkhead Road. The property is located immediately adjacent to the northerly boundary of the property discussed above (SJRC 7). It also shares a property boundary, to the northeast, with the DFG's Willow Unit Ecological Reserve. The Trust has obtained an option to acquire this property and proposes to transfer it to the state upon completion of their acquisition.

The subject property has similar terrain to that described above. However, it is improved with an unoccupied single family residence. In fact, this improvement is something that enhances the property's overall value for both the Trust and the DFG in that it will provide the opportunity to develop an interpretive facility and educational center for the many students who visit and learn from this river environment.

It was proposed that the DFG will assume control of this land, once it is acquired, at which time a long-term agreement is proposed with the Trust and the SJRC for the management and operation of the portion of the land upon which the residence is located, together with an area around the building deemed necessary for the operation of an interpretive and educational center, as well as for appropriate trail development. The Trust has a long standing reputation for excellence in operating educational programs along the San Joaquin River, which are used by many different schools throughout the Fresno/Madera County area.

The Trust has worked out an agreement with the landowners to acquired this land for \$700,000.00, which represents a \$185,000.00 savings from the DGS approved appraised value for the property (\$885,000.00). They have agreed to sell the property to the state for the full

appraised value, placing the \$185,000.00 difference between the appraised value and their purchase price (a donation from the landowner), less their acquisition costs, into an endowment account for the continued operation and maintenance of the educational and interpretive center. An additional \$12,000.00 is estimated to be necessary to cover administrative costs, including appraisal costs, DGS' review costs and title and escrow fees, bringing the total amount necessary to complete this purchase to \$897,000.00.

It was proposed that DFG will assume control of this property once the purchase is completed. With this understanding the SJRC Board passed a motion recommending that the Wildlife Conservation Board approve this purchase and allocate \$897,000.00 from the Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Bond Fund/Prop. 13 to complete this purchase as proposed.

The WCB staff therefore recommended that the Board approve this purchase as recommended by the SJRC Board.

SJRC 9 (Cobb/Proctor/Broadwell), Madera Co. \$3,423,880.00

This proposal was to consider the acquisition of 261.54± acres of land, together with the acceptance of grant in the amount of \$2,350,000.00 in TEA funds for direct transfer to escrow to be used toward the purchase. As the grant has not yet been approved, no offer can be made, so any action by the WCB must be conditioned upon receiving the approval. Also to be considered, should the owners so elect, is the acceptance of a quitclaim of an additional 60.06± acres of land lying within an area claimed as being under the jurisdiction of the State Lands Commission.

The subject property, which includes nearly three-fourths of a mile of river frontage, is located on the northerly side of the San Joaquin River, just westerly of the state highway 41 bridge. This places the property in Madera County, but just across the river from the City of Fresno. Access may be obtained from Highway 41, via the Cobb Ranch Road off-ramp.

The property, portions of which have been mined for gravel and portions of which are currently being mined, gradually slopes to the river from its westerly property line, which also represents the approximate toe of the slope where the remaining property raises rapidly to the top of a bluff.

There is a gravel mining operation currently going on over portions of the property, an area containing approximately 58± acres of the total property. The mining lease is due to expire July 31, 2002. It is proposed that the acquisition be made subject to the existing lease, with future lease revenues going to the SJRC. At the conclusion of the lease, the lessee is responsible for the restoration of the mined areas pursuant to an approved plan. The property contains several ponds, remnants from previous mining activities, which contain excellent wildlife habitat.

It was proposed that once this property is acquired, it will be transferred to the SJRC through a

“Transfer of Control and Possession”. Management will then become the responsibility of the SJRC, but will no doubt ultimately be managed under a cooperative agreement with various participating private and public landowners along this stretch of the San Joaquin River.

The owners have agreed to sell the 261.54± acres above the low water line to the state for the DGS’ approved appraised value of \$5,753,880.00. An additional \$20,000.00 is estimated to be necessary to cover administrative costs including appraisal costs, DGS’ review costs and title and escrow fees, bringing the total allocation necessary to complete this purchase to \$5,773,880.00. As noted above, it is anticipated that a \$2,350,000.00 TEA grant will be received for this purchase, bringing the state’s portion of the purchase price, including costs, to \$3,423,880.00.

The SJRC Board has passed a motion requesting that the Wildlife Conservation Board approve the acquisition of this property as discussed above, approve the acceptance of the \$2,350,000.00 grant from the Transportation Enhancement Activities Grant/Conservation Lands Program, for placement directly to escrow, accept the quitclaim of the lands below the low water line of the river should the owners elect to make this transfer, and agreeing to accept control and possession of the property at the completion of the purchase. The SJRC also recommended that the WCB allocate \$3,423,880.00 from the Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Bond Fund/Prop. 13, to complete this purchase as proposed. This approval was conditioned upon receiving approval of the above noted grant funds.

Pursuant to the SJRC Board’s recommendation, WCB staff recommended that the Board approve this acquisition as proposed (conditioned on receiving approval of the TEA grant), allocate \$3,423,880.00 from Prop. 13 funds as appropriated for this purpose, accept title to any lands which are subject to claims by the State Lands Commission should the owners elect to transfer them, accept the TEA grant for placement directly into the state’s escrow for this purchase and transfer the control and possession of this property to the SJRC upon completion of the purchase.

SJRC 10 (Ledger Island), Madera Co.

\$3,560,000.00

This proposal was to consider the acquisition of 161.17± acres of private land, together with the acceptance of an additional 29.38± acres lying below the low water line of the San Joaquin River which are subject to claims by the State Lands Commission. This property is located on the westerly side of the San Joaquin River, north of Avenue 12, and is just across the river from the Willow Unit Ecological Reserve property held by both DFG and SJRC. In fact, access can be obtained from the Reserve to the subject property via a bridge installed across the river, an asset when considering future trail development.

Its location on a bend in the river provides over one mile of river frontage on two sides of the property. Being located just across the river from the Reserve will not only enhance the overall values of the Reserve, but will provide for easier overall management of public lands in this area. The fact that both properties are connected by a bridge will also provide the opportunity for greater compatible public use of this stretch of the river.

In addition to the bridge, the property is improved with an old barn, a sprinkler system and fencing common to a cattle grazing operation. Its topography is generally flat, sloping to the river, with excellent habitat values found throughout the property.

It was proposed that this property, once acquired, be transferred to the SJRC via a "Transfer of Control and Possession". Management will be the responsibility of the SJRC, but like others along the river will no doubt ultimately be accomplished through a cooperative management agreement involving other participating private and public landowners.

The owners have agreed to sell the property for \$3,545,000.00, the appraised value as approved by the DGS. An additional \$15,000.00 is estimated to be necessary to cover administrative costs including appraisal costs, DGS' review fees and title and escrow costs, bringing the total allocation necessary to complete this purchase to \$3,560,000.00.

The SJRC has passed a motion recommending that the WCB approve the acquisition of this property, approve an allocation of \$3,560,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund/Prop. 12, for the purchase and related costs and authorize the acceptance of any lands lying below the low water line of the river and which are subject to claims from the State Lands Commission. They have also agreed to accept control of the property at the completion of the purchase through a transfer to them. The WCB staff therefore recommended that the WCB approve this purchase as proposed, including the acceptance of a quitclaim of any lands lying below the low water line of the river, allocate \$3,560,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund/Prop. 12, for the purchase and related costs, and authorize the transfer of the property to the SJRC through a "Transfer of Control and Possession" when the purchase is completed.

SJRC 11 (Spano), Fresno/Madera Counties

\$892,600.00

This proposal was to consider the acquisition of 360.38± acres of land, together with the acceptance of a grant in the amount of \$2,600,000.00 in TEA funds, a grant in the amount of \$500,000.00 in Environmental Enhancement and Mitigation funds (EEMP) and \$3,892,600.00 in General Funds from the California Resources Agency, all (except for administrative costs noted below) for placement directly into the state's escrow to be used toward the purchase. Also to be considered is the acceptance of a quitclaim to an additional 189.79± acres of land lying within an area claimed as being under the jurisdiction of the State Lands Commission.

As the TEA grant has not yet been approved, no offer can be made, so any action by the WCB must be conditioned upon receiving this approval.

The purchase of this property is to be a multi-party effort involving the Trust, Caltrans, the Federal Highway Administration, TPL, Packard, RLG, the California Resources Agency, SJRC, DFG and WCB. The proposal involves the Trust and TPL working out a transaction to acquire the subject property together with the property's remaining gravel rights, partially with grant funds from Packard and partially with EEMP funds. They will then sell the property, excepting the gravel rights, to the State as outlined in this proposal.

The subject property, which includes over one mile of river frontage, is located on the southerly side of the San Joaquin River, just westerly of the State Highway 41 bridge. A small portion of the ownership lies on the northerly side of the river, just westerly of, and adjacent to the Cobb/Proctor/Broadwell property discussed above (SJRC 9). The portion on the northerly side of the river is located in Madera County, while the portion of the southerly side of the river is located within the City of Fresno, Fresno County. Access may be obtained from city streets at several different locations.

The property, a portion of which has been mined for gravel, lies from the toe of a bluff located at its southerly property line and gradually slopes northerly to the river. A large amount of the property has yet to be mined. As noted above, as part of this transaction the Trust will be acquiring the remaining gravel rights to the property, thereby assuring protection of the property in its existing condition in perpetuity. Several nice ponds exist on the property providing great opportunities for future wildlife habitat restoration. In addition, good potential exists for future public recreational opportunities to be developed, including trails and fishing access.

It was proposed that once the property is acquired that it will be transferred to the SJRC through a "Transfer of Control and Possession". Management will then become the responsibility of the SJRC, but will no doubt ultimately be managed under a cooperative arrangement with various participating private and public landowners along the river.

The owners of the land have agreed to sell this 360.38± acre ownership, located above the low water line, including all gravel rights to the Trust, which has been working with the TPL to complete this purchase. A grant from Packard to the Trust has been instrumental in putting this transaction together. The TPL has also secured an EEMP grant in the amount of \$250,000.00 to be used toward the purchase. The Trust has agreed to transfer the fee interest in the land, retaining the gravel rights, for the DGS' approved value of \$7,207,600.00, less the \$250,000.00 EEMP funds (state funds) used to make the purchase, or a total sales price to the state of \$6,957,600.00. An additional \$35,000.00 is estimated to be necessary to cover acquisition costs, including DGS' review fees and title and escrow costs, for a total amount of

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\$6,992,600.00 being necessary to complete this purchase.

As noted above, a TEA grant in the amount of \$2,600,000.00 is available from Federal Transportation Enhancement Activities funds/Conservation Lands Program for this purchase. In addition, WCB staff has applied for a \$500,000.00 EEMP grant which will be placed directly into escrow to assist in this purchase. Lastly, a \$3,000,000.00 General Fund appropriation is contained in the California Resources Agency's 2001/02 budget, specifically designated for this purchase. Together these funds will provide the total \$6,100,000.00 of the \$6,992,600.00 necessary to complete this purchase. Therefore, an allocation of \$892,600.00 will be necessary to complete this acquisition from the Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Bond Fund /P- 13, as designated for purchases along the San Joaquin River Parkway.

The SJRC Board has passed a motion requesting that the Wildlife Conservation Board approve the acquisition of this property as discussed above, approve the acceptance of the \$2,600,000.00 TEA grant and the acceptance of the \$500,000.00 EEMP grant, both for placement directly to escrow to assist in the purchase of this property. SJRC also recommended the acceptance of a quitclaim of the lands below the low water line of the river, agreed to accept control of the property at the completion of this purchase as proposed and recommended that the WCB seek funds from the Resources Agency's General Fund appropriation, as specifically authorized for this purchase in the 2001/02 state budget, for a portion of the purchase price and costs.

In addition to protecting prime wildlife habitat, each of these proposed purchases will provide the opportunity for some habitat restoration, in varying degrees depending on each individual property's existing values. They will also afford the opportunity to provide compatible public uses such as birding, sightseeing, photography, hiking, picnicking and, of course, great educational opportunities.

Staff therefore recommended that the Board approve each of the six (6) proposed purchases as outlined above, allocate a total of \$12,478,360.00 for the purchase prices and administrative costs from the funding sources as follows:

- 1) Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund/P-12 \$6,754,880.00 (SJRC 6 & 10)
- 2) Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Bond/P-13 \$5,723,480.00 (SJRC 7- 9 & 11)

Staff also recommended that the Board accept two Transportation Enhancement Activities

Grants/Conservation Lands Program totaling \$4,950,000.00 for placement directly into escrow to assist in the purchases of SJRC 9 and 11, accept the \$500,000.00 Environmental Enhancement and Mitigation Program Grant to assist in the purchase of SJRC 11, and accept \$3,000,000.00 from the Resources Agency's General Funds appropriation specifically designated for purchase of the SJRC 11 property, all for placement directly into escrow, as discussed above. It was further recommended that the Board accept the conveyance of any rights the landowners may claim to lands lying within areas subject to State Lands Commission jurisdiction; authorize the transfer of some of the lands acquired (SJRC 6 and 9 - 11) to the San Joaquin River Conservancy through a "Transfer of Control and Possession"; authorize staff and the Department to enter into appropriate agreements as necessary to accomplish these projects; 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 each of the six (6) proposed purchases as outlined above, allocate a total of \$12,478,360.00 for the purchase prices and administrative costs from the funding sources as follows:

- 1) Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund/P-12 \$6,754,880.00 (SJRC 6 & 10)**

- 2) Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Bond/P-13 \$5,723,480.00 (SJRC 7- 9 & 11)**

It was moved by Mr. Robert Hight that the Board accept two Transportation Enhancement Activities Grants/Conservation Lands Program totaling \$4,950,000.00 for placement directly into escrow to assist in the purchases of SJRC 9 and 11, accept the \$500,000.00 Environmental Enhancement and Mitigation Program Grant to assist in the purchase of SJRC 11, and accept \$3,000,000.00 from the Resources Agency's General Funds appropriation specifically designated for purchase of the SJRC 11 property, all for placement directly into escrow, as discussed above. It was further recommended that the Board accept the conveyance of any rights the landowners may claim to lands lying within areas subject to State Lands Commission jurisdiction; authorize the transfer of some of the lands acquired (SJRC 6 and 9 -11) to the San Joaquin River Conservancy through a "Transfer of Control and Possession"; authorize staff and the Department to enter into appropriate agreements as necessary to accomplish these projects; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *23. Allensworth Ecological Reserve, Expansion 23, Tulare County \$8,000.00

This proposal was to consider the acquisition of 10± acres of land as an addition to the Allensworth Ecological Reserve, a Significant Natural Area providing habitat for the endangered Tipton kangaroo rat and Blunt-nosed leopard lizard, as well as the San Joaquin kit fox, a state listed threatened and federally listed endangered species. The subject property is located east of Highway 43 and north of Avenue 24 in Tulare County.

Funding for this proposed purchase, including related acquisition expenses, is made available from a Bureau of Reclamation (BOR) grant, accepted for this purpose by the Wildlife Conservation Board (WCB) at its August 20, 2000 meeting. The grant provides funding for the total purchase price of the properties being acquired in the Allensworth area. These funds are deposited directly into the State's escrow account on a project-by-project basis upon request by WCB. Funds for all other related acquisition expenses, such as appraisal services, Department of General Services review, escrow expenses and title insurance are reimbursed to the State upon submission of invoices to BOR.

In February of 1991, the WCB approved the initial Allensworth Ecological Reserve acquisition consisting of 651± acres in southern Tulare County. Additional acquisitions to date have increased the total acreage of the reserve area to 1,571± acres. Although the Department of Fish and Game (DFG) ownerships are fragmented, continuing efforts are being made to join these parcels.

The Allensworth area is listed in the 1988 Annual Report of Significant Natural Areas of California prepared by the DFG. The Valley Sink Scrub community found at Allensworth is one of the best remaining examples in the southern San Joaquin Valley. Due to the relatively large area it covers, it provides critical habitat for the San Joaquin kit fox, which requires sizable territories (1 - 2 miles) for hunting and breeding. In addition, because of its significant habitat for the Blunt-nosed leopard lizard, the Allensworth area has long been recommended for protection in the Recovery Plan for that species.

Much of the land in the general vicinity of the subject property has been, or is currently being, converted to extensive agricultural uses including alfalfa, cotton, milo, grapes or orchard use. In the long-term, it is almost a certainty that the subject property would be developed to agricultural uses, thereby destroying its habitat values. DFG operation and maintenance costs for this area are expected to be minimal. The management focus is habitat preservation with potential species augmentation.

This 10± acre parcel has no legal access. However, the Department owns several properties in the surrounding area and is not concerned with access to this property. The owners have agreed to sell the property at the appraised, approved fair-market value of \$7,500.00. As discussed above, related acquisition expenses are initially paid by the state and reimbursed by BOR upon submission of paid invoices. It is estimated that \$8,000 will be needed to cover these expenses, including appraisal services, title insurance, escrow fees and Department of General Services' review charges.

The acquisition is exempt from CEQA under Section 15313 as an acquisition of land for wildlife conservation purposes and a Notice of Exemption has been filed.

Staff recommended that the Board approve this transaction as proposed; allow the deposit of previously authorized grant funds for the purchase price of the proposed acquisition and; allocate \$8,000.00 from the Habitat Conservation Fund, Section 2786(b/c), to cover the related costs; permit staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve this transaction as proposed; allow the deposit of previously authorized grant funds for the purchase price of the proposed acquisition and; allocate \$8,000.00 from the Habitat Conservation Fund, Section 2786 (b/c), to cover the related costs; permit 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. Irish Hills Conservation Area, Expansion 1, San Luis Obispo County \$302,500.00

This proposal was to consider a grant to the City of San Luis Obispo (City) to assist in a cooperative project with The Nature Conservancy, Department of Fish and Game (DFG), the Wildlife Conservation Board (WCB) and others to acquire 241± acres of land for the protection and enhancement of threatened and endangered species habitat and to enhance public access to the Irish Hills Conservation Area, immediately west of the City of San Luis Obispo.

On May 18 of this year the Board approved a similar grant to the City of San Luis Obispo for the acquisition of 154 acres. Expansion 1 is situated due south of the initial acquisition and along the same highland ridge line which is contiguous with the Irish Hills Conservation Area and city-owned parcels. The Irish Hills are a major coastal open space which occupy over 120 square miles and extend from the City of San Luis Obispo and Highway 101 to the Pacific Ocean. The property being considered in this transaction slopes up from the San Luis Creek Canyon, located in the U.S. 101 corridor and adjacent to the southwestern line of the San Luis Obispo city limits. The property is accessed off U.S. 101 at the lower Higuera Interchange onto Ontario Road.

The property lies in a transition zone between mixed grass savanna and coast oak woodlands. The wide range of habitat types, from the ridge line at 700 feet to the richness of a healthy

riparian zone along No Name Creek, a tributary to San Luis Obispo Creek, contribute to the area's exceptional biological diversity. The area encompasses four broad habitat types including grassland savanna, coast oak woodland, scrub oak/leather oak woodlands and riparian. The property has a diversity of plant species and includes a number of sensitive plants, such as the San Luis Obispo mariposa lily, Brewer spineflower, San Luis Obispo sedge, Chorro Creek bog thistle, San Luis Obispo dudleya, and Blochman's dudleya.

Recent surveys of the property found that a multitude of different wildlife species utilize the property, some of which are special status animal species, including the California red-legged frog, southwestern pond turtle and golden eagle. The area supports significant deer and mountain lion populations and a wealth of bird species are found within the riparian areas and on the uplands found on site. No Name Creek, a tributary within the San Luis Obispo Creek drainage, is reported to provide habitat for five species of native fish, including southern steelhead, prickly sculpin, speckled dace, three-spined stickleback, and Pacific lamprey.

The overall management responsibility of the property will be undertaken by the City of San Luis Obispo. Management will focus on objectives that include protecting and preserving the various ecosystems on the property, providing opportunities for educational research and training, and providing controlled public access for hiking, bicycling and equestrian and other compatible recreational uses.

The City of San Luis Obispo has secured an exclusive purchase option and will hold title upon completion of the transaction. The property has been appraised and the value has been approved by the Department of General Services (DGS) at \$1,750,000.00. In addition to WCB's proposed funding participation at \$300,000.00, the remainder of the purchase price will be provided by the City, The Nature Conservancy of California and other grant funds secured by the City. It is estimated that an additional \$2,500.00 will be needed for project expenses, including DGS review charges. The project is exempt from CEQA under Class 13 of Categorical Exemptions, as an acquisition of land for wildlife conservation purposes and the City has filed the appropriate documentation.

Staff recommended that the Board approve the award of a grant to the City of San Luis Obispo to be applied toward the purchase of 241± acres as proposed; allocate \$302,500.00 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000, Section 5096.350 (a)(5) to cover the grant amount and pay for project expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the DFG to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve the award of a grant to the City of San Luis Obispo to be applied toward the purchase of 241± acres as proposed; allocate \$302,500.00 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal

Protection Bond Act of 2000, Section 5096.350 (a)(5) to cover the grant amount and pay for project expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the DFG to proceed substantially as planned.

Motion carried.

- *25. Del Mar Mesa Vernal Pool Preserve, Expansion 1, San Diego County \$ -0-

This proposal was to consider the acceptance of a grant from the U. S. Fish and Wildlife Service (USFWS), in the amount of \$950,000.00, to facilitate the cooperative acquisition by the City of San Diego of one or more properties, totaling up to 360± acres. Acquisition of the real property will preserve a regionally-significant wildlife corridor and nationally-recognized vernal pools in the Del Mar Mesa area, and will further implement the joint federal, state and local Natural Community Conservation Planning (NCCP) efforts in the San Diego area.

Del Mar Mesa is located in the northern part of the City of San Diego, approximately 20 miles north of downtown San Diego. The area is four miles inland from the Pacific Ocean and approximately halfway between Interstate 5 and Interstate 15. The subject parcels are located on the mesas west of the community of Rancho Penasquitos. To the west and north of Del Mar Mesa are the developing new communities within the City's future urbanizing area. To the southwest lies the City's Los Penasquitos Canyon Regional Open Space Preserve.

By its action on August 10, 2000, the Wildlife Conservation Board approved a grant to the City of San Diego, in the amount of \$250,000.00, to facilitate the City's acquisition of critical habitat in the Del Mar Mesa area. The grant proposed by the USFWS is similar to the Board's grant in that it would provide the City with funds for the purchase of one or more properties, as recommended by the Department of Fish and Game and the U.S. Fish and Wildlife Service.

The proposed USFWS grant, together with the funds previously granted by the Board, will enable the City to expand its efforts at the Del Mar Mesa Vernal Pool Preserve.

The subject parcels contain a multitude of endangered, threatened and sensitive vegetation and wildlife species as well as a regionally-significant wildlife corridor and nationally-recognized vernal pools. Del Mar Mesa is an integral part of the Multiple Species Conservation Program and the San Diego National Wildlife Refuge Vernal Pool Stewardship Project planning area. The area is also one of the only undisturbed blocks of core habitat that remain within the urbanizing landscapes of the City of San Diego.

The primary vegetation communities on Del Mar Mesa are southern mixed chaparral, scrub oak chaparral and Diegan coastal sage scrub, with some native and non-native grasses occurring throughout. Clearings in the chaparral and coastal sage scrub contain numerous vernal pools. Several federal and state-listed endangered species flourish within the vernal

pools, including San Diego button celery, San Diego mesa mint, San Diego fairy shrimp and California gnatcatcher. In addition to the vernal pools, the Del Mar Mesa and Deer Canyon provide a large block of habitat (approximately 1,479 acres) for larger mammalian species, such as mountain lion, deer, bobcats and coyotes. Conservation of Del Mar Mesa provides a critical wildlife movement corridor between other large open space areas. Habitat linkages to the south connect Del Mar Mesa with the 3,600± acre Los Penasquitos Canyon Preserve and to the north, they connect with the 1,500± acre Black Mountain Park Open Space Park.

Del Mar Mesa represents the best opportunity for the long-term protection and management of a core block of vernal pools within the City of San Diego. This fact is recognized at the federal level by the inclusion of Del Mar Mesa in the San Diego National Wildlife Refuge Vernal Pool Stewardship Project. While several recent acquisitions by the U.S. Fish and Wildlife Service (USFWS), the City of San Diego and private individuals have secured portions of Del Mar Mesa, there is still a high potential for private development on the remaining parcels. Development on Del Mar Mesa could reduce the biological integrity of habitat linkages, introduce exotic vegetation and non-native predators and increase the indirect effects of adjacent construction. The conservation of these areas would create a significant block of habitat by maximizing the ratio of surface area to perimeter, thus reducing edge effects. Coupled with continuing federal and local purchases of property in this area, this proposal represents an opportunity to conserve San Diego's unique biological heritage.

The lands acquired would be managed by the City as part of its Penasquitos Canyon Park system. Several City-owned parcels are currently being managed on a daily basis by park rangers for recreational uses and to control illegal off-road vehicle activity and illegal dumping in the area. The parcels identified for acquisition are in a pristine condition and, therefore, no restoration or enhancement is necessary. The management goals will be to continue to maintain the natural resources in their current undisturbed condition and to coordinate future management and monitoring activities with the USFWS Refuge staff to maximize federal and local government resource management efforts.

The proposed USFWS grant would provide \$950,000.00 in federal Section 6 funds to facilitate the City of San Diego's purchase of one or more properties totaling up to 360± acres.

The City has agreed to provide the funds necessary to match the federal monies. The terms and conditions of the proposed Cooperative Agreement with USFWS provide that staff will review all proposed acquisition-related documents including appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to recommending USFWS' disbursement of funds directly into an escrow. Staff recommended that the Board accept the \$950,000.00 grant from the U.S. Fish and Wildlife Service for deposit directly into an escrow for the purchase of one or more properties by the City of San Diego, as proposed; 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 meeting, it was moved by Mr. Robert Hight that the Board accept the \$950,000.00 grant from the U.S. Fish and Wildlife Service for deposit directly into an escrow for the purchase of one or more properties by the City of San Diego, as proposed; 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.

- *26. Los Banos Wildlife Area, Mud Slough Unit, Expansion 3, Merced County \$330,000.00

This proposal was to consider the acquisition of 67± acres of land as an expansion of the Mud Slough Unit of the Los Banos Wildlife Area, located in Merced County. This acquisition will preserve and potentially allow for the restoration and development of historic wetlands located on Highway 152, approximately 1 mile east of the City of Los Banos.

More specifically, the property is located within a geographical area known as the Mud Slough Corridor. This corridor is a narrow, three mile long wildlife habitat corridor effectively linking the North and South Grasslands (Grasslands), a 160,000 acre grassland ecological area located within the San Joaquin Valley and considered the largest contiguous freshwater wetland in California. In addition to 25,000± acres of privately owned property, many of which are protected under a federal easement, the Grasslands encompass the Department's Los Banos Wildlife Area and the North Grasslands Wildlife Area which collectively contain nearly 14,000 acres and include four acquisitions approved by the Board specifically within the Mud Slough Corridor.

Acquisition and subsequent restoration of the subject property will provide a critical link in the fragmented corridor between the North and South Grasslands and enhance the area's diversity of habitats, including freshwater marsh, riparian, valley sink scrub and uplands for the benefit of a host of wetland and upland dependent wildlife species. In addition, a number special status species are expected to benefit from this acquisition, a few of which include the western pond turtle, Cooper's hawk, greater sandhill crane and western snowy plover. The giant garter snake, a state and federally-listed threatened species, is also a resident within the Grasslands. Based on its habitat needs and recovery requirements, restoration of freshwater marsh and slough channels will provide suitable habitat for the giant garter snake and help enhance recovery objectives for this species.

The owners have agreed to sell the property to the State for the appraised, approved fair-market value of \$310,000.00. It is estimated that an additional \$20,000.00 will be needed for acquisition costs which include appraisal services, escrow, title insurance and Department of General Services' review costs. The acquisition is exempt from CEQA under Section 15313

as an acquisition of land for wildlife conservation purposes.

Staff recommended the Board approve the acquisition of the subject property as proposed; allocate a total of \$330,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, Section 5096.350 (a)(1)(A) (Proposition 12) to cover the purchase price and related costs; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve the acquisition of the subject property as proposed; allocate a total of \$330,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, Section 5096.350 (a)(1)(A) (Proposition 12) to cover the purchase price and related costs; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *27. Redwoods to the Sea Corridor, Expansion 2, Humboldt County \$230,000.00

This proposal was to consider an allocation for a grant to Save-the-Redwoods League (League), to assist in its purchase of 280± acres of privately-owned land as an addition to the present corridor and in a continuing effort to preserve old-growth Douglas fir and mixed hardwood-conifer forest types. At the WCB meeting of November 18, 1999, the Board approved the first grant to the Bureau of Land Management (BLM) for the purchase of 1,394± acres in this area. At its August 10, 2000 meeting, the Board approved a grant to the League for the purchase of 1,075± acres and the League thereafter assigned the land to the BLM.

The property proposed for purchase through this currently recommended grant is located in Humboldt County, about 50 miles south of Eureka, approximately 11 miles inland from the coast and 5 to 10 miles west of the towns of Weott, Myers Flat and Miranda, which lie along U.S. Highway 101 on the South Fork of the Eel River. It adjoins the BLM's Gilham Butte Late Seral Reserve, a Resource Natural Area, on the south and east. It also adjoins the California Department of Parks and Recreation's (DPR) Humboldt Redwoods State Park (HRSP) along part of its northern border. Road access is through the HRSP, on Bull Creek Road, an unimproved dirt road. Gilham Butte is the divide between the Eel River and the Mattole River watersheds. It is also the physical connection between the HRSP and the BLM's King Range National Conservation Area (KRNCA). Elevations range from approximately 1,600 feet along the creeks to 2,600 feet along the ridge tops.

The subject 280± acres consist of two contiguous ownerships containing rugged, low-elevation old-growth Douglas-fir and mixed hardwood-conifer (oak, madrone and second

growth Douglas-fir) forest types. These forest types typically provide habitat for a number of sensitive species, such as the northern spotted owl, goshawk, red tree vole, Pacific fisher and the southern torrent salamander, as well as salmon and steelhead. Species known to exist on the subject property include Coopers hawk, northern spotted owl, ruffed grouse, red tree vole, coho salmon, Chinook salmon, steelhead trout and the foothill yellow-legged frog.

The primary purpose for the acquisition of this property is to add to the protection of the habitats of these species, and to provide public access between two existing blocks of public lands. The structural complexity and high volume seed production of the forests found in the proposed acquisition provide significant habitat for species dependent on late-succession forest, including many rare, threatened and endangered species.

As the land proposed for acquisition is zoned Unclassified R1, the only method likely to succeed in achieving these objectives is a conversion to public ownership. Retention of the existing continuity of a large, structurally diverse, forested landscape ranging across watersheds, with multiple gradients in elevation, topography and vegetative species composition, will protect wildlife habitat values for both the HRSP and the KRNCA. Providing a significantly larger protected land base improves population viability for species with large home ranges.

After purchasing the property, it is anticipated that the League will transfer its ownership to BLM for inclusion in BLM's adjoining ownership. The grant conditions, restrict the use of the property to habitat protection and compatible public uses and will run with the land in perpetuity.

Management objectives would be 1) to conserve existing high quality coastal low-elevation old growth Douglas fir, deciduous and live oak, and madrone forest types, 2) to prevent fragmentation and maintain wildlife travel and migration corridors, 3) to restore and enhance habitat for listed and candidate fish and wildlife species, and 4) to assist the recovery of viable populations of fish and wildlife species in jeopardy of extirpation or extinction on both the local and regional levels.

Public use would include vehicular access to the currently landlocked Gilham Butte Late Seral Reserve and a hiking trail linking the HRSP, in the Eel River watershed, through the proposed acquisition to the Gilham Butte Late Seral Reserve in the Mattole River watershed. Other public uses could include camping, wildlife and bird viewing, hunting and fishing. Additionally, the purchase of the property would significantly aid the effort to insure permanent and sustainable protection for a wildlife corridor linking the largest old-growth redwood grove in the world, the 55,000-acre HRSP, with the old-growth Douglas-fir forests of the 60,000-acre KRNCA, extending to the longest unroaded coastline in the contiguous United States, the Lost Coast. Both the DPR and the BLM strongly support the acquisition.

The terms and conditions of the proposed grant provide that staff review and approve all documents pertaining to the Grantee's acquisition, including any appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds.

The appraised fair market value of the subject property, as approved by the Department of General Services, is \$220,000.00. It is anticipated that an additional \$10,000.00 will be needed for General Services' review costs.

Staff therefore recommended that the Board authorize the grant as proposed; allocate \$230,000.00 for the purchase and related expenses from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop 12), Section 5096.350 (a)(5); authorize staff to enter into appropriate agreements as necessary to carry out this project; and authorize staff and the Department to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board authorize the grant as proposed; allocate \$230,000.00 for the purchase and related expenses from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop 12), Section 5096.350 (a)(5); authorize staff to enter into appropriate agreements as necessary to carry out this project; and authorize staff and the Department to proceed substantially as planned.

Motion carried.

- *28. Oceanside Linkages, San Diego County \$710,000.00

This proposal was to consider an allocation for a grant to the City of Oceanside to assist in its purchase of a 36± acre property located within the City of Oceanside as a key wildlife connection in the Loma Alta Creek area. Acquisition of the property will further implement the joint federal, state and local Natural Community Conservation Planning (NCCP) efforts in the San Diego area and, more specifically, will help to implement a portion of the City's open space acquisition responsibilities under its draft Multiple Habitat Conservation Program (MHCP).

The subject property is located west of El Camino Real and north of the Eternal Hills Memorial Park and Mortuary, which owns undeveloped acreage immediately adjoining the subject to the west and east. The Mt. Olive Cemetery Association, an interrelated company, owns the undeveloped acreage extending from the northern property line of the subject. The property does not have direct street frontage, but legal access is available from appurtenant easements which extend easterly to El Camino Real across privately-owned lands. The eastern half of the property is gently sloping in character, while the western half is rolling to sloping and includes a seasonal drainage corridor. Lands along the northern and eastern

boundaries are within steep sloping hillsides.

The property contains valuable native habitats including coastal sage scrub, native grassland and riparian scrub along the seasonal drainage corridor, all critical habitats that support a rich assemblage of both upland and wetland species, including California gnatcatchers and least Bell's vireos. The draft MHCP for the Cities of Oceanside and Carlsbad includes 17 parcels (approximately 248 acres) which, along with other parcels already preserved through private development actions, mitigation or purchase, create a "stepping-stone" patchwork of gnatcatcher breeding and dispersal habitats. Together, the stepping-stones link larger, core habitat areas for gnatcatchers that lie north and south of the MHCP subregion. Given the high degree of fragmentation already existing in the area, whole or partial loss of any one stepping-stone could severely affect the continued function of the overall linkage.

The City has agreed to assume full management responsibilities of the property and will develop a management plan following acquisition. Some long-term management objectives would include some biological monitoring of plant and animal resources and habitat restoration which can only be assured by purchase.

The City is pursuing acquisition of the subject at the approved appraised value of \$1,625,400.00. The San Diego County Water Authority has identified the subject property as potential mitigation for its emergency water storage project and has agreed to contribute \$920,400.00 directly into an escrow to be applied toward the purchase price. The Board's proposed grant, in the amount of \$705,000.00, would provide the balance of the purchase price. It is estimated that an additional \$5,000.00 will be needed for administrative expenses, including Department of General Services' review costs, bringing the total recommended allocation for the proposal to \$710,000.00.

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 an escrow for acquisition of the property.

Staff recommended that the Board approve the grant to the City of Oceanside to be applied toward the acquisition of the 36± acres, as proposed; allocate \$710,000.00 for the grant and related expenses from the General Fund; authorize staff to enter into the appropriate agreements to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve the grant to the City of Oceanside to be applied toward the acquisition of the 36± acres, as proposed; allocate \$710,000.00 for the grant and related expenses from the General Fund; authorize staff to enter into the

appropriate agreements to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *29. Iron Mountain Wildlife Area, Expansion 1, San Diego County \$2,005,000.00

This proposal was to consider an allocation for a grant to the County of San Diego to assist in its acquisition of 716.5± acres, for the protection and enhancement of sensitive habitats located within the eastern foothills of San Diego County. Acquisition of the subject property is critical to preserving the east-west wildlife corridor along San Vicente Creek and maintaining a linkage between the County's Mount Gower Open Space Preserve and the already protected habitat to the west. The acquisition would also allow for management of this habitat in a manner consistent with other lands already included in the County's Multiple Species Conservation Program (MSCP) Reserve and further implement the Department of Fish and Game's (DFG) Natural Community Conservation Planning (NCCP) efforts in the County.

The Department of Fish and Game (DFG) has approved a Conceptual Area Protection Plan identified as the Iron Mountain Ridge - Canada de San Vicente preserve, 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. Iron Mountain Ridge is the westerly most portion of the Plan and Canada de San Vicente is the easterly most portion. The two portions are distinct and are divided by the deep and heavily wooded valley of the "West Branch" (the major western tributary to San Vicente Reservoir).

The subject is located along the east edge of the Plan area, along San Vicente Road. It occupies a high mesa along the upper portion of San Vicente Creek and surrounding highlands. This core area of largely undisturbed habitat would provide source plant and animal populations for maintaining healthy ecosystems functioning throughout a broad reach of central San Diego County. It would also provide a biological reservoir for protection against future extirpations of species within smaller preserves to the west, where corridor connections are maintained. Native habitats found within the proposed biological preserve area include various types of chaparral, oak woodlands, riparian forests, freshwater marshes and seeps, vernal pools, coastal sage scrub and grasslands. Several sensitive species observed on the site include the coastal California gnatcatcher, Engelmann oaks, heart-leaved pitcher sage, ashy spike-moss, Lakeside ceanothus, San Diego goldenstar, California adder's tongue and orange-throated whiptail.

Acquiring properties in the preserve would provide an essential connection of 19 adjoining preserve areas outside of the Cleveland National Forest and Miramar Naval Air Station. This preserve system would extend from the south section of the Cleveland National Forest, east of Lakeside, nearly to the San Dieguito Valley, approximately 18 miles between the north and

southeast ends. The combined area of these preserves, outside of the Cleveland National Forest, would be approximately 25,066 acres. DFG recommended that the highest priorities for acquisition be given to properties that contain particularly sensitive habitats and to properties on the edge of the Plan area, where development pressures are greatest.

By its action on August 10, 2000, the Wildlife Conservation Board approved the first acquisition of the Iron Mountain Wildlife Area, containing 1,135± acres, and the acceptance of another 240± acres by donation. In February, 2001, the Board approved the future transfer of that property to the County of San Diego, via an exchange agreement with the State. The exchange property, as well as other MSCP preserve properties within this corridor, have also been identified by the County as having a high priority for County Park acquisition, including the 716.5± acre property that is the subject of this proposal.

The County's management objectives for the subject property would be to preserve the key open space habitat land and continue the process of protecting a critical wildlife corridor and the species that currently use this habitat. Long-term management goals may provide for some passive uses by the public including hiking, bird-watching, photography, wildflower study and nature interpretation. The DFG will have no management responsibilities and will not have any obligation to provide funds for management of the subject property.

The property owner has agreed to sell the property to the County at the approved appraised value of \$4,440,000.00. The Board's proposed grant, if approved, would provide a \$2,000,000.00 contribution toward the purchase price. It is estimated that an additional \$5,000.00 will be needed for administrative expenses, including Department of General Services review costs, bringing the total allocation for this proposal to \$2,005,000.00.

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

Staff recommended that the Board approve the proposed grant to the County of San Diego to be applied to the acquisition of the 716.5± acre property, as proposed; allocate \$2,005,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop. 12), Section 5096.350 (a)(6)–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.

As one of the consent items heard at the beginning of the meeting, it was moved by

Mr. Robert Hight that the Board approve the proposed grant to the County of San Diego to be applied to the acquisition of the 716.5± acre property, as proposed; allocate \$2,005,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop. 12), Section 5096.350 (a)(6)–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.

- *30. Camp Cady Wildlife Area, Expansion 7 (Augmentation), \$4,500.00
San Bernardino County

This proposal was to consider the augmentation of a previously approved allocation of funds as approved on February 23, 2001 as Agenda Item 17, to allow for the increase in acreage based on a land survey of the property to be acquired. The acreage increased from 317.4 acres to 319.24 acres equating to a net increase of 1.84 acres that was not anticipated when the acquisition was negotiated.

Staff recommended that the Board allocate an additional \$4,500.00 from the Habitat Conservation Fund, Section 2786 (e/f) to cover the increase in purchase price due to the increase in acreage; authorize staff in 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 meeting, it was moved by Mr. Robert Hight that the Board allocate an additional \$4,500.00 from the Habitat Conservation Fund, Section 2786 (e/f) to cover the increase in purchase price due to the increase in acreage; authorize staff in 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.

- *31. Northern California - North Coast Region Property Exchange, Shasta County \$2,500.00

This proposal was to consider the exchange of a portion of state-owned property for a utility easement across private property, located at, and adjacent to, the Department's Northern California - North Coast (NCNC) Regional Office in the City of Redding, Shasta County.

The State property to be exchanged is a small, disjunct, triangular parcel containing approximately 1,200 square feet that is separated from the rest of the Regional Office grounds by the Anderson - Cottonwood Irrigation Canal and basically forms an inholding within private property. Because the parcel is separated from the rest of the state property, it is costly

for the Department to maintain and difficult to keep free from trash and other debris illegally dumped on the parcel. It routinely requires mowing and weed removal because of fire danger. The property offers no wildlife benefits and, because of its location, is not available for use by the Department for administrative purposes associated with the Regional Office.

In exchange for the state property, the Department will receive an easement for utility purposes, including administrative access, and encumbering approximately 1,500 square feet. The NCNC Region is expanding office facilities as they increase their habitat conservation and fishery programs. The expansion requires installation of computers and local area networks with other buildings in the regional office complex. Part of the office complex includes the "Cantara Building" which houses a geographic information system (GIS) and the GIS is essential to many of the Department's programs. There is a need to connect the office facilities with the Cantara Building so that personnel can access GIS data and this easement will effect that connection.

No money is to trade hands in this transaction. While an appraisal was not prepared for the exchange, it is considered to be an even value exchange. The transfer of the state property to the property owner from whom we will be acquiring the easement will be beneficial in that it will reduce the Department's operational costs and eliminate the obligation to maintain lands of no benefit, while at the same time, result in establishing infrastructure essential to Department operations. It is estimated that \$2,500.00 will be needed for project expenses including Department of General Services' charges. The exchange is exempt from CEQA and the appropriate documentation has been prepared and filed.

Staff recommended that the Board approve the exchange as proposed; authorize the granting of fee title to 1,200± square feet of state-owned property; approve the acceptance of an easement for utility purposes; allocate \$2,500.00 from the General Fund - Unscheduled to pay for project expenses; authorize staff to enter into the appropriate agreements necessary to carry out this exchange; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve the exchange as proposed; authorize the granting of fee title to 1,200± square feet of State-owned property; approve the acceptance of an easement for utility purposes; allocate \$2,500.00 from the General Fund - Unscheduled to pay for project expenses; authorize staff to enter into the appropriate agreements necessary to carry out this exchange; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *32. Humboldt Bay Wildlife Area, Jacoby Creek Gannon Slough Unit, Exp. 1, \$1,285,000.00

Humboldt County

This proposal was to consider the allocation of a grant to the City of Arcata for the purchase of 322 acres of private land and improvements for a continued cooperative project with the Jacoby Creek Land Trust and the Department of Fish and Game for the protection, enhancement and restoration of habitat along Jacoby Creek and other small creeks south of the City of Arcata in Humboldt County.

The subject property is located on Old Arcata Road within the city limits of the City of Arcata, about one-half mile southerly of the downtown area. The property has frontage along State Highway 101 and Old Arcata Road.

Land uses in the area are rural in nature with homes situated on small acreage parcels with many developed for agricultural use. Topography of the subject is generally flat with a gentle slope downward to the west toward Humboldt Bay. Jacoby Creek forms the southerly boundary and State Highway 101 is adjacent to the property on the west. The westerly portion of the property is reclaimed "intertidal salt marsh" and is currently protected by tide gates near State Highway 101. The property is improved with two older single family residences and a newer steel barn. The property has perimeter and cross fencing.

The primary purpose of this proposed grant is to protect and allow for the potential future restoration of the Jacoby Creek corridor as well as Campbell, Grotzman and Fickle Hill Creeks. Most of the creeks are currently open ditches extending from the hills east of the subject to Humboldt Bay. All of these creeks are 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 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 in the area and hold fee title to approximately 60 acres of land along the Jacoby Creek.

Most of the lower Jacoby Creek area 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 the railroad and highway as well as timber harvest in the upper watershed, conversion of the riparian areas to agricultural uses in the lower watershed have all impacted Jacoby Creek. Installation of tide gates to stop saltwater intrusion on 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 and the other creeks 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 frog populations still exist in the area.

Management of the property after the acquisition will be assumed by the City of Arcata in cooperation with the Department of Fish and Game and the Jacoby Creek Land Trust. Management activities will include providing passive public access, maintenance and, upon completion of plans, restoration of habitat and creek beds and protection of the species of concern.

The owner has agreed to sell this property for the approved appraised value of \$1,290,000.00. The City of Arcata will fund \$10,000.00 of the purchase price and pay the related closing, escrow and title insurance costs. The grant to the City will be for \$1,280,000.00. An additional \$5,000.00 will be needed for appraisal and review costs.

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 terms and conditions of the proposed grant provide that staff review and approve all documents pertaining to the Grantee's acquisition, including any appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds.

Staff recommended that the Board approve a grant to the City of Arcata for the acquisition of the subject property; allocate a total of \$1,285,000.00 to cover the grant and related costs from the Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Act, Section 5096.350 (a) (1) (B) 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve a grant to the City of Arcata for the acquisition of the subject property; allocate a total of \$1,285,000.00 to cover the grant and related costs from the Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Act, Section 5096.350 (a) (1) (B) 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.

*33. Jacoby Creek Forest, Humboldt County \$815,000.00

This proposal was to consider the allocation of a grant to the City of Arcata for the purchase of 331± acres of private land for a cooperative project with the Jacoby Creek Land Trust and the Department of Fish and Game for the protection and, potentially, enhancement and

restoration of habitat along Jacoby Creek and its tributaries southeast of the City of Arcata in Humboldt County.

The subject property is located east of the terminus of Jacoby Creek Road outside the city limits of the City of Arcata, about 2½ miles southeasterly of the downtown area. Land use in the area is timber production zone (TPZ) with most of the stands of timber in various growth stages. Topography of the subject ranges from modest slope to steep slopes with Jacoby Creek and its tributaries bisecting the property. The northwesterly portion of the property is adjacent to the Jacoby Creek forest (525 acres) owned by the City of Arcata.

The primary purpose of this proposed grant is to protect and maintain the health of the limited existing “old growth” forest habitat and also create a riparian reserve area adjacent to the Jacoby Creek corridor. Approximately 12,500' lineal feet of the upper reaches of Jacoby Creek is located on this property. This property is an integral part of the Jacoby Creek watershed and in large part contributes to the Humboldt Bay ecosystem that provides an adequate water supply to maintain wetlands habitat for fish, waterfowl, wading birds, shorebirds and other water associated wildlife. This acquisition will help insure the integrity of the watershed and enhance the downstream habitat restoration investments that have been made in the Jacoby Creek/Gannon Slough Enhancement Area.

Most of the upper reaches of Jacoby Creek have traditionally been used for timber production. The subject was “clear cut” in 1913. The lower portion 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 the construction of 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. There are a number of listed and sensitive species that should benefit from this acquisition. The northern red-legged frog, the foothill yellow-legged frog, northern spotted owl, Coopers hawk, osprey, yellow warbler, sharp shinned hawk, Pacific fisher, white footed vole, red tree vole and, indirectly, coastal cutthroat trout, coho salmon, steelhead and the tidewater goby would all benefit from this acquisition and, after completion of appropriate planning, through the restoration and enhancement of forest growth and creation of the riparian corridor along Jacoby Creek.

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

The owner has agreed to sell this property for the approved appraised value of \$850,000.00. The City of Arcata will fund \$40,000.00 of the purchase price and pay the related closing, escrow and title insurance costs. The grant to the City will be for \$810,000.00. An additional

\$5,000.00 will be needed for appraisal and Department of General Services review costs.

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 terms and conditions of the proposed grant provide that staff review and approve all documents pertaining to the Grantee's acquisition, including any appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds.

Staff recommended that the Board approve a grant to the City of Arcata for the acquisition of the subject property; allocate a total of \$815,000.00 to cover the grant and related costs from the Habitat Conservation Fund, Threatened and Endangered Species [2786 (b)(c)] 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve a grant to the City of Arcata for the acquisition of the subject property; allocate a total of \$815,000.00 to cover the grant and related costs from the Habitat Conservation Fund, Threatened and Endangered Species [2786 (b)(c)] 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.

- *34. Kern County Valley Floor Habitat Conservation Plan (VFHCP), \$309,500.00
Kern County

This proposal was to consider the allocation of a grant to the Kern Water Bank Authority to assist in its purchase of 495± acres of private land for the protection of annual grassland and valley saltbush scrub habitat within the Kern Valley Floor Habitat Conservation Plan area in Kern County. Stockdale Highway, a major east/west thoroughfare is adjacent to the property on the north and the Kern Water Bank Authority property is adjacent on the south. The property is bisected in an east/west direction by the Pioneer Canal a dirt lined irrigation ditch.

The primary purpose of this proposed grant and purchase is to protect rare natural communities and the threatened and endangered plants and animals that exist in central Kern County. The surrounding areas have one of the highest concentrations of listed species in the continental United States. This acquisition will allow for the protection and restoration of the valley floor habitat consisting of annual grassland, non-native grassland and valley saltbush

scrub. This acquisition will provide protection for the following species: San Joaquin kit fox, giant kangaroo rat, Tipton kangaroo rat, San Joaquin antelope squirrel, blunt-nosed lizard, Kern mallow, Hoover's woolly star and alkali larkspur. The Kern Water Bank Authority currently has ownership of approximately 20,000 acres lying south of Stockdale Highway and extending east and west of Interstate 5, southwest of the City of Bakersfield. Land use in the area is heavy agriculture and the property has from time to time been under grazing leases. Agricultural uses range from dairy operations to annual row crops to mature orchards. Topography of the subject is generally flat with a slight downward gradient to the southwest. The canal is generally dry except in very wet years. The property has perimeter fencing and limited cross fencing.

Management of the property after acquisition will be the responsibility of the Kern Water Bank Authority in cooperation with the Department of Fish and Game. Kern Water Bank will provide limited passive public access, maintenance and , potentially, restoration of habitat for the benefit of the many species of concern.

Under an agreement between the Department of Water Resources (DWR), Department of Fish and Game and WCB, the Board has available DWR mitigation funds for use in this purchase. In addition, matching federal Section 6 funds are available to cover one-half of the purchase price, \$302,500.00.

The owner has agreed to sell this property for the approved appraised value of \$605,000. The Kern Water Bank has agreed to pay related closing, escrow and title insurance costs. The WCB grant would be for \$302,500.00. An additional \$7,000.00 will be needed for appraisal and Department of General Services' review costs.

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 terms and conditions of the proposed grant provide that staff review and approve all documents pertaining to the Grantee's acquisition, including any appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds.

Staff recommended Board acceptance of U.S. Fish and Wildlife Service Section 6 funds in the amount of \$302,500.00, for placement directly into the Kern Water Bank Authority escrow for purposes of acquiring the subject property as proposed; approve the award of a grant of \$302,500.00 to the Kern Water Bank Authority for the acquisition of the subject property; allocate a total of \$309,500.00 to cover the grant and related costs from the DWR Mitigation Funds, Agreement # B-80500; 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board accept U.S. Fish and Wildlife Service Section 6 funds

in the amount of \$302,500.00, for placement directly into the Kern Water Bank Authority escrow for purposes of acquiring the subject property as proposed; approve the award of a grant of \$302,500.00 to the Kern Water Bank Authority for the acquisition of the subject property; allocate a total of \$309,500.00 to cover the grant and related costs from the DWR Mitigation Funds, Agreement # B-80500; 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. Old Dutch Cleanser Mine (Red Rock Canyon State Park), Kern County \$305,000.00

This proposal was to consider the allocation of a grant to the California Department of Parks and Recreation (DPR) to assist in its purchase of a 280± acre property known as the Old Dutch Cleanser Mine, an inholding within Red Rock Canyon State Park. Acquisition of the property will offer the permanent protection of this fragile desert ecosystem

The subject property is located in the northern portion of the Park, east of Highway 14, approximately 34 miles northeast of the city of Mojave. The park is located where the southernmost tip of the Sierra Nevadas converge with the El Paso Mountain Range. The park has dramatic desert cliffs and scenic rock formations. The cliffs are on both sides of Highway 14 and have layers of white, pink, red and brown. The area was established as a park in 1968 when legislators created Red Rock Canyon State Park, the first state park in Kern County. The California Desert Protection Act of 1995 provided for the transfer of significant amounts of federal land for inclusion into the park, with its current area at almost 25,000 acres. The Old Dutch Cleanser Mine has been identified by DPR as the highest priority for acquisition in the Mojave Desert.

The Old Dutch Cleanser Mine property actually consists of two mines that are fully patented and permitted by Kern County. One is an underground pumicite mine, the source of the abrasive ingredient in the Old Dutch Cleanser scrubbing powder. The second is a bentonite clay surface mine currently permitted for 20 acres, but that could easily be expanded in scope. The acquisition of the property will prevent further resource degradation from the bentonite mining, and more specifically, accomplish three conservation goals: sensitive habitat protection, cultural resources preservation and scenic resource conservation.

The property's vegetation is primarily creosote bush scrub community which provides habitat for the Desert Tortoise, a state and federally listed endangered species. Desert Tortoise have been observed on the property as well as numerous tracks and burrows. The bentonite strip mining is particularly damaging to the tortoise's habitat and increased traffic to and from the mine sites poses a threat to these slow moving creatures. The subject is also home to Townsend's big-eared bat, a California species of special concern. Other species that frequent

the property include Gambel's quail, roadrunners, golden eagle, prairie falcon and mule deer. Rare plants include fish-hook cactus, desert holly and Red Rock tarweed.

The continued and increased mining of both pumicite and bentonite is a threat to the natural and cultural resources of Red Rock Canyon State Park. Placing the property in public ownership would assure termination of the mining operations. In addition to securing the mine for public safety, long-term management objectives by DPR may include using a portion of the mine for interpretive tours.

The property owner has agreed to sell the property for the appraised value of \$1,050,000.00, subject to approval of the appraisal by the State Department of General Services. The Board's proposed grant of Land Conservation Challenge Grant funds in the amount of \$300,000.00, would provide a portion of the purchase price. The Conservation Fund has secured an option on the property allowing additional time to pursue a variety of private funding sources for the required \$300,000.00 match as a condition of the Board's funding. The DPR has committed to funding the balance of the purchase price, or \$450,000.00. It is estimated that an additional \$5,000.00 will be needed for administrative expenses, including Department of General Services' review costs, bringing the total recommended allocation for the proposal to \$305,000.00.

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 an escrow for the acquisition of the property.

Staff recommended that the Board approve the grant to the Department of Parks and Recreation to be applied toward the acquisition of the 280± acres, as proposed; allocate \$305,000.00 for the grant and related expenses from the General Fund-Challenge Match; authorize staff to enter into the appropriate agreements to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve the grant to the Department of Parks and Recreation to be applied toward the acquisition of the 280± acres, as proposed; allocate \$305,000.00 for the grant and related expenses from the General Fund-Challenge Match; authorize staff to enter into the appropriate agreements to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

*36. Stone Corral Ecological Reserve, Expansion 2, Tulare County \$11,000.00

This proposal was to consider the acquisition of 15± acres of land as an addition to the Stone

Corral Ecological Reserve, for the protection of vernal pool habitat and the sensitive species associated with this habitat type. The subject property is located on the west side of County Road 144, at Avenue 376 in Tulare County. The State will have access to the property by way of Road 144. It is also proposed the Board authorize the acceptance of a grant from the U.S. Bureau of Reclamation (BOR) in the amount of \$400,000.00 to assist with this acquisition, as well as others currently in negotiation, in an effort to expand the Stone Corral Ecological Reserve.

The grant provides funding for the total purchase price of the properties being acquired in the Stone Corral area. These funds are deposited directly into the State's escrow account on a project-by-project basis, while funds for all other related acquisition expenses, such as appraisal services, Department of General Services review, escrow expenses and title insurance are reimbursed to the State upon submission of invoices to BOR.

In March of 1992, the Wildlife Conservation Board approved the initial acquisition of 154 acres on the north side of Highway 201. Additional acquisitions to date have increased the total acreage of the reserve area to 884± acres. Although the Department of Fish and Game (DFG) ownerships are fragmented, continuing efforts are being made to join these parcels. The area is identified by the Department as a Significant Natural Area containing three or more highly rare species and/or natural communities. The primary purpose of the acquisition is for the protection and long-term conservation of this northern hardpan vernal pool plant community and the sensitive plants and animals which occur there. Historically, two sensitive plant species, Hoover's spurge and spiny-sealed button celery, and one sensitive animal species, California tiger salamander, have been documented at the reserve and in several sites throughout the drainage. The vernal pools also support populations of wintering waterfowl and shore birds, and may support sensitive species such as western spadefoot and vernal pool fairy shrimp. Summer conditions provide breeding and foraging habitat for other sensitive wildlife species such as prairie falcons, black-shouldered kites, burrowing owl and American badger.

The valley grassland plant community, which includes vernal pools, once occupied most of the floor of the central valley. This plant community is one which has been greatly reduced in size due to conversion into agriculture, industrial and urban uses. Increased livestock pressure has further reduced habitat quality on many remaining vernal pool habitats.

The owners have agreed to sell the property at the appraised, approved, fair-market value of \$75,000.00. As discussed above, related acquisition expenses are initially paid by the State and reimbursed by BOR upon submission of paid invoices. Therefore, it is estimated that \$11,000 will be needed to cover these expenses, including appraisal services, Department of General Services' review, title insurance, and escrow fees.

The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an

acquisition for wildlife conservation purposes.

Staff recommended that the Board approve the acquisition as proposed, authorize the acceptance of the Bureau of Reclamation grant for direct deposit to escrow; allocate \$11,000.00 from the Habitat Conservation Fund Section 2786 (b/c) to cover administrative costs, authorize staff to enter 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 Mr. Robert Hight that the Board approve the acquisition as proposed, authorize the acceptance of the Bureau of Reclamation grant for direct deposit to escrow; allocate \$11,000.00 from the Habitat Conservation Fund Section 2786 (b/c) to cover administrative costs, authorize staff to enter agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *37. Battle Creek Wildlife Area Water Rights Acquisition, \$60,000.00 and Tax Credit
Tehama County

This proposal was to consider the acquisition of 539.91± acre feet of water rights located on Battle Creek in Tehama County, to consider the approval a partial donation of \$490,000.00 and authorize a tax credit of \$269,500.00 pursuant to the requirements of the California State Natural Heritage Preservation Tax Credit Act of 2000. The purpose of the acquisition is for the protection of fish and wildlife in the State's Battle Creek Wildlife Area.

The Battle Creek Wildlife Area is located about six miles east of the town of Cottonwood and can be accessed from Jelly's Ferry Road. The existing Wildlife Area is a horseshoe shaped parcel that fronts Battle Creek and provides fishing and public use access to the creek.

Purchase of these water rights will allow the Department of Fish and Game (DFG) to maximize development and maintenance of riparian and wetland habitats to its fullest possible extent on Battle Creek Wildlife Area. The land the water rights originally were appurtenant to Battle Creek, Expansion 1, as approved by Wildlife Conservation Board in 1993. At that time, the owner retained the water rights in anticipation of selling them in the future. The owner of the water rights currently allows DFG to utilize his water right but retains the option to sell his water rights to downstream bidders. Depletion of this water source could result in the loss of existing wetland/riparian habitat dependent on the water.

Battle Creek is a primary spawning habitat for salmon and steelhead trout and acquisition of these water rights will help assume a constant flow in Battle Creek, enhancing the fishery values and contributing to the continued success of the existing riparian habitat. The entire

corridor along Battle Creek is used by migratory waterfowl and raptors while also allowing for movement of local species such as deer, ringtail cat, river otter, racoon, red-shouldered hawk, great-horned owl, screech owl and many others. Sandhill cranes are known to migrate through the area and, with the protection and enhancement of these water rights, should become more frequent users of this site.

The pre-1914 appropriative water rights have been appraised and DGS has approved the fair market value of \$540,000.00. The landowner wishes to sell the water rights to the State for \$50,000 and has elected to donate the remaining value of \$490,000.00. An additional \$10,000.00 will be needed for project expenses including appraisal, escrow, title insurance and Department of General Services' review costs. The project is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of lands for fish and wildlife conservation purposes. DFG will hold title to the water rights and assume full management responsibilities.

Consistent with the provisions of the Natural Heritage Preservation Tax Credit Act, the donation of the water right qualifies for a tax credit under Section 37015 (d) of the Act. According to the Act, landowners who donate qualified land or water to benefit wildlife, endangered or species of concern are eligible to receive a tax credit valued at 55 percent of the appraised fair market value of the donation. As such, the donation of the water rights entitles the landowner to receive 55 percent of \$490,000.00 or \$269,500.00 as a tax credit.

Section 37012 (d) also requires that before any donation can be considered by the Board, a public hearing must be held by the donee or recipient of the donation, in the county from which the donation is made. Accordingly, on June 12, 2001, the DFG held a public hearing to discuss the donation of 539.91 acre feet of water rights. The hearing was attended by members of the public, DFG, WCB staff and representatives of the U.S. Fish and Wildlife Service. Generally speaking, all comments were in support of the donation and there were no concerns or opposition expressed by the meeting participants.

Staff recommended that the Board approve the acquisition as proposed; allocate \$60,000.00 from the General Fund - Unscheduled for the acquisition and related costs; approve a donation by the landowner in the amount of \$490,000.00 and authorize a tax credit in the amount of \$269,500.00 pursuant to the California State Natural Heritage Preservation Tax Credit Act of 2000; 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve the acquisition as proposed; allocate \$60,000.00 from the General Fund - Unscheduled for the acquisition and related costs; approve a donation by the landowner in the amount of \$490,000.00 and authorize a tax credit in the amount of \$269,500.00 pursuant to the California State Natural Heritage Preservation Tax Credit Act of 2000; 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.

- *38. Sacramento Prairie Vernal Pool Preserve, \$410,000.00 and Tax Credit
Sacramento County

This proposal was to consider the allocation of a grant to assist the Sacramento Valley Open Space Conservancy (SVOSC) in the acquisition of 282± acres of land in the proposed Sacramento Prairie Vernal Pool Preserve (Preserve), Sacramento County, to approve a partial donation of \$1,270,000.00 and authorize a tax credit of \$698,500.00 pursuant to the provisions of the Natural Heritage Preservation Tax Credit Act of 2000. The purpose of this cooperative project will be for the protection of several endangered plant and animal species within the Preserve.

The proposed Preserve is located in southeastern Sacramento County and bordered on the north by Jackson Highway, Excelsior Road on the west, Eagle's Nest and Grantline Roads on the east and Calvin Road to the south. The Preserve, when completed, would contain approximately 2,500± acres. To date, 1,200± acres have been protected within the Preserve boundaries. The subject property is located along the east line of Excelsior Road, approximately one-half mile north of the Excelsior Road and Florin Road intersection.

Vernal pool ecosystems are some of California's most unique and threatened natural resources and while they occur in 17 regions, these habitats have been greatly fragmented by urban and rural sprawl and the conversion of rangelands to agricultural development. Only a fraction of the remaining vernal pool habitats have been formally protected. The U.S. Environmental Protection Agency (USEPA), the County of Sacramento, the Trust for Public Land (TPL), the Nature Conservancy (TNC), DFG and the SVOSC are working together to facilitate the conservation of vernal pools in South Sacramento County through the implementation of the Sacramento County HCP, which is currently being developed. SVOSC developed the Sacramento Prairie Vernal Pool Preserve area (Preserve) in conjunction with the Sacramento County Habitat Conservation Plan (HCP) Steering and Biological Committees and has recommended preservation of this area while the HCP is being developed because of the immediate threats from development and aggregate mining. The Preserve represents a virtually undisturbed large, contiguous area of high quality habitat for endangered plant and animal species inside the Urban Services Boundary of Sacramento County.

The property supports old and young terrace vernal pool habitat containing tadpole, fairy shrimp, tiger salamanders, and spadefoot toads. In addition, the property contains slender Orcutt grass, legenera, tri-colored blackbirds, Swainson's hawk and waterfowl. The subject property is a typical representation of the rare habitat found on the Preserve.

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The DGS has approved the fair market value at \$2,675,000.00. SVOSC currently has a purchase agreement with the property owner for \$1,405,000.00. The landowners have elected to donate the difference of \$1,270,000.00 and participate in the California State Natural Heritage Preservation Tax Credit Act of 2000 which, if approved, will entitle them to a \$698,500.00 tax credit.

Consistent with the provisions of the Natural Heritage Preservation Tax Credit Act, the partial donation of this property qualifies for a tax credit under Section 37015 (a) of the Act. According to the Act, landowners who donate qualified land that will meet the goals of a habitat conservation plan are eligible to receive a tax credit of 55 percent of the appraised fair market value of the donation. As such, the donation of the vernal pool habitat entitles the landowners to receive 55 percent of \$1,270,000.00, or \$698,500.00, as a tax credit.

Section 37012 (d) also requires that before any donation can be considered by the Board, a public hearing must be held by the donee or recipient of the donation, in the county from which the donation is made. Accordingly, on May 29, 2001, the SVOSC held a public hearing to discuss the donation of the vernal pool habitat. The hearing was attended by members of the public, the landowners, the Sacramento Department of Parks and Recreation and WCB staff. Generally speaking, all comments were in support of the donation and there were no concerns or opposition expressed by the meeting participants.

Funding for this cooperative project will come from various sources. The allocation is as follows:

California Department of Transportation Grant	\$ 995,000.00
Great Valley Center	10,000.00
Wildlife Conservation Board	
400,000.00	
TOTAL PURCHASE PRICE	\$1,405,000.00

An additional \$10,000.00 will be needed for project expenses including appraisal and Department of General Services' review costs. 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. SVOSC will hold title and assume full management responsibilities.

Staff recommended that the Board approve the Grant to the SVOSC as proposed; amount allocate \$410,000.00 from the General Fund to cover grant and related project expenses;

approve a donation by the landowner in the amount of \$1,270,000.00 and authorize a tax credit in the amount of \$698,500.00 pursuant to the California State Natural Heritage Preservation Tax Credit Act of 2000; 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve the Grant to the SVOSC as proposed; amount allocate \$410,000.00 from the General Fund to cover grant and related project expenses; approve a donation by the landowner in the amount of \$1,270,000.00 and authorize a tax credit in the amount of \$698,500.00 pursuant to the California State Natural Heritage Preservation Tax Credit Act of 2000; 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.

Mr. Wright recommended that the Board consider Items 56 and 57 at this time due to the large number of people in the audience requesting to address the Board. Please refer to page 110 for discussion regarding Item 56 and page 118 for discussion regarding Item 57.

39. Rasmussen Donation - Santa Monica Mountains Conservancy, Tax Credit
Los Angeles County

Mr. Wright reported that this proposal was to consider a donation of approximately 151.21 acres to the Santa Monica Mountains Conservancy, and approve a tax credit in the amount of \$2,882,000.00 in favor of C.A. Rasmussen Company, LLC, the donor of the lands. The project is submitted pursuant to the requirements of the Natural Heritage Preservation Tax Credit Act of 2000. Ms. Marilyn Cundiff briefly described the property and its location.

The Rasmussen property is located in the City of Agoura Hills, approximately 40 miles northwest of downtown Los Angeles. Bordering Ventura County, the property is in the far western edge of Los Angeles County. Moreover, the property is adjacent to protected open space recently dedicated by the City of Agoura Hills and provides direct linkage to the National Park Service's Palo Comado Canyon unit.

The donation qualifies for the tax credit program pursuant to Section 37015 (e). Specifically, the donation will protect significant open space and provide the public with park and recreational opportunities.

The parcel proposed for donation is of regional and community significance because it expands the Palo Comado Open Space and is designated as a Significant Ecological Area by Los Angeles County, primarily for its oak savanna habitat. Habitat types that are represented on the property include the Valley oak and coast live oak savanna, coastal sage scrub, a

riparian corridor, grassland, California walnut and chaparral.

The property is also within the Malibu Creek Watershed and its preservation is consistent with and compliments the Santa Monica Mountains Conservancy Act, the Santa Monica Mountains Comprehensive Plan and the Rim of the Valley Trail Corridor Master Plan. In addition, the property is adjacent to protected parklands in the Santa Monica Mountains Zone and the Santa Monica Mountains National Recreational Area. If approved, this donation will also provide trail opportunities from Agoura Hills and the nearby Agoura High School into the parklands to the north.

The property provides additional buffers to a critical inter-mountain wildlife corridor, which links the Santa Monica Mountains, the Simi Hills, the Santa Susana Mountains, the San Gabriel Mountains and the Angeles and Los Padres National Forests. Mammal tracking studies are being conducted by the National Park Service (NPS) in this habitat corridor. In Liberty Canyon, one mile southwest of the Rasmussen property, the NPS has radio-collared, tagged or photographed by remote camera numerous mammalian species such as bobcat, gray fox, coyote, mountain lion, mule deer and American badger, all of which utilize habitat on either side of the 101 Freeway in the Agoura Hills corridor.

Consistent with the provisions of the Natural Heritage Preservation Tax Credit Act of 2000, the donation of approximately 151.21 acres qualifies for a tax credit under Section 37015 (e) of the Act. According to the Act, landowners who donate property that will be used as a park, or open space or will augment public access are eligible to receive a tax credit valued at 55 percent of the appraised fair market value of the donation. Further, the appraised fair market value must be, and has been, approved the State Department of General Services. Accordingly, the donation of approximately 151.21 acres entitles the landowner to receive 55 percent of \$5,240,000 or \$2,882,000 as a tax credit.

Section 37012 (d) of the Act requires that before any donation can be considered by the Board, a public hearing must be held by the donee in the county from which the donation is made. Pursuant to this requirement, the Santa Monica Mountains Conservancy held a public hearing on June 25, 2001. The meeting was attended by members of the community, a representative of the landowner and staff of the Conservancy. According to Conservancy staff, the donation was supported and there was no opposition to the landowner donating the property to the Santa Monica Mountains Conservancy.

Ms. Cundiff reported that Ms. Rorie Skei of the Santa Monica Mountains Conservancy was in the audience. She also introduced Mr. Rasmussen and thanked him for his very generous donation.

Staff recommended that the Board approve the donation and related tax credits; authorize staff to enter into 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 the donation and related tax credits; authorize staff to enter into 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.

40. Bixby Ranch Donation, Monterey County \$2,000.00 and Tax Credit

Mr. Wright reported that this proposal was to consider a donation from Bixby Ocean Ranches, LLC of approximately 119 acres to the Trust for Public Land (TPL), and approve a tax credit in the amount of \$2,970,000.00 in favor of the donor. The project is submitted pursuant to the requirements of the Natural Heritage Preservation Tax Credit Act of 2000. Ms. Marilyn Cundiff briefly described the property and its location.

The Bixby Ocean Ranch is located off Highway One and Old Coast Highway, approximately 12 miles south of Carmel, California. The donated property (Parcel 7) is part of a 1,255-acre parcel located at the northern gateway to the Big Sur Coast in Monterey County. The property is framed by the historic Bixby Bridge on the north and on the south by a 7,000-acre El Sur Ranch, which is protected in perpetuity from development by a conservation easement.

The TPL is in the process of acquiring the remaining portion of the Bixby Ranch. When the acquisition is complete in about one year, eleven continuous miles of California's coast beginning at the Bixby Bridge and extending south through Andrew Molera State Park will be permanently protected. Highway One runs through the property offering more than two miles of breathtaking views of the property's ocean front and coastal mountains. The coastal side of the property offers magnificent coastal views of the entire Big Sur Coast.

The donation qualifies for the tax credit program pursuant to Section 37015 (e). Specifically, the donation will protect significant open space, provide access to the coast and ultimately will provide the people of California with an opportunity to experience a diverse mosaic of landscapes including flat creek bottoms, steep gulches, open meadows, redwood groves and scrubby hillsides.

The Bixby Ranch is a historic property owned by one family for nearly a century. The ranch was home to the Brazil Dairy, claimed to be the first place where Monterey Jack cheese was produced. The property also surrounds a section of the Old Coast Road, the predecessor to State Highway One. The ranch includes large expanses of mature oak woodlands, old-growth Redwood groves, extensive grasslands, riparian corridors, twenty-six springs and two creeks. The diverse topography provides habitat for several special status species including the black-tailed deer or Big Sur.

The grasslands provide habitat for threatened species such as the burrowing owls, and hunting grounds for golden eagles. The rocky shoreline and thick kelp beds at the property's western edge provide natural habitat for shellfish and marine life and important resources for the California Sea Otter State Game Refuge, which covers the entire Bixby Ranch coast.

At present, there are numerous mountain and coastal trails which offer sweeping views of the Pacific Ocean. One coastal trail leads down from Highway One along the bluffs, crossing Sierra Creek and eventually reaching the steep cliffs overlooking the Pacific Ocean. A tunnel running under Highway 1 connects the coastal trail and the property by foot to the eastern and mountainous side of the property where there are several trails through the redwoods and along the lush creeks.

The acquisition of the Bixby Ranch for scenic viewshed protection and public access is consistent with several state and local plans for the Big Sur area, including the State Coastal Conservancy's Coastal Access Program and the Monterey County Local Coastal Program. Prior to beginning the negotiations with TPL to purchase the ranch, the present owners were successful in obtaining Certificates of Compliance from the Monterey County Planning Department for nine individual legal parcels. The parcels would be developed into individual estate sized luxury homes, as the building sites are located outside the California Coastal Commission's "Critical Viewshed."

The TPL will transfer the entire Bixby Ranch property to the U.S. Forest Service (USFS) for management as an addition to the Los Padres National Forest. While the ranch is under TPL ownership, TPL will provide only limited public access to the property through prearranged guided tours. Upon completion of the transfer of ownership to the USFS, a plan for public access will be developed that complies with the Los Padres National Forest's Land and Resource Management Plan (LRMP).

Consistent with the provisions of the Natural Heritage Preservation Tax Credit Act, the donation of Parcel 7 qualifies for a tax credit under Section 37015 (e) of the Act. According to the Act, landowners who donate property that will be used as a park or open space or will augment public access are eligible to receive a tax credit valued at 55 percent of the appraised fair market value of the donation. As such, the donation of approximately 119 acres of open space entitles the landowner to receive 55 percent of the State Department of General Services approved appraised value of \$5,400,000.00, or \$2,970,000.00, as a tax credit.

Section 37012 (d) of the Act requires that before any donation can be considered by the Board, a public hearing must be held by the donee in the county from which the donation is made. Accordingly, on June 20, 2001, a public hearing was held to discuss the donation of Parcel 7. The hearing was attended by members of the public, local conservation organizations, the Big Sur Land Trust, TPL, representatives of the USFS, and WCB staff.

While the general consensus supported protection of the property from development, several people expressed their concerns with respect to the public's access to the property. In response to these concerns, the representative from the USFS explained that the LRMP for the Los Padres National Forest is currently under revision. Further, the revision process will provide adjacent landowners and others interested in the management and access plan for the Bixby Ranch ample opportunity to provide meaningful input to the LRMP revisions.

Pursuant to the requirements of Public Resources Code Section 37023, a plan must be developed that identifies measures designed to minimize the impact of public access on adjacent landowners. To assure the provisions are addressed, the TPL will require upon conveyance of the property to the USFS, the LRMP revisions include measures that minimize the impact of public access on all adjacent landowners.

Ms. Cundiff reported that representatives of the Trust for Public Land and the Forest Service were in the audience to answer any questions.

Mr. Chrisman asked if there was any time frame set for the adoption of the management plan.

Ms. Jeannine Dirby, Forest Supervisor for the Los Padres National Forest, stated that they are initiating a Notice of Intent to revise the forest plan within the next month, and that within the next year they will be developing a draft EIS that will address any changes in current management on the national forest, including the management options for these acquired lands. She added that this is a very collaborative process and that the managers of the national forest, the national marine sanctuary, Caltrans and Department of Parks and Recreation will be meeting to coordinate the public access issues, since they all have public access planning processes in the Big Sur area, thereby providing opportunity for public involvement. She added that by the time the Trust for Public Land is ready to transfer ownership to the national forest, they will have a draft EIS completed with management options explained for this property, and within the following year, they should have a final EIS which, at that point, the property would be available for public access.

Mr. Larry Horan, counsel for the El Sur Ranch, and his client, Mr. James Hill III, owner of the El Sur Ranch, expressed concern regarding public access to the Bixby Ocean Ranch and requested that access be restricted via the grant deed. Mr. Horan expressed concern that a management plan was not already in place but applauded the concept of preservation. Mr. Wright agreed to discuss the wording of the grant deed with Mr. Horan.

Ms. Sarah Christie, representing the California Coastal Commission, conveyed the Commission's strong support for this acquisition. She stated that the donation, as part of greater acquisition efforts, is not only consistent with the Monterey County's local coastal program, but also with the California Scenic Highway provisions, which run through the area, as well as the National Scenic Byway, which Highway 1 has been designated. She added that this property could potentially become a key link in the California Coastal Trail, which has been designated as a National Millennium Trail by the Clinton Administration. Ms. Christie

reported that earlier this week the legislature passed a resolution carried by Assembly member Fran Pavley designating the planning and construction of that trail as a statewide priority for California. She commented that well-managed public access is a critical component of habitat conservation in California and that in order to keep the public engaged in supportive efforts, such as bond acts that are critical for acquisitions, the state needs to provide the public with the ability to personally benefit from those acquisitions. She welcomed questions specific to the Coastal Act or the Monterey County LCP.

Mr. Chrisman requested clarification regarding the Millennium Trail. Ms. Christie explained that the California Coastal Trail is part of the California Coastal Commission and Coastal Conservancy's state coastal trail public access plan and that the coastal trail was designated by the Clinton Administration. She went on to explain that Mrs. Clinton sponsored a national initiative to recognize and support excellent public trail planning processes and the California Coastal Trail was one of three trails selected by the Clinton Administration as National Millennium Trails. She stated that portions of the trail are in existence today and there are efforts by Coastwalk, a nonprofit organization, with the support of the California Coastal Conservancy, to do the actual planning and initial mapping of the trail.

At the request of The Trust for Public Land, various letters of support for this project have been included in these minutes. (Attachments A-1 through A-12)

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

Staff recommended that the Board approve the donation and related tax credits; allocate \$2,000.00 from the General Fund to cover the related appraisal review costs of the Department of General Services; authorize staff to enter into 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 the donation and related tax credits; allocate \$2,000.00 from the General Fund to cover the related appraisal review costs of the Department of General Services; authorize staff to enter into 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.

Mr. Chrisman recommended monitoring the request on the deed restriction and to make sure the adjacent property owners are made fully aware of the process and given ample opportunity to participate.

41. Wetland Habitat Restoration, Butte Valley Wildlife Area, Siskiyou County \$135,000.00

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Mr. Wright reported that this was a proposal to consider a cooperative project with the California Waterfowl Association (CWA) and the Department of Fish and Game (DFG) to enhance wetland habitat and waterfowl nesting success at DFG's Butte Valley Wildlife Area, located approximately five miles west of the City of Macdoel in Siskiyou County. Mr. Tony Chappelle briefly described the project and its location.

The Board approved funding to acquire the 13,200-acre Butte Valley Wildlife Area for DFG in 1980 and 1981 with two separate allocations. This wildlife area possesses extremely high waterfowl values due to its high quality waterfowl habitat and location in the heart of the Pacific Flyway. Tule Lake and Lower Klamath Basin, major staging areas for waterfowl, lie approximately 40 miles to the east. The area is popular with duck hunters and is also utilized by bird watchers and nature enthusiasts.

Since 1981, the Board has allocated funds to improve the wildlife area in a variety of ways, including building and later improving parking areas and access roads, constructing goose nesting platforms and implementing upland habitat planting. In addition, the Board has funded the development of a domestic water system for the wildlife area headquarters, the installation of a pump to facilitate drainage of one of the fields and reconstruction of the main levee at Meiss Lake.

The proposed project will improve wetland habitat values at the Butte Valley Wildlife Area by enhancing 3,260 acres of existing wetland habitats. Eroded levees will be repaired and flat pond bottoms will be recontoured to create swales and loafing berms. The water delivery channels taking water from Meiss Lake will be rehabilitated and twenty-five of the aging goose nesting platforms will be replaced. These improvements will increase habitat diversity and value, and facilitate improved water control and delivery.

Cost estimates for this proposal, which have been developed by CWA and reviewed by staff, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Earthwork	\$ 102,569.00
Seeding	1,100.00
Delivery System Rehabilitation	5,300.00
Nesting Platforms	5,000.00
Contingency	11,231.00
Design/Project Administration	9,800.00
<u>TOTAL ESTIMATED COST</u>	<u>\$135,000.00</u>

The project is categorically exempt under Section 15034 of the California Environmental Quality Act, minor alterations of land to benefit fish and wildlife, and the appropriate notice has been filed.

Mr. Chappelle reported that Mr. Tim Burton, representing the Department of Fish and Game,

and Mr. Jake Messerli, representing the California Waterfowl Association, were in the audience to answer any questions regarding this project.

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

Staff recommended that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$135,000.00 from the Habitat Conservation Fund, Section 2786 (d), as designated for Wetlands Outside the Central Valley; and authorize staff and the Department to proceed substantially as planned.

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 \$135,000.00 from the Habitat Conservation Fund, Section 2786 (d), as designated for Wetlands Outside the Central Valley; and authorize staff and the Department to proceed substantially as planned.

Motion carried.

42. Wetland Habitat Restoration, East Grasslands (San Felipe Ranch), \$110,000.00
Merced County

Mr. Wright reported that this proposal was to consider an allocation for a grant to Ducks Unlimited, Inc., (DU) for a partnership project to restore and enhance more than 920 acres of wetlands, riparian habitat and associated floodplain. The project is located on privately-owned land and the partners in this proposal include DU, the landowner, U.S. Bureau of Reclamation, U.S. Natural Resources Conservation Service, U.S. Fish and Wildlife Service (FWS), Central Valley Habitat Joint Venture (CVHJV), Department of Fish and Game and the Board. The site is located approximately ten air miles southwest of the City of Merced and less than ten miles east of the Department's Los Banos Wildlife Area. The FWS-owned Merced National Wildlife Area is immediately adjacent to the project site to the south. Mr. Peter Perrine briefly described the project and its location.

The East Grasslands is a unique area in California in that it has extensive areas of undeveloped agricultural and grazing lands that are flooded in most years. These areas provide tremendous wildlife benefits during these wet periods for large numbers of waterfowl and other wetland-dependent species. The CVHJV Implementation Plan calls for the protection and enhancement of 20,000 acres of restorable lands within the San Joaquin Basin, which includes the East Grasslands. The CVHJV Plan also specifies those areas just north and south of the Merced National Wildlife Refuge offer significant opportunities for wetland restoration. Lying immediately north of the refuge, the enhanced site will provide a tremendous boost to wetland-dependent wildlife.

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The Board has been active in this portion of the East Grasslands in recent years. In May 1998, three and one-half miles of Owen's Creek and 340 acres of wetlands, uplands and riparian habitat were restored a mile north of this site and on property owned by the same landowner. In addition, this project lies immediately east of, and upstream from, a wetland restoration project approved by the Board in May 2001. That project will restore approximately four miles of Duck Slough and enhance and restore approximately 2,000 acres of wetlands and riparian habitat.

The property to be enhanced has been operated as cattle ranches and been used for duck hunting for generations. Historically, the area was open grasslands with small channels bordered by narrow strips of riparian vegetation. Heavy, uncontrolled grazing over many years have damaged the already limited riparian habitat, but the grasslands remain relatively intact. Each winter, heavy rains traditionally flooded the entire area, and the process continues to this day, though flows are more limited due to upstream diversions and downstream channelization and levees.

The proposal calls for the restoration of oxbow wetlands and wetland associated sloughs along portions of Duck Slough, the installation of water control structures, the removal of old cross levees and roads, and the planting of riparian vegetation. Grazing will be controlled in areas of riparian restoration to allow for the development of a healthy forest. The goal of the project is to promote a more natural flood regime across this area. The structures will be used to slow the rate of runoff through the area, mimicking the historical flows through the site. Levees will be removed or altered to allow water to flow more naturally across the floodplains.

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

<u>Description</u>	<u>Estimated Cost</u>
Earthwork	\$125,000.00
Fencing	14,000.00
Water control structures	50,000.00
Erosion protection	5,000.00
Riparian planting	20,000.00
Upland plantings	40,000.00
Project survey, design and management	10,000.00
Contingency	26,400.00
In-kind maintenance cost	75,000.00
<u>TOTAL ESTIMATED COST</u>	<u>\$365,400.00</u>

<u>Proposed Funding Breakdown:</u>	
Wildlife Conservation Board	\$110,000.00
U.S. Fish and Wildlife Service	30,000.00
U.S. Bureau of Reclamation	10,000.00
Natural Resources Conservation Service	75,000.00
Central Valley Habitat Joint Venture	15,000.00
Landowner	125,400.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$365,400.00</u>

The Department of Fish Game has reviewed this proposal and recommends it for funding by the Board. This project is exempt from CEQA under Section 15304, as it is a minor alteration of land for wildlife benefit. 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 life of the project, the landowners are unable to manage and maintain the project improvements, they will refund to the State of California an amortized amount of funds based on the number of years left on the project life.

Mr. Perrine reported that originally there were three landowners involved in this project and that one of them has declined to sign the agreement, thereby reducing the restoration and enhancement efforts to approximately 920 acres instead of 1,000 acres. Mr. Perrine stated that Mr. Bill Loudermilk, representing the Department of Fish and Game, was in the audience to answer questions.

Mr. Chrisman asked if there were any questions regarding this project. Ms. Porini requested clarification regarding our efforts to work with the party that did not want to participate in this agreement. Mr. Perrine stated that the landowner is centrally located and surrounded by the ranch property and that they currently maintain their property as waterfowl habitat and will continue to do so. Therefore, some of the improvements that would happen on that particular parcel will not happen or will happen by them if they decide to do so. This exception will not affect the project as the wetlands that will be enhanced are located on either side of that property.

Staff recommended that the Board approve this project as proposed; allocate \$110,000.00 from the General Fund (Inland Wetland Conservation Program); authorize staff to enter into appropriate agreements to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

It was moved by Mr. Robert Hight that the Board approve this project as proposed; allocate \$110,000.00 from the General Fund (Inland Wetland Conservation Program); authorize staff 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.

43. Riparian Habitat Restoration, Lower Colorado River \$1,400,000.00
(Imperial Division), Imperial County

Mr. Wright reported that this proposal was to consider an allocation for a grant to the U. S. Bureau of Reclamation (Bureau) to assist in a project to restore riverine connections to selected backwater areas along the Lower Colorado River, and to restore approximately 2,000 acres of associated riparian, wetland, and upland habitats on land that is owned and managed by the Bureau. The project is located along approximately nine miles of the river upstream of Imperial Dam, approximately sixty miles east of El Centro and ten miles north of Yuma, Arizona, within the Bureau's Imperial Division administrative unit in Imperial County. Mr. Scott Clemons briefly described the project and its location.

Riparian plant communities have become very limited in distribution and abundance along the entire length of the Lower Colorado River. The entire ecosystem supported by the river is threatened by accelerated stages of plant succession which will lead to conversion to a dry terrestrial scrub saltcedar-dominated community. These changes have been accelerated by human-caused introduction of the saltcedar. The growth of saltcedar has been followed by flooding, which isolates backwater habitats with sediment, thereby filling in former connecting channels, and by man-made and wild fires, that have decimated large stands of cottonwood-willow forests. Saltcedar plants have the ability to invade disturbed and dry areas, and given the appropriate conditions, will rapidly take over the niche formerly occupied by the native riparian forests. These problems are especially serious in the proposed project area. The project boundaries contain about 2,000 acres of mixed wetland, riparian and aquatic communities. Permanent direct loss of these resources is occurring very rapidly throughout the entire project site. Approximately 50 percent of the water surface and related resources have been lost in recent years. Water flowing in and out of the side channels and backwater areas has been eliminated or seriously reduced. These areas are drying out and becoming vegetated with undesirable saltcedar, arrowweed, phragmites and cane.

A large number of state and federally listed fish and wildlife species inhabit the project area. This entire portion of the river has been officially designated as Critical Habitat for the Razorback Sucker, and it has long been recognized as a major use area for the endangered Yuma Clapper Rail, the California Black Rail, and several other listed species, including the endangered Southwestern Willow Flycatcher. The Interagency Backwater Subcommittee of the Lower Colorado River Work Group has identified and recommended this location on the river as a priority for restoration, enhancement and protection, due to the significance of the resources at risk, and the availability of solutions available to resolve the problems. This project also contributes to the goals of the California Riparian Habitat Conservation Program, the Lower Colorado River Multi-Species Recovery Program, and the

implementation strategies of the California Riparian Habitat Joint Venture and the Sonoran Habitat Joint Venture.

Implementation of the project will be under the direction of the Bureau, which has recently completed a similar project on the Arizona side of the river. Tasks to be completed will include dredging activities to: 1) restore water inflow and/or outflow to ten isolated backwater lakes, 2) establish a contiguous channel between the main river channel and the historic California Channel to renew water flow to a large area of disturbed wetlands and formerly aquatic habitat, 3) reestablish portions of the historic California Channel and thereby restore historic aquatic and wetland habitats, and 4) create a series of firebreak channels that would also provide additional aquatic habitat and provide water to isolated riparian and wetland habitats. In addition, the project components include restoration of approximately three fifteen-acre wetland/riparian sites that have dried out in recent years and planting 1,000 native trees along the restored channels and backwater. The Bureau has agreed to manage and maintain the project improvements for 25 years.

Estimated costs for the proposed project, which have been reviewed by staff and the Department, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Excavate inlet/outlet to backwaters	\$ 115,790.00
Dredge off-river channel	2,341,213.00
Excavate noncontinuous California channel	303,870.00
Create 40-50 acres of wetland area	233,361.00
Excavate fire-break channels	53,100.00
Revegetate riparian habitat	128,000
Monitoring and Final Report	61,661.00
Contingencies	31,500.00

<u>TOTAL ESTIMATED COST</u>	<u>\$3,268,495.00</u>
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Proposed Funding Partners:

Wildlife Conservation Board	\$1,400,000.00
Bureau of Reclamation	\$1,868,495.00

<u>TOTAL AVAILABLE FUNDING</u>	<u>\$3,268,495.00</u>
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The Department has participated in the planning for this project, and recommends approval of the requested funding. This project is categorically exempt from the provisions of the California Environmental Quality Act, under Class 4, Section 15304, minor alteration of land

that will benefit fish and wildlife, and the appropriate notice has been filed. In addition, the Bureau has approved a Finding of No Significant Impact for this project, under the provisions of the National Environmental Policy Act, and the appropriate notice has been filed.

Mr. Clemons reported that Mr. Julian DeSantiago of the Yuma, Arizona office of the U.S. Bureau of Reclamation was in the audience to answer questions.

Staff recommended that the Board approve this project as proposed; allocate \$1,400,000.00 from the General Fund; authorize staff to enter into appropriate agreements as necessary to carry out this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

It was moved by Ms. Annette Porini that the Board approve this project as proposed; allocate \$1,400,000.00 from the General Fund; authorize staff to enter into appropriate agreements as necessary to carry out this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

At this time Mr. Chrisman welcomed Senator Wesley Chesbro to the meeting. To accommodate the Senator's schedule and his request to address the Board, Agenda Item 53 was considered at this time. Please refer to page 102.

44. Riparian Habitat Restoration, Cache Creek, Lower Reach, Yolo County \$595,000.00

Mr. Wright reported that this proposal was to consider an allocation for a grant to the Cache Creek Conservancy, a nonprofit conservation organization, for a cooperative project to remove and control approximately 300 acres of two nonnative invasive plant species, saltcedar and giant reed, and restoration of native vegetation on private and public land along approximately 14 miles of Cache Creek, located in Yolo County. The project area would remove the invasive plants from the channel and banks of Cache Creek, beginning at a location near Capay Dam, and proceeding downstream to a location near County Road 18B. Mr. Scott Clemons briefly described the project and its location.

Saltcedar and giant reed are two nonnative invasive species (NIS) of plants that are spreading rapidly in several areas of the Central Valley. Both of these plants have invaded and occupied thousands of acres of wildland in the state, and are recognized as serious threats to native riparian habitats. Both plants favor moist, disturbed sites along valley water bodies, and they were introduced by both state and federal agencies as being efficient for erosion protection. In the long term, these plants do not provide erosion protection, but actually impede and redirect flood flows and sediment out of the channel, causing more problems than they solve. Once established, saltcedar and giant reed grow rapidly, degrading the

remaining native plant communities and the associated wildlife habitat. Both of these plants are fire-tolerant, unlike most native riparian species, and will rapidly occupy fire-damaged riparian zones.

The entire Cache Creek watershed, including Bear Creek on the north end, is infested to varying degrees by saltcedar and giant reed. This project is similar to efforts that are to take place throughout the watershed during the next several years, and the project applicants have coordinated this proposal with the other projects' proponents, including Yolo County, Bureau of Land Management and the American Land Conservancy. The project has excellent support from the stakeholders including Yolo County, Cache Creek Conservancy, Yolo County Flood Control and Water Conservation District, CALFED, USDA Agricultural Research Service, as well as the landowners, who have signed agreements with Yolo County allowing the project activities and ten years of management to be conducted on their properties.

Following initial treatments, using a combination of mechanical and manual removal and herbicides, multiple follow-up treatments will be conducted to assure the saltcedar and giant reed plants are kept under control. All sites will be evaluated for potential natural revegetation by native species and California Conservation Corps crews will conduct revegetation programs and erosion control work at appropriate sites.

The USDA is testing a tamarisk biocontrol program in the Cache Creek watershed. The biocontrol program will be running concurrently with the proposed project, and it is hoped that the predatory insects being evaluated will provide long-term, maintenance-level control of saltcedar throughout the watershed. USDA and Yolo County will be conducting extensive monitoring to evaluate the success of the proposed NIS removal/restoration and the effectiveness of the biocontrol program.

Previous Board actions in the area surrounding this project have included the acquisition of land for the Cache Creek Public Access, a 182-acre site in northern Yolo County that provides public access to a 2,400-acre block of BLM land for hunting and nonconsumptive uses (1985), and a grant to the Cache Creek Conservancy for a cooperative project to establish the Cache Creek Nature Preserve on 130 acres of Yolo County-owned property, located just west of Woodland (1999). This project is downstream from the Cache Creek Regional Park, which is owned and managed by Yolo County. Part of the project will occur within the Cache Creek Nature Preserve.

The proposed project will help to restore and enhance the riparian habitat of the lower reach of Cache Creek. The removal of these large stands of NIS will enhance the natural restoration of native riparian species through the removal of competition and improved soil moisture and chemistry conditions. This project will result in an increase in native biodiversity and habitat. Saltcedar and giant reed have exacerbated flooding and erosion along the Cache Creek riparian corridor for decades. This project will have an immediate,

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positive effect on flood flows that have threatened private property and the City of Woodland. Project applicants have coordinated this project with, and have received technical advice and support from the CALFED Bay/Delta Environmental Restoration Program, California Exotic Plant Pest Council, Team Arundo del Norte, Bureau of Land Management, Department of Fish and Game, and California Riparian Habitat Joint Venture.

The Cache Creek watershed supports many riparian-associated wildlife species, including red and yellow-legged frogs, western pond turtle, various native fish species, Swainson's hawk, bank swallow and other migratory birds. All of these species will benefit by the removal of invasive nonnatives and the restoration of native plant species along the creek.

Contributions include \$30,000.00 in in-kind services from the Yolo County Flood Control and Water Conservation District. A unique element of this project has been the cooperative efforts of a local farming family, who has developed and tested a tractor-operated implement specifically for removal of giant reed. The family will be conducting the mechanical removal work and some of the herbicide applications. In addition, the USDA is providing \$750,000.00 for biological control work, monitoring and data analysis, Yolo County is providing \$349,600.00 for monitoring and data analysis, and the County has received a CALFED grant in the amount of \$222,200.00 for use on various elements of this project. Estimated costs for the proposed project, which have been reviewed by staff and the Department, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Project Management & Coordination	\$ 45,000.00
Vegetation Mapping	100,000.00
Exotic Plant Removal and Revegetation	674,400.00
Monitoring and Biocontrol	751,600.00
Data Analysis	231,000.00
Public Education	30,000.00
Reports and Presentations	6,000.00
Administration	106,300.00
Contingencies	2,500.00
<u>TOTAL ESTIMATED COST</u>	<u>\$1,946,800.00</u>
 <u>Proposed Funding Partners:</u>	
Wildlife Conservation Board	\$ 595,000.00
Yolo County Flood Control and Water Conservation District	30,000.00
Yolo County	349,600.00
CALFED	222,200.00
USDA	750,000.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$1,946,800.00</u>

This project is categorically exempt from the provisions of the California Environmental Quality Act, under Class 4, Section 15304 for minor alteration of land that will benefit fish and wildlife, and the appropriate notice has been filed.

Mr. Clemons reported that Mr. Jan Lowrey, Executive Director of the Cache Creek Conservancy, and Mr. Banky Curtis, Regional Manager for the Department of Fish and Game, were in the audience to answer questions regarding this project.

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

Staff recommended that the Board approve this project as proposed; allocate \$595,000.00 from the Habitat Conservation Fund, Section 2786 (e/f); authorize staff to enter into appropriate agreements as necessary to carry out this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

It was moved by Ms. Annette Porini that the Board approve this project as proposed; allocate \$595,000.00 from the Habitat Conservation Fund, Section 2786 (e/f); authorize staff to enter into appropriate agreements as necessary to carry out this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

45. Habitat Restoration, White Point Nature Preserve, Los Angeles County \$810,000.00

Mr. Wright reported that this project was to consider an allocation for a grant to the Palos Verdes Peninsula Land Conservancy (PVPLC) for a cooperative project with the PVPLC and the City of Los Angeles to restore approximately 90 acres of Coastal Sage Scrub (CSS) and associated habitats on a former World War II Nike Missile site located above the coastal bluffs across Paseo del Mar in the City of Los Angeles. Mr. Wright thanked Mr. Sean Woods for his work throughout the past year and announced that Mr. Woods would be leaving the Wildlife Conservation Board to take a position in southern California with the Department of Parks and Recreation. Mr. Woods briefly described this project and its location.

During the early days of the Cold War, the White Point property was used as a Nike Missile anti-aircraft defense site to protect Los Angeles and the surrounding coastal cities from air attacks. In 1978, the Secretary of the Interior of the United States transferred the 102-acre property to the City of Los Angeles for “perpetual use as a public park and recreational area.”

Extensive study, research, and community input regarding the best use of the property culminated in June 1999, with the recommendation of the White Point Advisory Committee that the park be used for coastal open space retention, habitat restoration, passive recreation and historical preservation. The park was formally dedicated as a Nature Preserve on May 6, 2000 by the City of Los Angeles Department of Recreation. To implement this proposal, the

Department of Parks and Recreation entered into an agreement with the Palos Verdes Peninsula Land Conservancy (PVPLC), a local, nonprofit organization dedicated to preserving undeveloped land in perpetuity as open space for ecological, recreational, historical, educational and scenic purposes. Under the agreement, the PVPLC was given responsibility to manage the development of a community-based Master Plan for the Nature Preserve and to begin implementing a restoration program.

White Point Park consists of a low marine terrace parallel to the coastline, a second smaller marine terrace in the northwest portion of the property and steep slopes on the north side. Open fields, dominated by non-native, annual grassland cover the majority of the site. The native vegetation has been replaced almost completely by annual nonnative grassland, and disturbed ruderal vegetation with planted ornamental trees throughout the site. Remnants of coastal sage scrub can be found on the site in the form of sage scrub shrubs and individual CSS plants. Because of the disturbed nature of the native vegetation at White Point Park, the site provides habitat for only the most common wildlife species associated with, or tolerant of, urbanized conditions and human activity. Despite the disturbed nature of the site, White Point has over 90 acres of restorable habitat.

The creation of the White Point Nature Preserve will not only provide natural parkland for broad regional use, but it will also fulfill an important ecological need. The Preserve's location and geological features make it particularly well-suited for critical habitat restoration for threatened and endangered species such as the Palos Verdes Blue Butterfly, the California Gnatcatcher and the Cactus Wren. Its location along the Pacific Ocean bluffs at the southerly base of the Palos Verdes hills will extend and provide connectivity to existing wildlife corridors and support other ongoing habitat restoration efforts of the emerging Natural Communities Conservation Program along the coast.

The Wildlife Conservation Board has worked cooperatively with the PVPLC on two prior CSS restoration projects. In 1999, the Board allocated funds to the PVPLC to restore CSS habitat at the Lunada Canyon Preserve and the Linden H. Chandler Preserve on the Palos Verdes Peninsula. To date, approximately 10 acres have been successfully restored and the PVPLC has reintroduced the Palos Verdes Blue Butterfly to the Chandler site. The proposed project builds upon these previous restoration and enhancement efforts and involves similar restoration activities. Planned improvements for the White Point Nature Preserve include restoration site clearance and preparation, construction of a temporary nursery facility on site, installation of an irrigation system, establishment of native plant stock development and restoration planting and monitoring. The restoration planting will take place over three successive years. The PVPLC has agreed to monitoring each planting regime for five years and to supply an annual monitoring report to the WCB and the DFG.

In addition to the ecological benefits, the White Point Nature Preserve also fills a critical need for urban parkland with the City of Los Angeles, which currently has less than one acre

of parkland per 1,000 people. The uniqueness of White Point's resources, and its proximity to Los Angeles City schools and the Cabrillo Marine Aquarium, provides a meaningful foundation to encourage scientific study and volunteerism among youth. Restoration work will provide employment opportunities for at-risk youth through the utilization of services provided by the Los Angeles Conservation Corps. In addition to the volunteer program, an educational program is planned to provide opportunities for study and observation of the natural environment in an outdoor classroom setting. The PVPLC plans to offer an environmental curriculum to teachers at local schools and provide naturalists to give lessons in the classroom with follow-up student visits to the site for further study.

Cost estimates for this proposal, which have been developed by the PVPLC and reviewed by staff, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Native Plant Stock Development for for 1,000 plants per acre over 90 acres including seed collection, propagation and nursery care	\$250,000.00
Temporary Nursery Facility including utilities, fencing and nursery supplies	30,000.00
Restoration materials & supplies	29,500.00
Signage	500.00
Restoration site clearance and preparation, restoration planting and maintenance	180,000.00
Irrigation System	180,000.00
Engineering/Design	20,000.00
Contract Management/Administrative	70,000.00
Restoration Monitoring	15,000.00
Contingencies	35,000.00
<u>TOTAL ESTIMATED COST</u>	<u>\$810,000.00</u>

In addition to the restoration, the PVPLC proposes to construct a trail system that will provide pathways for people to experience the preserve and its resources first hand as well as the installation of benches, interpretative and historical panels and structures, an ADA restroom facility, water fountains, a parking lot, and a native plant demonstration garden. The total cost of the project including the restoration work, is \$1,700,000.00. Funds for the balance of the project work are being contributed through the California Department of Parks and Recreation, Proposition 12 funds designated for Wildlife Education, a Metropolitan Transit Authority federal grant, a Department of Water and Power Neighborhood grant and through PVPLC private donations.

The Department has reviewed the proposed project, supports the proposed restoration and has recommended Board approval. The City of Los Angeles is preparing the appropriate

environmental documents and will obtain all permits that may be necessary to complete the proposed work.

Mr. Woods reported that Ms. Loren DeRoy, Project Manager for the Palos Verdes Peninsula Land Conservancy, was in the audience to answer questions. Ms. DeRoy expressed her appreciation to the Board for considering this project, stating that this restoration project will significantly improve the ecological value of the preserve and connect to the wildlife corridor along the coast. She reported that this project is located in a heavily urbanized area of Los Angeles and has received tremendous community support. She added that the Conservancy has been working with a community-based steering committee to develop a master plan for this site and that the support has been tremendous. She presented photos and aerial views of the project area and expressed her appreciation to Mr. Woods and Ms. Lipphardt for their efforts in regard to this project.

Mr. Wright reported that the Board received a letter of support from Councilwoman Janice Hahn, City of Los Angeles.

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

Staff recommended that the Board approve this project as proposed; allocate \$810,000.00 from the Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Bond Fund, Section 5096.350 (a)(3), for the project costs; authorize staff to enter into the appropriate agreement necessary to accomplish this project; and authorize staff to proceed as substantially as planned.

It was moved by Mr. Robert Hight that the Board approve this project as proposed; allocate \$810,000.00 from the Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Bond Fund, Section 5096.350 (a)(3), for the project costs; authorize staff to enter into the appropriate agreement necessary to accomplish this project; and authorize staff to proceed as substantially as planned.

Motion carried.

46. San Joaquin River Parkway, Lewis S. Eaton Trail, Fresno County \$578,430.00

Mr. Wright reported that this project was to consider an allocation for a grant to the City of Fresno to construct approximately two miles of multi-use trails and public access facilities on portions of the proposed twenty-two mile San Joaquin River Parkway, Lewis S. Eaton Trail in the City of Fresno in Fresno County. Mr. Sean Woods described the project and its location.

The San Joaquin River Parkway is defined in State Legislation as approximately 5,900 acres within a twenty-two mile long area between Friant Dam and State Route 99 on the San

Joaquin River. The San Joaquin River Conservancy (SJRC) was created in 1992 to preserve and enhance the San Joaquin River's extraordinary biological diversity, protect its valued cultural and natural resources and provide educational and recreational opportunities to the local communities. Part of the SJRC's mission is the creation of the Lewis S. Eaton Trail, a twenty-two mile long trail route spanning the length of the San Joaquin River Parkway. To date, approximately six miles of trail have been constructed. This project would add an additional two miles of contiguous trail in the riverbottom and along adjacent side streets and would connect the Department of Fish and Game-owned Camp Pashayan with the River Bottom Park (Ellis/Thompson) property. The new trail would offer new recreational opportunities for area residents by providing much needed access to the river and the ability to enjoy the scenic beauty of the riverbottom, fish along the banks, launch a canoe, or hike or bike on the trail.

The Wildlife Conservation Board's (Board) 1999-2000 budget contains General Fund monies and the 2000-01 budget contains Propositions 12 and 13 monies with control language directing that these funds be used for SJRC programs. The SSRC, at its April 19, 2001 Board meeting, approved a request asking AC to allocate funds to the City of Fresno for the proposed trail project. Specifically, the proposal includes the construction of approximately two miles of natural surface (6'-10' wide) multi-use trails, restoration of select sections of riparian forest, extensive seeding of native trees, shrubs, ground covers and grasses to counteract erosion, connections to a completed network of urban trails, a vault restroom, drinking fountain and hand/foot wash station, protective fencing for trail users and the installation of interpretative directive sign age to identify trail features and restoration efforts. Contributors to this project include the Board, California Department of Parks and Recreation, San Joaquin River Parkway and Conservation Trust, and developers fees designated for the acquisition of open space and the construction of recreational facilities.

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

Riverside Trail Section

<u>Description</u>	<u>Estimated Cost</u>
Property line survey	\$10,000.00
Mobilization	5,000.00
Construction staking	7,500.00
Rough grading including rough cut trail section @ 6' wide and drainage sales	20,000.00
Fine grading and resin application to trail	15,000.00
Composite wood water bars for across trail drainage	1,250.00
Drainage culverts	2,000.00
Dry stack walls	15,000.00
Chain link safety fencing	16,000.00
High safety fencing to protect hikers from stray golf balls	38,000.00
Sign age	6,000.00
Demolition of existing golf cart house to provide access from	

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existing parking lot to trail	7,500.00
Riparian restoration between trail and San Joaquin River	12,000.00
Erosion control	20,000.00
Engineering and design	19,250.00
Administration and construction management	29,356.00
Contingencies	<u>17,250.00</u>
Estimated Subtotal	\$241,106.00

Riverside Trail Right-of-Way

<u>Description</u>	<u>Estimated Cost</u>
Construction staking	\$2,000.00
Rough grading including rough cut trail section @ 6' wide and drainage sales	15,000.00
Fine grading and resin application to trail	3,240.00
Composite wood water bars for across trail drainage	625.00
Drainage culverts	2,000.00
Riparian restoration between trail and San Joaquin River	6,000.00
Erosion control	15,000.00
Safety structure under railroad bridge to protect trail users from falling objects from passing trains	96,000.00
Engineering and design	13,987.00
Administration and construction management	19,665.00
Contingencies	13,987.00
Estimated Subtotal	\$187,504.00

River bottom Park and Loop Trail

<u>Description</u>	<u>Estimated Cost</u>
Property line survey	\$15,000.00
Mobilization	5,000.00
Construction staking	8,000.00
Rough grading including rough cut trail section @ 6' wide, fill operations to construct parking lot	31,000.00
Fine grading and resin application to trail	15,000.00
Drainage culverts	2,000.00
Post and steel fencing/access gate	20,000.00
Sign age	3,500.00
Riparian restoration and upland restoration	60,000.00

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Erosion control	20,000.00
Restroom, drinking fountain and hand washing station	55,000.00
Trash receptacles	3,500.00
Tree and shrub planting at parking lot and entry road	3,000.00
Irrigation	2,000.00
Engineering and design	24,300.00
Administration and construction management	38,420.00
Contingencies	24,300.00
Estimated Subtotal	\$330,020.00
Riverside Trail	\$241,106.00
Riverside Trail Right-of-Way	\$187,504.00
River bottom Park and Loop Trail	<u>\$330,020.00</u>
TOTAL ESTIMATED COSTS	\$758,630.00
<u>Partners/Matching Funds</u>	
Wildlife Conservation Board	\$578,430.00
State Habitat & Conservation Fund	\$ 77,600.00
San Joaquin River Parkway and Conservation Trust	\$ 77,600.00
Developer Fees	\$ 25,000.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$758,630.00</u>

The City of Fresno has completed the appropriate environmental documents and will obtain all permits that may be necessary to complete the proposed work.

Mr. Woods reported that Mr. Jack Reagan, Interim Executive Officer, San Joaquin River Conservancy, Ms. Katherine Boxer Laptop, Assistant Director for the City of Fresno Parks and Recreation, and Mr. Bill Loudermilk, Regional Manager, Department of Fish and Game were in the audience to answer questions.

Mr. Chrisman asked if there were any questions or comments. Mr. Wright stated the Board received an inquiry from one of the adjacent landowners expressing concern regarding management of this property. He stated that those concerns have been shared with the Conservancy and the City. He added that the Board received word that the homeowners association supports this project.

At this time Mr. Wright reported that Mr. Reagan would be leaving his position with the San Joaquin River Conservancy and thanked Mr. Reagan for his past support and relationship with the Board in furthering the mission of the Conservancy.

Staff recommended that the Board approve the grant to the City of Fresno as proposed; allocate \$578,430.00 for the grant amount and project expenses [\$328,263.00 from the General Fund as specified for the San Joaquin River Parkway and \$250,167.00 from the Safe

Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000 (Prop. 12), Section 5096.355(r)]; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff to proceed substantially as planned.

It was moved by Ms. Annette Porini that the Board approve the grant to the City of Fresno as proposed; allocate \$578,430.00 for the grant amount and project expenses [\$328,263.00 from the General Fund as specified for the San Joaquin River Parkway and \$250,167.00 from the Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000 (Prop. 12), Section 5096.355(r)]; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff to proceed substantially as planned.

Motion carried.

47. Bolsa Point Ranches, San Mateo County \$10,010,000.00

Mr. Wright reported that this proposal was to consider the allocation of a grant to Peninsula Open Space Trust (POST) to assist in a cooperatively funded project to acquire 1,719± acres of land generally located along Highway 1 in southern San Mateo County and to consider the acceptance of a conservation easement from POST over 1,000± acres of the acquired property as a condition of the grant. The primary purpose of this acquisition is to protect pristine beaches, preserve miles of undisturbed wildlife habitat, acquire significant water resources and significantly expand the amount of permanently protected open land along the Coast. Ms. Terri Muzik briefly described the project and its location.

The Bolsa Point Ranches consists of four separate properties. Below is a brief description and location of each of the individual properties:

Peninsula Farms

The 141± acre Peninsula Farms is located south of the Pescadero Marsh State Natural Preserve and just east of the town of Pescadero.

Bolsa Point Ranch

The 79± acre Bolsa Point Ranch, contains Pacific Ocean frontage and is located west of Highway 1, just north of the Lighthouse Ranch. Directly to the east of Highway 1, adjacent to this ranch, is the Bean Hollow Ranch.

Lighthouse Ranch

The 88± acre Lighthouse Ranch, includes nearly a mile of beachfront north of the Pigeon Point Lighthouse, and extends easterly across Highway 1. The acquisition of this particular

parcel, when combined with POST's previous acquisition of Whaler's Cove, protects all the land surrounding the historic Pigeon Point Lighthouse as permanent open space.

Bean Hollow Farm

The 1,411± acre Bean Hollow Farm, is bounded on the west by Highway 1 and on the east by the Cloverdale Coastal Ranch.

All of the properties are characterized by gently sloping coastal terraces and grasslands that are divided by spring fed stream channels containing northern coastal scrub and riparian communities. An ecological survey done by Department of Fish and Game (DFG) revealed the presence of a variety of important plant communities, including coastal terrace prairie remnants; willow riparian zones and wet meadows and freshwater marsh. Both the wet meadows and arroyo willow communities provide suitable habitat for native amphibians and the endangered red-legged frog, the California tiger salamander and the San Francisco garter snake have been observed on the property. In addition, the Ranches provide suitable habitat for a variety of other wildlife, including the tricolored blackbird, western meadowlark and grasshopper sparrow. Other probable site users of note include the black rail and clapper rail, both saltmarsh users and listed species.

The grasslands of the property provide habitat for a large number of mammals. Some mammals known to inhabit the property include coyote, black tail deer, badger, Botta's pocket gopher and the California meadow vole.

Included in this purchase are essential water rights to Lake Lucerne, located entirely within the Bean Hollow Farm parcel, Gazos Creek, one of the most important steelhead and endangered coho salmon streams in the entire state, Butano Creek and other miscellaneous ponds and waterways associated with the Ranches. The Bolsa Point Ranches contain all the water rights to the Lake Lucerne Water System (supplied by 100% of the appropriated water from Little Butano Creek, which flows from Butano State Park) and 50% of the water rights to Gazos Creek.

The property to be purchased has been appraised at \$40,000,000.00, an amount approved by the Department of General Services. In July of 2000, POST negotiated and acquired an option to purchase the subject properties and their accompanying water rights, for \$39,000,000.00, resulting in a \$1,000,000.00 donation. The terms of the option allow for three payments of \$13,000,000.00 each, with escrow to close by January 2002. POST has paid the first two installments through funds made available from The David and Lucille Packard Foundation, The Gordon and Terry Moore Foundation and two anonymous donors. Staff proposes the Board make a grant in the amount of \$10,000,000.00 through the General Fund Challenge Grant Program, to be combined with other funds as noted above, to cover the remaining option payment and complete the purchase of the properties.

This project provides the Wildlife Conservation Board and the Department with an opportunity to enter into a partnership with POST for the purposes of conserving and protecting significant coastal terrace prairie, riparian zones, wet meadows and fresh water marshes along one of the largest sections of land on the San Mateo Coast. The project will also provide public access to land and beaches for recreational purposes such as birdwatching and nature study as well as provide opportunities for environmental research and education.

As a condition of grant funding, POST will grant the State a conservation easement over a 1,000± acre portion of the property. Acceptance of the easement will not only protect the State's financial interests in the property, but will also insure long-term protection of the property, while at the same time preserving public recreational opportunities into the future. It is estimated that \$10,000.00 will be needed for project costs associated with accepting the conservation easement, which includes Department of General Services' review costs, title insurance and escrow fees. This project is categorically exempt from CEQA as an acquisition of land for wildlife habitat and conservation purposes and the appropriate Notice of Exemption has been filed.

Ms. Muzik reported that Audrey Rust and Walter Moore, representing the Peninsula Open Space Trust, and Mr Jim Swanson representing the Department of Fish and Game, were in the audience to answer questions.

Staff therefore recommended that the Board approve this project as proposed; award a grant to the Peninsula Open Space Trust to assist in the acquisition of 1,719± acres; allocate \$10,010,000.00 from the General Fund for the grant amount and related costs; accept a conservation easement in favor of the State over 1,000± acres of the acquired property; 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 this project as proposed; award a grant to the Peninsula Open Space Trust to assist in the acquisition of 1,719± acres; allocate \$10,010,000.00 from the General Fund for the grant amount and related costs; accept a conservation easement in favor of the State over 1,000± acres of the acquired property; 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.

48. Marina Coastal Dunes, Monterey County \$1,505,000.00

Mr. Wright reported that this proposal was to consider the allocation of a \$1,500,000.00 grant to the Monterey Peninsula Regional Park District (District) to assist in the acquisition of 51.3± acres of biologically significant Monterey Dunes ecosystem in the heart of the Monterey Bay State Seashore. Stretching southward from the Salinas River to the harbor at

Monterey, the Monterey Dunes Complex is recognized as one of the most significant coastal dune ecosystems in the country. Ms. Debra Townsend briefly described the project and its location.

The subject property, locally known as the Granite Rock property, flanks the Monterey Bay coastline in the City of Marina. The site is west of Dunes Drive and is bounded on the north by a 10-acre coastal access parcel owned by the District. To the south of the site is the newly constructed Dunes Resort, a high density project with visitor serving facilities that separates the subject from Marina State Beach. The southeastern corner of the property, along Dunes Drive, includes an old staging area where mined sand was loaded into trucks. This area is characterized by mature Monterey cypress trees and eucalyptus that are shaped by salty, westerly winds.

The dunes and shoreline of this property are an integral link in the Monterey Dunes Ecosystem complex. These biologically diverse dunes rise from the coastal strand at the edge of the Bay, to over 100 feet in elevation. The dunes fringe the coastal margin and create the ocean boundary of the National Marine Sanctuary which was designated by Congress in 1992. The State Legislature, in 1994, designated the area as the Monterey Bay State Seashore.

The subject property is centrally located within the system. Paleobotanical evidence suggests that much of the plant and animal life of the dunes has survived essentially unchanged since mid-Pleistocene times, perhaps for several hundred thousand years, despite dramatic changes in climate, topography and drainage. The site is composed of dynamic coastal strand and well vegetated dune scrub habitat that supports numerous special status plants and animals including Menzie's wallflower, dune gilia, Monterey spine flower and Smith's blue butterfly, all federally listed, and the black legless lizard, a candidate species.

The property contains some of the last remaining unprotected coastal dune habitats on the central coast of California. Many other nearby dune areas are still used for sand and gravel mining, or have been developed into coastal resorts or private residences. The City of Marina has zoned the lands lying west of Highway One allowing such uses as hotels and residential development, and has already allowed the development of much of its coastal dune areas. The District proposes to promote restoration and protection of this native dune habitat and vegetation as well as the recognized rare and endangered species that occur on the site. The District would, when compatible with protection of the resources, provide opportunities for public access to the coast.

The Big Sur Land Trust, serving as a bridge between the private and public sector, was able to purchase this site at the approved appraised value of \$3,500,000.00. A \$2,000,000.00 grant from the California Coastal Conservancy reimbursed the Trust for a portion of the purchase price.

The proposed grant in the amount of \$1,500,000.00, will provide the District with the funds necessary to purchase the subject. It is estimated that an additional \$5,000.00 will be needed

for administrative expenses, including Department of General Services' review costs, bringing the total recommended allocation for the proposal to \$1,505,000.00. 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 an escrow for the acquisition of the property.

Ms. Townsend reported that Mr. Corey Brown, Executive Director of the Big Sur Land Trust, was in the audience to answer any questions.

Mr. Wright reported that letters of support were received from Senator Bruce McPherson, Assembly Speaker Pro-Tem Fred Keeley, the Department of Fish and Game, U.S. Fish and Wildlife Service, Department of Parks and Recreation, Sierra Club, Planning and Conservation League, California Native Plant Society and the Monterey Bay Dunes Coalition.

Staff recommended that the Board approve the grant to The Monterey Peninsula Regional Parks District to be applied toward the acquisition of the 51.3 ± acres, as proposed; allocate \$1,505,000.00 for the grant and related expenses from the General Fund; authorize staff to enter into the 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 Monterey Peninsula Regional Parks District to be applied toward the acquisition of the 51.3 ± acres, as proposed; allocate \$1,505,000.00 for the grant and related expenses from the General Fund; authorize staff to enter into the appropriate agreements to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

49. Rancho Jamul Ecological Reserve, Expansion 2, San Diego County \$2,030,000.00

Mr. Wright reported that this was a proposal to consider the acquisition of a 50.5± acre property with a residence and out buildings as a further expansion of the Department of Fish and Game's Rancho Jamul Ecological Reserve. Acquisition of the property would play an integral part in the further development of cooperative partnerships which would increase the Department's presence in the San Diego area, while further benefitting the habitats and species within the reserve. The acquisition would further implement the Department's Natural Community Conservation Planning (NCCP) efforts in San Diego County as part of a multi-party, public and private cooperative venture. Ms. Debra Townsend briefly described the project and its location.

The Rancho Jamul Ecological Reserve is located in southwestern San Diego County, two miles east of Jamul, in a zone where the coastal plains grade into the foothill mountains. The property lies one mile east of Rancho Jamul Drive on the south side of Highway 94, also known as Campo Road. The subject property is an inholding, situated north-centrally within the reserve. Hollenbeck Canyon Wildlife Area, approved by the Board in February, 2001, provides another approximately 3,800 acres adjoining the reserve on the north side of Highway 94.

In November, 1997, the Wildlife Conservation Board approved the acquisition of the first 2,275± acres of the reserve, and the acceptance of an additional 34± acres of habitat mitigation land at Rancho Jamul. In August, 1998, the Board approved the second phase, acquiring 1,385± acres of the reserve. Both phases were a result of cooperative efforts between the Board, the Trust for Public Land, the U.S. Fish and Wildlife Service (USFWS) and the Bureau of Land Management (BLM) who acquired 1,088± acres lying in the southerly most area of the property, bringing the total protected area to 4,782± acres.

The subject 50.5-acre property is the ranch headquarters and is currently vacant. It has been available for sale sporadically since 1998. Primary access is available through a gated easement extending from Highway 94, over the reserve. The site is irregular in shape and most of the acreage is relatively level with gentle slopes. There is a seasonal creek along the road leading to the residence. The subject is improved with a large, single-story residence and outbuildings including a detached garage, horse barn, packing sheds, modular home, lattice house, mower garage, stable with corrals and fencing. All water for irrigation and consumption is supplied through a domestic well on the property, which is interconnected to a water system consisting of seven wells located throughout the reserve.

There have been a number of offers to purchase the property, some of which involved conversion of the residential improvements to facilities which could potentially have an adverse impact on the sensitive species on the reserve. On the other hand, offers for continued residential purposes would require the perfection of road easements and the resolution of parking issues that have arisen between the Department and the owners; the formalization of water easements separating the domestic well on the site from the interconnecting wells throughout the reserve; and a potential boundary line adjustment to resolve improvements that straddle the common boundary. The Department is concerned that while the management issues were resolvable by informal agreements in the past, the Department's administration of the reserve in the future may not be compatible with the use of the subject property by new owners, therefore becoming a liability and a detriment to the resources on the reserve.

In addition to potential management concerns, the Department has been approached by several of its local partners during the property's vacancy, with viable proposals for the site. Of particular benefit to the reserve is a proposal involving a partnership with the San Diego Natural History Museum to increase the Department's presence in the San Diego area in the

fields of science and education. The inholding and associated facilities could play an integral part in this partnership. In addition, the BLM and the USFWS have expressed an interest in using all or a portion of the facilities for a reserve headquarters and offices. The combination of this use, together with the Natural History Museum, could generate rental revenues to fund the Department's management and operation of the site.

The property owner has offered to sell the 50.5± acres to the state at its approved appraised value of \$2,000,000.00. It is estimated that an additional \$30,000.00 will be needed for expenses which include appraisal costs, title, escrow and Department of General Services' review costs, bringing the total allocation necessary to \$2,030,000.00. The project is exempt from CEQA as an acquisition of land for wildlife conservation purposes and the appropriate Notice of Exemption has been filed.

Ms. Townsend reported that Ms. Terry Stewart, Ms. Gail Presley and Ms. Bonnie Turner, representing the Department of Fish and Game, were in the audience to answer any questions.

Mr. Chrisman requested clarification regarding the process for determining the future uses of the properties. Ms. Townsend explained that a management plan is not usually put together until after the properties are acquired. Ms. Stewart explained that biological studies are being conducted and that a management plan will most likely be completed by the end of the year.

Mr. Wright reported that letters of support were received from the U.S. Fish and Wildlife Service, County of San Diego Department of Parks and Recreation, San Diego County Wildlife Federation, San Diego Natural History Museum, Wildlands, Inc., National Predator Callers Association and San Diego Sporting Dog Club, Inc.

Staff recommended that the Board approve the acquisition of the property as proposed; allocate \$2,030,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop. 12), Section 5096.350 (a)(6)–NCCP, to cover acquisition costs and to pay for project expenses; 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 property as proposed; allocate \$2,030,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop. 12), Section 5096.350 (a)(6)–NCCP, to cover acquisition costs and to pay for project expenses; 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.

50. Peninsular Bighorn Sheep Ecological Reserve, Riverside County \$3,020,000.00

Mr. Wright reported that this was a proposal to consider a cooperative project with the Coachella Valley Mountains Conservancy (CVMC) to acquire 3,026± acres of private land as the initial acquisition of the Department of Fish and Game's (DFG) Peninsular Bighorn Sheep Ecological Reserve, in south central Riverside County. The acquisition will allow for the protection of the peninsular bighorn sheep in the San Jacinto and Santa Rosa Mountains. In addition this acquisition will help implement the Multiple Species Habitat Conservation Plan and Natural Community Conservation Plan being prepared for the Coachella Valley. Mr. Bill Gallup briefly described the project and its location.

The subject property is located in the southwestern portion of the Coachella Valley about 30 miles south of Palm Desert at the Riverside County line. The Salton Sea and the community of Desert Shores are located about 3 miles to the east of the subject.

This acquisition is the initial land acquisition for the DFG's Conceptual Area Protection Plan (CAPP) for the Reserve. Approximately 35,000 acres have been identified as candidates for possible acquisition within the CAPP. There are approximately 107,000 acres under Bureau of Land Management, DFG and the CVMC ownership and or control.

The acquisition of the subject property is important to the Ecological Reserve as it would place over 3,000 acres of foothills, "canyon mouths" and alluvial fan lands under protection. Placement of this area in public ownership will add a significant buffer from the developing agricultural lands to the east adjacent to State Highway 86. The subject property has multiple species values including habitat for peninsular bighorn sheep, desert tortoise, least Bell's vireo and the southwestern willow flycatcher. There is also potential habitat for several sensitive bat species including the western yellow bat, pallid bat, California leaf-nosed bat, spotted bat, pocketed free-tailed bat and western mastiff bat. Many other species that inhabit the area would also benefit including mountain lion, mule deer, golden eagle and prairie falcon.

The DFG has identified the subject property as being within a Significant Natural Area and has recommended the purchase of the property, which would be incorporated into and managed in conjunction with existing wildlife areas and ecological reserves. It is anticipated that the area will offer both passive and consumptive recreational uses. The proposal being considered at this time would, if approved bring the total number of acres protected within the study area to over 110,000,± acres.

The proposed acquisition is exempt from CEQA under Section 15313, class 13 as the acquisition of land for wildlife conservation purposes and the appropriate notice has been filed.

The approved appraised value is \$3,516,000 and the owners have agreed to sell the property for that amount. Funds are available for this purchase in the Safe Neighborhood, Parks,

Clean Water, Clean Air and Coastal Protection Act (Prop 12) Section 5096.350 (a) (5). An Interagency Agreement has been reached with the CVMC to fund up to \$516,000 of the purchase price. An additional \$20,000.00 will be needed for appraisal, escrow, title insurance costs and Department of General Services' (DGS) review costs.

Mr. Wright reported that this project has the support of the Bureau of Land Management, Coachella Valley Mountains Conservancy, Friends of the Desert Mountains and the U.S. Fish and Wildlife Service.

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

Staff recommended that the Board approve this acquisition as proposed; allocate \$3,020,000.00 from Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Act (Prop 12) Section 5096.350 (a) (5) for a portion of the purchase price and associated costs; and, accept the terms and conditions of the Interagency Agreement with the CVMC for funding of the balance of the purchase price of the property; authorize staff to enter into appropriate agreements as necessary to accomplish this projects; and authorize staff and DFG to proceed substantially as planned.

It was moved by Ms. Annette Porini that the Board approve this acquisition as proposed; allocate \$3,020,000.00 from Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Act (Prop 12) Section 5096.350 (a) (5) for a portion of the purchase price and associated costs; and, accept the terms and conditions of the Interagency Agreement with the CVMC for funding of the balance of the purchase price of the property; authorize staff to enter into appropriate agreements as necessary to accomplish this projects; and authorize staff and DFG to proceed substantially as planned.

Motion carried.

51. San Jacinto Wildlife Area, Expansion 20, Riverside County \$6,122,000.00

Mr. Wright reported that this proposal was to consider the acquisition of 922± acres of private land as a cooperative project for further expansion of the Department of Fish and Game's (Department) San Jacinto Wildlife Area (WLA), in western Riverside County and accept a private donation from the Wildlands Conservancy and a grant from the Department of Water Resources. The acquisition will allow for the further protection of Mystic Lake and its associated upland and flood plain habitat. Mr. Bill Gallup briefly described the project and its location.

The project area is located in the San Jacinto Valley of southern California, approximately 18 miles southeast of downtown Riverside and just north of the community of Lakeview. To the northwest is the City of Moreno Valley, whose corporate limits reach the northern

boundary of the San Jacinto Wildlife Area. Initial land acquisitions for the WLA were completed during the period of 1981 - 82 as part of a mitigation package developed to compensate for wildlife habitat losses resulting from the construction of the State Water Project. As opportunity and circumstance allowed, the Board has acquired additional properties. Since 1995, the Board has acquired 2,500 acres adjacent to or within Mystic Lake for the WLA. The western boundary of the 8,000 acre WLA is contiguous with the Lake Perris State Recreation Area, placing a total of approximately 15,500 acres under public ownership and protection. The current proposal being considered, would, if approved bring the total number of acres protected, including the Lake Perris Recreation Area to about 16,500± acres.

The acquisition of the subject property is important to the wildlife area as they will place the area adjacent to the southeastern end of the WLA under protection. Placement of this area in public ownership will facilitate restoration and add a significant buffer for the WLA. It is also an excellent candidate for a wetlands restoration project. The northerly portion of the subject property is within flood plain of Mystic Lake has been inundated over the past five years. The property is improved with a single family residence and miscellaneous “out buildings”, four wells and a barn.

The upland areas and hills surrounding the lowland flood plain of Mystic Lake are dominated by Riversidian sage scrub. There are areas of intermixed patches of non-native grasslands which are found in both the upland and alkali flat areas. There are numerous sensitive plants associated with Mystic Lake area, including the thread-leaved brodiaea (state listed endangered and federally proposed threatened), San Jacinto saltbush (federally proposed endangered) and spreading navarretia (federally proposed threatened). The WLA and adjoining lands support 38 species of amphibians and reptiles. Mammal species are well represented and range from the desert shrew to the southern mule deer. The Stephens' kangaroo rat (State listed threatened and federally listed endangered) is a resident mammal of the WLA.

Over 240 species of birds have been recorded on or adjacent to the WLA since 1982. Twenty-two over-wintering raptor species are known to utilize the San Jacinto Valley, including the osprey, ferruginous hawk, golden eagle and short-eared owl. The San Jacinto Valley consistently ranks in the top 1 to 2 percent in species diversity for the North American Christmas bird counts. Historically, the San Jacinto Valley has always been an important southern California wintering and nesting area for migratory shorebirds and waterfowl. There are three federally or State listed endangered birds sighted on the WLA and those are the bald eagle, Peregrine falcon and the California brown pelican.

The Department has identified the subject property as being within a Significant Natural Area and has recommended the purchase of the property, which would be incorporated into and managed as part of the existing WLA. It is anticipated that the area will offer both passive and consumptive recreational uses, as the habitat is restored, maintained and

developed in conjunction with WLA.

There are no claims of sovereign state land ownership within the property. The proposed acquisition is exempt from CEQA under Section 15313, Class 13 as an acquisition of land for wildlife conservation purposes.

The approved appraised value is \$7,096,000.00 and the owner has agreed to sell the property for that amount. A private donation of \$1,000,000 has been offered to assist in the acquisition. In addition, a grant application to the Department of Water Resources has been filed for up to \$5,000,000.00 of Proposition 13, Water Bond - Safe drinking water, clean water, watershed protection and flood protection bond funds to provide a portion of the purchase price. Should funds be realized from the Department of Water Resources Grant, staff will request recovery of the unused portion of the Wildlife Conservation Board's allocation as noted below. An additional \$26,000.00 will be needed for appraisal, escrow, title insurance fees and Department of General Services' (DGS) review costs.

Mr. Gallup reported that Mr. Greg Lowther, representing the property owners, and Mr. Tom Paulek, Wildlife Manager for the San Jacinto Wildlife Area, were in the audience to answer questions.

Mr. Wright reported that letters of support were received from the California Waterfowl Association, Sierra Club, San Geronio Chapter, San Bernardino Valley Audubon Society, Tri-County Conservation League, Friends of Northern San Jacinto Valley, Endangered Habitats League, California State Park Rangers Association, Riverside Land Conservancy and Wildlands Conservancy.

Staff recommended that the Board approve this acquisition as proposed; allocate \$1,339,000.00 from Habitat Conservation Fund, Section 2786 (b/c) and \$4,783,000.00 from the General Fund, for the purchase price and associated costs; accept a private donation in the amount of \$1,000,000.00 from the Wildlands Conservancy; accept a grant, if approved, from the Department of Water Resources for up to \$5,000,000.00 for the purchase of the land; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department to proceed substantially as planned.

It was moved by Mr. Robert Hight that the Board approve this acquisition as proposed; allocate \$1,339,000.00 from Habitat Conservation Fund, Section 2786 (b/c) and \$4,783,000.00 from the General Fund, for the purchase price and associated costs; accept a private donation in the amount of \$1,000,000.00 from the Wildlands Conservancy; accept a grant, if approved, from the Department of Water Resources for up to \$5,000,000.00 for the purchase of the land; 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.

52. Dillonwood Grove, Tulare County

\$675,000.00

Mr. Wright reported that this proposal was to consider the allocation of a grant to Save the Redwoods League to assist in a cooperative project with the U.S. Park Service, the Department of Fish and Game, other private contributors and the Board, to acquire 1,540± acres of privately owned land for the protection of giant sequoia forest, located on the western slope of the Sierra Nevada approximately 23 air miles northeast of the town of Porterville in Tulare County. The property is bordered by Sequoia National Park to the north and the Sequoia National Forest to the west, south and east and includes the headwaters of the North Fork Tule River. Mr. John Donnelly briefly described the project and its location.

The property contains 70 percent of the remaining privately-owned sequoia forest and is the largest privately-owned sequoia grove in existence, worldwide. The subject grove not only contains approximately 200 specimen trees (large old growth) up to 20 feet in diameter, but also has a thriving young sequoia forest consisting of an estimated 11,000 trees 18-40 inches in diameter. An estimated 47,000 trees of mixed conifer species of the same size are also present on the property.

The sequoia and late-seral mixed conifer forest mosaic on the property supports a diverse array of animal and plant species, many of which have special management status. Although the subject property has not been surveyed, special status wildlife observations on public lands adjacent to it include California spotted owl, Pacific fishers, northern goshawks, California wolverines, mountain lions, golden eagles, Cooper's hawks, yellow warblers and mountain yellow-legged frogs. Other old growth forest-associated species observed include the purple finch, pileated woodpecker, white-headed woodpecker and red-breasted nuthatch. In addition, mule deer, black bear, blue grouse, bobcat, mountain quail and band-tailed pigeons are commonly observed.

The property is bisected by 2.5 miles of the North Fork Tule River, a very active fly-fishing-only stream managed by the Department of Fish and Game's Wild Trout Program for catch-and-release angling for wild rainbow and brown trout. Trout abundance and angler catch rates are among the highest in the Sierra Nevada. In addition to angling, the property would offer additional public recreational opportunities, including wilderness hiking, bird watching, photography and wildlife viewing.

Upon the close of escrow, the property will be transferred to the U.S. Park Service and managed as part of the Sequoia National Park. Primary management objectives will focus on maintaining a healthy giant sequoia forest ecosystem, protecting of old growth forest-dependent wildlife species, protection of the North Fork Tule River watershed and promoting low-intensity recreational and educational opportunities for the public.

Save the Redwoods League has negotiated an option to purchase the property for the appraised value of \$10,300,000.00, subject to approval of the appraisal by the State Department of General Services. The Board's proposed grant in the amount of \$670,000.00

will be combined with other funds secured by Save the Redwoods League to complete the acquisition. It is estimated that an additional \$5,000.00 will be needed to cover project related expenses including DGS review costs, bringing the total recommended allocation for this proposal to \$675,000.00.

The terms and conditions of the proposed grant provide that staff review and approve all documents pertaining to the Grantee's acquisition, including appraisal, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds.

Mr. Donnelly reported that Ms. Kate Anderton, Executive Director of Save-the-Redwoods League, was in the audience to answer any questions. Ms. Anderton expressed her support for the project and appreciation to the Board for considering this grant, noting the wide range of private donations, from \$5.00 to an anonymous donation of \$1.5 million. She stated that this grant would close the funding gap that is needed to make the acquisition possible. Mr. Chrisman also expressed his strong support for this proposal.

Staff recommended that the Board approve the grant to the Save the Redwoods League to be applied toward the acquisition of the 1,540± acres of land as proposed; allocate \$675,000.00 from the General Fund (Land Conservation Matching Grants Program) to cover the grant amount and project expenses; authorize staff to enter into the necessary 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 Save the Redwoods League to be applied toward the acquisition of the 1,540± acres of land as proposed; allocate \$675,000.00 from the General Fund (Land Conservation Matching Grants Program) to cover the grant amount and project expenses; authorize staff to enter into the necessary agreements to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

53. Big River Conservation Area, Mendocino County \$5,003,000.00

Mr. Wright reported that this proposal was to consider the allocation of a grant to the Mendocino Land Trust to assist in a cooperative project with The State Coastal Conservancy (SCC), State Departments of Parks and Recreation (DPR), Forestry and Fire Protection (CDF), and Fish and Game (DFG), the Wildlife Conservation Board (WCB), the Mendocino Land Trust (MLT) and others to acquire 7,337± acres of watershed and timber lands for fisheries and wildlife habitat protection and enhancement, and to improve public access to the Big River estuary. Mr. Ron Boeck briefly described this project and its location.

The Big River Conservation Area lies roughly 130 miles north of San Francisco on the Pacific Coast near of the town of Mendocino. It adjoins the Mendocino Headlands State Park near the mouth of Big River at Highway 1. To the north the property is bounded by CDF's Jackson State Demonstration Forest and Mendocino Woodlands State Park. The Property stretches and spreads like a funnel from the mouth of Big River where it enters the Pacific Ocean, inland approximately 10 miles, where it is bounded by Mendocino Redwood Company lands. To the South lies Van Damme State Park, to which The Nature Conservancy and University of California Reserves are connected as well as a number of private inholdings. Direct access to the Area is via Highway 1 on the north terminus of the Big River Bridge just south of the town of Mendocino. Alternate access would be via watercraft from the Pacific Ocean or over all-weather logging roads south from Highway 20 through the Jackson State Demonstration Forest.

The Big River watershed, which drains an area of approximately 165 square miles, is one of the largest river systems in Mendocino County. Big River is the heart of this system. Tidal water intrudes up the main channel as far as 8.3 miles during high spring tides, making the Big River estuary the longest unprotected estuary in northern California. Distinctive to Big River is the presence of early second growth redwood and coniferous forests extending up from the waters edge, covering the steep slopes of the lower river valley to the ridge line. Salt marsh wetlands and rocky, forested hillsides alternate on either side of the estuary's meandering channel, interspersed with alder and willow riparian woodlands. Elevations of the Big River watershed range from sea level at the mouth, to approximately 800 feet along the ridges to the north and south. With an average annual rain fall of 40 inches, this drainage provides a unique and dynamic growing environment for fisheries, habitat and wildlife.

The project area is strategically located to expand the connection of coastal State Park units and the inland forest of the Jackson State Demonstration Forest, creating a 74,500 acre wildlife corridor, linking diverse coastal and inland habitats into the largest piece of connected public land within Mendocino County. The Big River Watershed supports at least 22 species of fish, 13 species of amphibians, 10 species of reptiles, 21 species of mammals, and 88 bird species, including the coho salmon, steelhead trout, bald and golden eagle, olive-sided flycatcher and osprey. Breeding populations of many of these threatened and endangered species have been observed within the watershed.

The overall management responsibility of the property will be undertaken by the project partners, including DFG, DPR and SCC. Upon completion of appropriate planning, conservation management of the property will emphasize (a) enhancing aquatic habitat to improve salmonid reproduction, including restoration of uplands; (b) decreasing sedimentation by decommissioning approximately 200 miles of roads and improving stream crossings; (c) accelerating the development of late seral-stage forest characteristics; (d) providing recreational opportunities compatible with resource protection; and (e) supporting scientific research. It is anticipated that the public benefits realized by the expansion the trail system and interconnection of three state parks and the state forest by the

acquisition of the Big River property will keep management costs lower than had this parcel been isolated, offsetting an increase in management and operational costs.

The Mendocino Land Trust has secured an exclusive purchase option with Hawthorne Timber Company. Discussions among MLT, the state Departments of Fish and Game(DFG), Parks And Recreation (DPR), Forestry and Fire Protection (CDF), Coastal Conservancy (SCC) and Wildlife Conservation Board (WCB) staff have led to a decision to use their best efforts to put together sufficient funding (public and private) to place the property under public ownership and management that would maximize fisheries and wildlife habitat protection and improvements while affording significant opportunities for public recreation within the project area to the benefit of local residents as well as the 1,000,000 annual visitors to the region. There will be a development period after which it is the intent of MLT to deed the property to the State, under DPR/DFG control.

The property has been appraised and has a State-approved fair market value of \$26,400,000.00. In addition to WCB's proposed Challenge Grant funding participation at \$5,000,000.00, the remainder of the purchase price will be provided by the various private donations and public grants secured by MLT. The current year WCB budget includes a Challenge Grant Fund, recommended by Governor Davis for the precise purpose of encouraging private donations, on a dollar-for-dollar matching basis, for preservation of the state's natural resources, open spaces, parks and wildlife habitat. Staff proposes that the board accept the MLT Challenge Grant Proposal. It is estimated that an additional \$3,000.00 will be needed for project expenses, including DGS review charges. The 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 review and approve all documents pertaining to the Grantee's acquisition, including any appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds.

Senator Wesley Chesbro addressed the Board earlier in the meeting regarding this project. Senator Chesbro thanked the Board for its efforts and expressed his continued commitment to bond measures that enable the Board to continue its work. Senator Chesbro expressed his pleasure in representing a magnificent area of the state that is rich in habitat and environmental resources. The Senator stated that approval of this project would provide unparalleled opportunity in habitat protection, and that it will also provide tremendous recreational opportunities. He commented that there are many other entities besides the state that are committed to this project, including local people who have made significant contributions to make this a successful matching grant, as well as others who admire the Mendocino Coast area. Senator Chesbro strongly encouraged the Board to approve this project. Mr. Chrisman thanked the Senator for appearing before the Board and for his continued support of this and many other projects.

Mr. Boeck reported that several supporters for this project were in the audience: Michael Lebeau representing the Trust for Wildland Communities, Chris Kelly and Jessie Lee VanSant, representing the Mendocino Land Trust, Jenny Griffin, Project Manager for the Big River, and Mr. David Colfax, Mendocino County Board of Supervisors.

Supervisor Colfax thanked Senator Chesbro for his support of this project. He stated that this project has received widespread support from various agencies and many individuals throughout the Big River community and that this project is very important to the economic life, social life and survival of jobs and programs in Mendocino County. He urged the Board's support in approving this project.

Mr. Michael Lebeau, representing the Trust for Wildland Communities, expressed his support for this project. He commented that his organization is providing the grants and coordination of the matching grant funding and that in the process of the community meeting this challenge and coming up with a significant amount of private funding, the collaborative efforts of the various groups will benefit the community with not only this project, but future conservation projects. He acknowledged major fundraising efforts by the Mendocino County Community Foundation. Mr. Chrisman requested clarification regarding the role of the Trust for Wildlands Communities and expressed his appreciation to Mr. Lebeau for his commitment to the project.

Mr. Wright reported that the Board received a letter of support from Assembly member Virginia Strom-Martin and acknowledged receiving 234 letters of support from members of the community.

Staff recommended the Board approve the allocation of \$5,000,000.00 in General Fund Challenge Grant Funding for deposit to the Mendocino Land Trust's escrow for the purchase of the 7,337-acre Big River property, to be available for deposit if the property is acquired for the price of \$26,400,000.00 or less; allocate \$3,000.00 in General Fund, Challenge Grant Funding, to cover the administrative and related costs; authorize acceptance of interests in or title to such portions of the property as may be determined should be held by DFG; authorize staff and the department to enter into appropriate agreements to carry out this project; and authorize staff and DFG to proceed substantially as planned.

It was moved by Mr. Robert Hight that the Board approve the allocation of \$5,000,000.00 in General Fund Challenge Grant Funding for deposit to the Mendocino Land Trust's escrow for the purchase of the 7,337-acre Big River property, to be available for deposit if the property is acquired for the price of \$26,400,000.00 or less; allocate \$3,000.00 in General Fund, Challenge Grant Funding, to cover the administrative and related costs; authorize acceptance of interests in or title to such portions of the property as may be determined should be held by DFG; authorize staff and the department to enter into appropriate agreements to carry out this project; and authorize staff and DFG to proceed substantially as planned.

Motion carried.

54. Arroyo Hondo Preserve, Santa Barbara County \$1,510,000.00

Mr. Wright reported that this proposal was to consider the allocation of a grant to The Land Trust for Santa Barbara County (LTSBC) to assist in a cooperatively funded project with the State Coastal Conservancy (SCC), Caltrans, Santa Barbara County and others to acquire 782± acres of privately owned property, located on the Gaviota Coast, north of the City of Santa Barbara for protection of threatened and endangered species and improvement of Southern California wetland habitats. Mr. Dave Means briefly described the project and its location.

The Gaviota Coast region represents one of the most unique biographic transition zones in the world, where marine and terrestrial wildlife and northern and Southern California ecosystems converge. It contains approximately 50 percent of Southern California's remaining rural coastline and approximately half of the plant families found in the state. The Los Padres National forest extends along the Santa Ynez mountains north of the coastline preserving most of the upper watersheds. On the coast there are three state parks and a county owned parcel, with the majority of the remaining coastal areas and bluffs held in private ownership.

The Arroyo Hondo property abuts Los Padres National Forest to the north and when acquired will place in conservation an entire watershed draining from the Santa Ynez Mountains to the Pacific Ocean. Different habitats found on the property include estuarine, riparian, coastal sage, chaparral and live oak woodland. The Arroyo Hondo Creek is also one of the few perennial streams along the Gaviota coast that supports the Southern California steelhead. Other threatened and endangered species are also found on the property. Recreational benefits are also available by providing a linkage of trails from the Los Padres National Forest down to the coast.

The property is part of the "2000 Workplan for Southern California Wetlands Projects", developed through a partnership of public agencies, including the Resource Agency and funded by grants from the Department of Fish and Game (DFG) and the SCC. Within the workplan the property is designated as a priority project. The DFG has also reviewed the project and provided its support through participation in development of the workplan.

Once acquired, LTSBC will retain ownership and management responsibilities. Working with the University of California, Santa Barbara, they intend to develop a comprehensive management plan for the property, including a public and recreational access component. One goal is to allow school groups, community groups and the general public onto the property under a carefully-designed public access program. LTSBC has developed a budget to cover management and maintenance costs of the project, funded in part by private and local dollars.

The terms and conditions of the proposed grant provide that staff review and approve all documents pertaining to the Grantee's acquisition, including any appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds.

The LTSBC has entered into an option to purchase the property at the approved fair market value of \$6,176,000 and has requested a grant of \$1,500,000.00 from WCB to assist with the acquisition cost. An additional \$10,000.00 is required for administrative costs, bringing the total allocation needed for this project to \$1,510,000.

The proposed funding breakdown for the projects is as follows:

Wildlife Conservation Board	\$1,500,000.00
State Coastal Conservancy	4,000,000.00
Caltrans, EEMP Grant	500,000.00
Santa Barbara County	176,000.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$6,176,000.00</u>

Mr. Means reported that Ms. Carolyn Chandler, representing the Land Trust for Santa Barbara County, and Ms. Terry Stewart, representing the Department of Fish and Game, were in the audience to answer any questions.

Mr. Wright stated that letters of support were received from Congresswoman Lois Capps, Senator Jack O'Connell, Assembly Member Hannah-Beth Jackson, the Department of Fish and Game, Supervisor Gail Marshall of the Santa Barbara County Board of Supervisors, the Trust for Public Land and the Environmental Defense Center.

Mr. Chrisman asked if there were any questions or comments. There were none. Staff recommended the Board approve the grant to LTSBC as proposed; allocate \$1,510,000.00 from the Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Proposition 12), Section 5096.350 (a)(5) to be applied toward the acquisition and related project costs; authorize staff to enter into appropriate agreements as necessary to carry out this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

It was moved by Mr. Robert Hight that the Board approve the grant to the Land Trust for Santa Barbara County as proposed; allocate \$1,510,000.00 from the Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Proposition 12), Section 5096.350 (a)(5) to be applied toward the acquisition and related project costs; authorize staff to enter into appropriate agreements as necessary to carry out this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

55. Chorro Creek Ecological Reserve, San Luis Obispo County \$2,910,000.00

Mr. Wright reported that this proposal was to consider a cooperatively funded project with the City of Morro Bay, Morro Bay National Estuary Program, Caltrans, the State Coastal Conservancy and the U.S. Fish and Wildlife Service to assist in the acquisition of 580± acres of land, located between the cities of Morro Bay and San Luis Obispo, for preservation and potential restoration of riparian wetland and flood plain habitats and protection of threatened and endangered species. Mr. Dave Means briefly described this project and its location.

Chorro Creek is the main tributary feeding the Morro Bay Estuary. The subject property represents one of the last two major private holdings along the creek. Most of the upper watershed, down to and contiguous with the subject, is held in public ownership, including the adjacent Department of Fish and Game's (DFG) San Luis Obispo Wildlife Area, acquired through donation in 1982. Other public holdings upstream include the California Polytechnic State University, Cuesta Junior College, the California Men's Colony, Camp San Luis Obispo, San Luis Obispo County and National Forest Service Lands. Located approximately 2 miles downstream from the property is the Morro Bay State Park, encompassing most of the bay and adjoining estuary areas.

Chorro Creek is a perennial stream providing spawning and rearing pools for Southern California steelhead. The creek also supports riparian habitat occupied by threatened and endangered species, including, among others, the southern steelhead, red-legged frog and willow flycatcher. Over the years the creek has been channelized with levees to allow farming on its floodplains. This change has had a number of detrimental effects, including 1) reduction of steelhead spawning grounds, 2) reduction of riparian habitat, 3) reduced water-flow in the creek and 4) increased sediment and contamination problems in the Morro Bay estuary.

The property consists of two parcels, north and south, separated by Highway 101. The south parcel is 320± acres and contains 1.5± miles of Chorro Creek. Most of the creek is bounded by levees, and the adjoining floodplain areas are farmed with field crops. In areas not being farmed riparian habitat exists. The property on the north is 260± acres, is partially improved with an avocado orchard, with open range and riparian areas covering the undeveloped areas. The northwest border of this parcel also abuts San Luisito Creek, another stream used by steelhead for spawning. The agricultural uses on the property represent the largest diversions of water from the creek.

The primary management strategy of DFG, subject to planning and CEQA compliance, would be to cease agriculture use and remove the levees, allowing the creek to run a more natural course on the property. This would help ensure higher water-flows, restore riparian habitats and increase sediment capture. Sediment capture would serve two purposes: 1) help

expand steelhead spawning areas and 2) improve water quality flowing into the Morro Bay Estuary. On the north parcel, as a condition of the sale, the Trust for Public Land (TPL) will remove the orchards. The property would then be managed as open range and riparian habitat.

Development pressures also impact the property. Although currently zoned for agricultural use, the property's close proximity to Highway 1 and the City of Morro Bay, give it strong appeal for more extensive development. The current owner has developed plans for commercial development and the real estate appraisal used in this transaction indicates a potential for future subdivision into smaller residential ranchettes. If developed or subdivided it is unlikely restoration of riparian or floodplain areas would occur.

The TPL has entered into an option agreement to purchase the property from the current owner. The TPL intends to exercise the option and then resell the property to the Wildlife Conservation Board based on a fair market value appraisal, as approved by the Department of General Services, of \$5,800,000. The Wildlife Conservation Board's contribution to the purchase price will be \$2,900,000.00. An additional \$10,000.00 is requested for administrative costs, bringing the total allocation needed for this project to \$2,910,000.00. The remaining \$2,900,000.00 will be funded through a combination of grants and proceeds from other sources. The property will be owned and managed by the Department of Fish and Game.

The breakdown of the funding for the purchase will be as follows:

Wildlife Conservation Board	\$2,900,000.00
Coastal Wetland Conservation Program (USFWS)	400,000.00
State Coastal Conservancy	750,000.00
Caltrans TEA Grant	800,000.00
Caltrans EEMP	500,000.00
Morro Bay National Estuary Program	200,000.00
City of Morro Bay	250,000.00
<u>TOTAL ESTIMATED FUNDING</u>	<u>\$5,800,000.00</u>

In addition to the above amounts, TPL is hopeful of securing additional funding, up to \$100,000.00, from the Coastal Wetland Conservation Program, \$200,000.00 in TEA grants, and \$100,000.00 from the Morro Bay National Estuary Program, by the close of escrow. In the event these funds materialize by the close of escrow, the Wildlife Conservation Board's contribution costs could be reduced by as much as \$400,000.00., lowering the total contribution to \$2,500,000.00. If this occurs these funds will be recovered at a subsequent Board meeting and retained in the appropriate fund.

Mr. Wright reported that the Board received letters of support from Supervisor Shirley Bianchi, San Luis Obispo County Board of Supervisors, U.S.D.A. Natural Resources

Conservation Service, City of San Luis Obispo, City of Morro Bay, Los Osos Community Services District, the Santa Lucia Chapter of the Sierra Club, Morro Bay National Estuary Program, The Bay Foundation, Central Coast Natural History Association, Friends of the Estuary at Morro Bay, Coastal San Luis Resource Conservation District, Morro Estuary Greenbelt Alliance and members of the community.

Mr. Means reported that Mr. Jim Swanson, representing the Department of Fish and Game, and Ms. Karen Worcester and Mr. Dave Paradies, representing the Morro Bay National Estuary Program, were in the audience to answer any questions. Mr. Means thanked Ms. Worcester and Mr. Paradies for their efforts in getting the community's support for this project.

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

Staff recommended the Board approve the acquisition as proposed; allocate \$2,910,000.00 from Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Proposition 12) Section 5096.350 (a)(5) to be applied toward the acquisition and related project costs; authorize staff to enter appropriate agreements 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 as proposed; allocate \$2,910,000.00 from Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Proposition 12) Section 5096.350 (a)(5) to be applied toward the acquisition and related project costs; authorize staff to enter appropriate agreements to complete this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

56. Yolo Bypass Wildlife Area, Expansions 3 and 4, Yolo County \$16,630,000.00

Mr. Wright reported that this was a proposal to consider the acquisition of two separate ownerships totaling 12,808± acres of private land for an addition to the Department of Fish and Game's (DFG) Yolo Bypass Wildlife Area. Upon the purchase of the properties, they will come under the management of the DFG. There are several leases now in effect on the properties and as a condition of sale these leases will remain in effect until affected local, state and federal agencies and nearby private landowners have had an opportunity to discuss management strategies with the DFG. Mr. Wright reported that this project has been the subject of considerable discussion within the community, last week at the Delta Protection Commission Meeting, and Tuesday of this week at the Yolo County Board of Supervisors' Meeting. He added that as a result of those meetings, issues have surfaced and been

identified. Mr. Wright stated that he recently received a letter from the Delta Protection Commission and that yesterday the Board received a letter from the Yolo County Board of Supervisors supporting the acquisition of the Yolo Bypass, with conditions. He advised that as a result, yesterday Director Hight signed a letter to the Yolo County Board of Supervisors addressing most of their concerns as well as those of the Delta Protection Commission. Mr. Wright also acknowledged the numerous letters of support for this project and that he felt the Board had made a lot of progress in terms of helping the community understand what happens once the acquisition is completed. Mr. Jim Sarro briefly explained the project and its location.

All properties located within the Yolo Bypass will continue to serve their primary purpose of flood control. The DFG is signatory to an agreement with the California Department of Water Resources, the State Reclamation Board, and the United States Fish and Wildlife Service regarding the management and maintenance of the Yolo Bypass Wildlife Area as a part of the Sacramento River Flood Control Project. If necessary, this agreement will be amended to ensure that future management of these proposed properties to the Yolo Bypass Wildlife Area will not compromise flood control purposes.

The CALFED Bay-Delta Program recognizes in its Final Programmatic Environmental Impact Study/Report and Record of Decision the benefits of protected and restored habitats in the Yolo Bypass. While this proposal to expand the existing Yolo Bypass Wildlife Area will not be funded through the CALFED Program, the management strategy will be developed in cooperation with the CALFED Ecosystem Restoration Program. (Note that the CALFED Ecosystem Restoration Program provided a grant to the Yolo Basin Foundation to develop a locally based management strategy for the entire Yolo Bypass.)

These acquisitions are exempt from the California Environmental Quality Act (CEQA) under Section 15313 and Class 13 of Categorical Exemptions as an acquisition of land for wildlife protection, and the appropriate Notice of Exemption was filed on July 16, 2001. Any future management strategy that proposes changes in current land use may be subject to additional documentation under CEQA. In this case, the additional CEQA documentation may tier from the CALFED Final Programmatic EIS/R.

The Yolo Bypass Wildlife Area lies south of Interstate 80, east of County Road 104 and within and adjacent to the Yolo Bypass in Yolo County.

The existing wildlife area provides the public with a managed public hunting program for waterfowl and upland game and offers educational programs through the Yolo Basin Foundation. Additionally, the DFG provides programs for fishing, wildlife viewing and other nature-oriented activities.

Expansion of the Yolo Bypass Wildlife Area will allow for the preservation of historic wetlands, wintering habitat for waterfowl, shorebirds, threatened and endangered species and

other wetland associated species. The properties are generally accessed via Interstate Highway 80 to Chiles Road, then over the west levee of the bypass to and through the state's ownership and/or continuing southerly on the west levee until reaching the properties. The most southerly portion of Expansion 3 may also be reached via the county road system on its westerly side.

The Yolo Bypass Wildlife Area is a result of a twelve-year-long cooperative effort to preserve wetlands and associated habitats of the Yolo Basin, involving several local, state and federal agencies and other private sector entities. The Wildlife Conservation Board (WCB) approved the wildlife area's original acquisition of 3,150± acres at its February 12, 1991 meeting. Expansion 1, consisting of 390 acres, was approved at its February 10, 1994 meeting, and Expansion 2, consisting of 180± acres of wetland area and 15± acres for a headquarters site, at its August 11, 1994 meeting. Presently the wildlife area plus the headquarters site total approximately 3,735 acres.

The subject properties, designated as Expansion 3 and 4, are more specifically described as follows:

Expansion 3

\$14,900,000.00

This expansion is one ownership and consists of three separate ranches commonly known as the Causeway, Geiberson and Tule ranches which are described below:

Causeway Ranch

This parcel contains 2,966± acres having a maximum length, north /south, of 3 miles and width, east/west, of 2.5 miles. It is, in effect, an inholding at the northern end of the state's property. It has common boundaries with the state's area on the northerly and westerly sides.

The property is currently leased and is farmed to row crops. Located on the ranch, and its most notable feature, is a 25± acre lake named Green Lake. The lake is surrounded by riparian growth and is one of the very few mature riparian areas existing within the bypass. The property has riparian water rights and water is drawn from the Toe Drain, which lies at the eastern boundary of the ranch, and transferred to a series of canals and ditches via low lift pumps, for delivery to all areas of the ranch.

There is a flowage easement over the ranch that allows for water to be diverted from the Sacramento River during peak flows. This has resulted in the property being inundated by flood waters, an annual occurrence in recent years, providing valuable habitat for migratory waterfowl and other water-dependent species.

The property is offered for sale subject to the present farming lease. Additionally, there is a portion of the ranch, approximately 182± acres, that lies adjacent to and northerly of the

railroad tracks that may be determined to be in excess of the DFG needs. If DFG determines that this is the case, this acreage may be considered for sale or exchange. Other than the water delivery systems, which will be acquired by the state, there are no improvements on the ranch. All mineral rights are being retained by the owner.

Geiberson Ranch

The subject is located predominately on the west side of the Yolo Bypass levee, approximately 1.5 miles south of Interstate 80. It is accessed primarily by the west levee and contains 160± acres, 30± of which lie within the bypass and comprise an inholding to the state's wildlife area. The property lying within the bypass is subject to flooding. The 130± acre parcel outside the bypass has no water rights and is serviced by a 60hp pump and well. It is currently being farmed under a lease, which is to be accepted by the state as a condition of the sale, and the mineral rights are being reserved by the owners. Other than the well and pump, which will be acquired by the state, there are no improvements on the property.

Tule Ranch

This ranch is located in the Yolo bypass generally between County Road 105 and the Sacramento Deep Water Channel and approximately 4.5 miles south of Interstate 80 in the southeastern portion of Yolo County. It is approximately 9,000± acres in size with a maximum width, east/ west, of 4.25 miles and length, north/south, of 4 miles. The vegetation is a combination of native pasture, row and field crops and riparian vegetation located along the waterways and in the wetland areas.

There are numerous intermittent streams located on this ranch. These waterways are quite extensive and are generally associated with the existing wetlands and/or ponds. The Tule Ranch has riparian water rights from the Toe Drain, which is located at the eastern boundary of the property. The water is delivered via a series of canals and lift pumps to all areas of the ranch. There is a flowage easement over the ranch and a large portion of the ranch has flooded each year for the last several years. The southern portions of the Tule Ranch contain a fine assemblage of plants typical of vernal pool areas, including annual hairgrass, downingia, coyote-thistle and two varieties of milkvetch. The property is currently leased for farming and cattle grazing and the state will assume ownership of these leases as a condition of sale.

The property contains numerous improvements, including a main residence, a garage, shop, a second residence, sheds, four barns, several storage buildings, fuel tanks, fencing and corrals, all of which are located in the southwest quadrant of the ranch and are related to the cattle lease operation.

There are areas of the Tule Ranch, mainly in the southern portion, that may be determined to be in excess of the DFG's needs and may be recommended by the DFG for sale or exchange

sometime in the future.

The three ranches have been appraised at \$16,000,000.00. The values have been reviewed and approved by the State Department of General Services (DGS). The owners have agreed to sell the property at less than the fair market value, \$14,800,000.00, providing the state with a donation of \$1,200,000.00. In addition to the purchase price, an additional \$50,000.00 will be needed for DFG start-up costs, consisting of posting, fences and gates and environmental and archeological surveys. A further sum of \$50,000.00 will be needed for escrow, title, DGS review fees and other associated expenses, bringing the total proposed expenditure for Expansion 3 to \$14,900,000.00.

Expansion 4

\$1,721,300.00

This parcel is located almost entirely within the Yolo Bypass area. It consists of 685± acres of land. It is improved with a single family residence and a well and pumps. The property adjoins the wildlife area at the state's southern boundary. The residence is located outside the bypass area and westerly of the west levee and could eventually be converted into an interpretive center if management planning determines it to be appropriate. The land is currently being farmed and, as a condition of sale, the state will acquire the property subject to the lease. The owner will be reserving all mineral rights.

The purchase would be part of a larger parcel and would require a survey to determine the exact number of acres in the acquired portion. At the time of this writing, the survey has not been completed. Therefore, the exact purchase price has not been determined. It is estimated, however, that it will not exceed the requested allocation herein. Any excess funds allocated as a part of this transaction will be recovered upon completion of acquisition.

As in Expansion 3, management of the property, including management of any lease, will be undertaken by the DFG. The purchase price is \$1,697,000.00, based on an appraisal which was reviewed and approved by DGS. An additional \$24,300.00 will be needed for DGS review services, survey costs, appraisal fees, title and escrow fees.

These acquisitions are exempt from the California Environmental Quality Act under Section 15313 and Class 13 of Categorical Exemptions as an acquisition of land for wildlife protection and the appropriate Notice of Exemption has been filed.

Mr. Sarro reported that The Nature Conservancy negotiated the transaction with the Glide Family Trust and that their representative, Mr. Chris Unkel, was in the audience and available to answer questions, as well as Mr. Banky Curtis and Mr. Dave Feliz, representing the Department of Fish and Game.

Mr. Chrisman reported that there were several people in the audience that requested to address the Board. Mr. Chrisman introduced Ms. Lois Wolk, Yolo County Supervisor, and Mr. Tom Stallard, Chairman of the Yolo County Board of Supervisors. Mr. Stallard stated

that the Board of Supervisors carefully considered this project and concluded that a letter indicating concerns would be the best posture for Yolo County, which he read and is included within these minutes. (Attachment B)

Mr. Chrisman requested clarification regarding the siting of a new flyway center on the west edge of the bypass. Mr. Stallard explained that this is a project that has been under the leadership of the Yolo Basin Foundation, a private foundation, which led to the development of the Vic Fazio Yolo Basin Wildlife Area. He stated it is his understanding that, in concept, the flyway center will be a resource center to familiarize people with the Pacific Flyway, waterfowl resources and the historical geography and features that help visitors understand the importance of the Pacific Flyway. Mr. Chrisman asked Ms. Wolk if she had any comments. She stated that the letter from the Department of Fish and Game, which they received yesterday, did in fact answer the Board of Supervisors' concerns. She added that this acquisition would continue a very constructive relationship that the County has had with the Department in the current Yolo Basin Wildlife Area, which this Board supported and helped acquire in the early 1990's. She stated that the Glide Ranch is an enormous acquisition that is indeed a legacy project and that she hoped the Board would positively consider the proposal. Mr. Chrisman expressed his appreciation to Supervisors Wolk and Stallard for attending and to the other members of their Board for their support.

Mr. Chrisman introduced Mr. Mike Reagan, representing Senator Maurice Johannessen's office. Mr. Reagan stated that the Senator wanted to express his appreciation to the Board for their efforts in working with Yolo and Solano Counties and for the Board's attention to the constituents' concerns. He stated that the Senator is very pleased with the Solano County acquisition and the agreement developed with the local land use authorities. Mr. Reagan added that in Yolo County, the flood control concern seems to be the single greatest concern among the constituents and that the Senator requests the Board pay attention to the public safety implications of any vegetation growth in the Yolo Bypass area.

Mr. Chrisman introduced Ms. Robin Kulakow, Executive Director of the Yolo Basin Foundation. Ms. Kulakow spoke on behalf of the Yolo Basin Foundation Board of Directors in support of the expansion of the Vic Fazio Yolo Wildlife Area. She commended the Wildlife Conservation Board for its efforts and expressed appreciation to the Department of Fish and Game for its management of the current 3,700 acres in a way that provides valuable wetland habitat while maintaining the flood control function of the Yolo Bypass. She stated that wildlife area staff retains an excellent working relationship with the State Reclamation Board as well as the Sacramento and Yolo Mosquito and Vector Control District. She added that the Department continues to participate in the Yolo Bypass Working Group meetings, where issues of concerns, assurances and suggested actions relating to restoration and management of habitat in the bypass are discussed. Ms. Kulakow stated that because of the Department's commitment to honor landowners' concerns, the Foundation urged the Board to proceed with this proposal. Mr. Chrisman expressed his appreciation for her comments.

At this time, Mr. Chrisman welcomed Mr. Gavin Payne of Senator Jack O'Connell's office.

Mr. Chrisman introduced Mr. George Basye. Mr. Basye, representing the North Delta Water Agency and California Central Valley Flood Control Association, while not opposing the project, expressed concerns regarding the maintenance of the levees and the capacity of the bypass. He stated that the main concern of the associations regarding the capacity of the bypass is not to preserve the present capacity, but to anticipate the need for expanded capacity in the future as the upstream areas develop above the Yolo Bypass and the flood control system. He expressed appreciation that it has been indicated the land will continue to be farmed and treated in the same manner that it is now for at least five years pending development of the plan, which will be subject to public review. He stated that there are federal acquisitions in the southern portion of the bypass that have been abandoned and that abandoning the land in the bypass is not the way to maintain the flood control capacity. He requested that there be mitigation benefits available for work needed to maintain the levees that preserve the bypass and maintain the area within which the development would be made.

He stated that the North Delta Water Agency, which he also represents, is an agency of 300,000 acres within Sacramento, Yolo and Solano Counties and the northern portion of the San Joaquin County, entered into a contract with the Department of Water Resources, which recognizes the water rights and water quality within the entire North Delta area. He stated that in some critical years there is a deficiency available for riparian rights, not being supplied with all the water that they need by nature, given the demand that is placed upon it by other riparians and those with priorities. Mr. Basye stated that deficiency for all of the North Delta is taken care of by the payment, which is made by the North Delta Water Agency to the Department of Water Resources, a substantial payment of more than \$300,000 a year. He reported that eighty percent or more of the agency's assessment is used for the purpose of paying that charge for the benefits of water quality and quantity to this land as well as all of the Delta. He stated that every five years the cost goes up and he hoped the Department of Fish and Game would recognize the benefits that contract provides. He apologized if a copy of that contract was not included in the letter sent to the Board and said that a copy would be made available right away. Mr. Basye asked that the letters from the agency and from the association be made a part of the record. (Attachments C and D)

Mr. Chrisman introduced Mr. Henry Rodegerdts. Mr. Rodegerdts stated that he is an attorney representing the California Farm Bureau Federation. He expressed concern that this acquisition is avoiding an appropriate California Environmental Quality Act review on the basis that it is subject to a Class 13 exemption because it will only result in the preservation of habitat that already exists. He added that what is essentially being proposed in this project is restoration, therefore, this project is not entitled to such exemption. He also expressed concern regarding the early filing of the Notice of Exemption and insufficient time for the project to be addressed by the counties and concerned entities impacted by this proposal. Mr. Wright responded that he has conversed with Mr. Rodegerdts in recent weeks and that he disagrees regarding this issue. Mr. Wright stated that the transactions, the actual acquisition of the lands, are taking the lands in the name of the state with a willing landowner, but no decision has been made about the future management of the lands. He added that the Department of Fish and Game has committed to a very open planning process, inclusive of anyone that wants to participate, and that within the next couple of years the Department will look at a number of different alternatives as to how the land will be managed, presumably

some will stay in agriculture and some will be developed for the benefit of wildlife. Mr. Wright stated that Mr. Rodegerdts and he appear to differ on the principle of whether or not there is a categorical exemption or whether there will be a significant change in the land use, for which no decision has been made yet. Mr. Wright stated that after this meeting, if the Board approves this action, that the Board will refile the 35-day notice, thereby affording the Farm Bureau the opportunity to challenge the Board's actions. Mr. Rodegerdts stated that if there had been time for sufficient consultation with the concerned entities, that this proposal may have been scaled down to exclude some of the productive agricultural land.

Mr. Chrisman introduced Ms. Margit Aramburu. Ms. Aramburu, representing the Delta Protection Commission, thanked Mr. Wright, and Mr. Banky Curtis and Mr. Dave Feliz of the Department of Fish and Game, for their presentation at the Commission's recent meeting, allowing for public comment. She stated that the overwhelming concern of the Commission was in regard to the size of the acquisition, the lack of sufficient time for the public to discuss the project, focusing on the Yolo Bypass and its critical regional flood control role in the area, that the lands are private now without a specific public management plan in place, and that the acquisition is not taking advantage of the new Calfed partnering process between state and federal agencies, thereby allowing scientific review and validation of proposed habitat management projects. She added that the Commission outlined a number of concerns and understands that the Board may act to fund the acquisition, urged that the acquired lands stay in its current agricultural use until a management plan is prepared and shared with the community. Ms. Aramburu stated that she has reviewed the Department's response to Yolo County's concerns and believes that Department of Fish and Game has affirmatively committed to the issues raised by the Delta Protection Commission. She expressed appreciation to the Department for their commitment to public access and recreation, which coincides with the goals of the Commission and their work, through the partnership of other agencies under Calfed a Delta Recreation Master Plan.

Mr. Hight reiterated the commitment he expressed in his letter to the Board of Supervisors to work with the Board, the farm community and with other affected parties as the Department moves forward with this process. He also stated that the Department and the Board would be examining the CEQA exemption process to better meet our public needs as we acquire additional lands in the future.

Mr. Wright reported that letters of support were received from Assembly member Helen Thomson, Dave Rosenburg, Yolo County Supervisor District 4, Betsy Marchand, retired Yolo County Supervisor District 4 and member of the State Board of Reclamation, Lois Wolk, Yolo County Supervisor District 2, Sacramento Audubon Society, Yolo Audubon Society, Sacramento Valley Open Space Conservancy, Dixon Resource Conservation District, Ducks Unlimited, Skyraker Duck Club, Los Rios Farms, The Conservation Fund, Yolo Basin Foundation, Wildlands, Inc. and the Point Reyes Bird Observatory. He noted that the Board received letters of opposition from two County Supervisors, however, the full Board acted with a letter of support with conditions, of which Mr. Hight has responded to the

board in writing, as well as the support that Ms. Aramburu just talked about with commitment from the Delta Protection Commission. He stated they are aware of the concerns. Mr. Wright noted a letter of inquiry from Senator Maurice Johannessen early on in the process. He also stated that the Board received letters of concern from Mr. Robert Clark, Manager of the North Delta Water Agency with concerns, in addition to correspondence from the Department of Conservation regarding the Williamson Act reservation on the property.

Mr. John Martini, spoke on behalf of the California Natural Gas Producers Association. Mr. Martini wanted to remind everyone concerned that there is a difference between surplus and mineral rights, and urged to Board to be cognizant of those protections as the Board moves forward with this project. He stated that they do have a number of operators who are continuing to operate in and around the subject area. He added that they have not had an opportunity to discuss this project with their membership to the extent of this proposal and he is not aware as to whether there would be any affected mineral rights owners. He reminded the Board of the extent of mineral rights laws in California, and that there are some protections awarded to those property rights owners. He stated that with those sort of protections in mind, they will be stepping back and become more active in monitoring the acquisition. Mr. Chrisman encouraged Mr. Martini to be part of the planning process.

Mr. Chrisman stated he was impressed with the amount of public support and also the concerns that many people have expressed. He added that the Department and the Board have committed to ongoing dialog in developing the management plans for this area, which everyone will be able to participate in as the Department moves forward with the acquisitions.

Staff recommended that the Board approve the acquisition of these ownerships as proposed; allocate \$14,800,000.00 from General Fund Wetlands; \$100,000.00 from P-12 Section 5096.350 (a) (1) (A) inlands wetlands, for a total of \$14,900,000.00 for Expansion 3 and allocate \$1,730,000.00 from P-12 Section 5096 (a) (1) (A) for the purchase of Expansion 4; authorize staff to enter into the necessary leases and agreements as required as conditions of the purchases; authorize staff to dispose of or exchange any portions of the property determined by the DFG to be in excess of its needs; and authorize staff and the DFG to proceed substantially as planned.

It was moved by Mr. Robert Hight that the Board approve the acquisition of these ownerships as proposed; allocate \$14,800,000.00 from General Fund Wetlands; \$100,000.00 from P-12 Section 5096.350 (a) (1) (A) inlands wetlands, for a total of \$14,900,000.00 for Expansion 3 and allocate \$1,730,000.00 from P-12 Section 5096 (a) (1) (A) for the purchase of Expansion 4; authorize staff to enter into the necessary leases and agreements as required as conditions of the purchases; authorize staff to dispose of or exchange any portions of the property determined by the DFG to be in excess of its needs; and authorize staff and the DFG to proceed substantially as

planned.

Motion carried.

57. Jepson Prairie Ecosystem Conservation Area, Solano County \$2,505,000.00

Mr. Wright reported that this was a proposal to consider an allocation for a grant to The Nature Conservancy to assist in its acquisition of 3,459± acres of land located easterly of Travis Air Force Base and easterly of Fairfield, for the protection of northerly claypan vernal pools and valley needlegrass and the species they support. Mr. Jim Sarro briefly described the project location.

The “Wilcox Ranch” (property), is a working cattle ranch. Its topography is rolling grasslands with elevations ranging from 5 to 35 feet, cut by creeks containing seasonally flooded wetlands or “vernal pools.” The property is improved with two single family residences and several out-buildings plus barns and other structures necessary for its cattle operation. It is located in a region known as the “Jepson Prairie,” which is owned and managed by the Solano County Farms and Open Space Foundation, and is recognized as a National Natural Landmark by the National Park Service due to its unique assemblage of wetlands, animals and rare grasses that host nearly 200 plant and animal species. Bordering the Preserve to the east and west are two state ownerships, the Calhoun Cut Ecological Preserve and the Borker Slough. The ranches of this area provide scenic expanses of open space between the rapidly growing cities of Dixon, Rio Vista and Fairfield.

The property hosts a great number of vernal pools and larger playa lakes. Vernal pools support a wide variety of plants and animals. Seasonal wetlands like these, with abundant winter water and protein-rich feeding grounds, provide critical rest stops for geese, ducks and shorebirds that are abundant on the area during their migration between the summer nesting areas in the Arctic and the wintering areas in the Central Valley. Additionally these areas provide habitat for rare plants and animals that occur in a limited geographic region. There are estimated to be seven state and/or federally listed species, including California tiger salamander, a federal candidate species; Vernal pool tadpool shrimp, a federal endangered species; and Colusa grass, a federal threatened and state endangered species, located on the subject.

Though seasonal wetlands are common throughout the country, vernal pools are only found west of the Sierra Nevada, from southern Oregon to northern Mexico on lower elevations in the Coast Range and atop clay soils of the Central Valley. In the last 150 years, the Great Central Valley has lost an estimated 75 percent of its vernal pools to land leveling, farming, aggregate mining, and urban growth. These land use patterns continue to threaten our remaining vernal pool ecosystems. The most significant threat to this area is its conversion to irrigated pasture and residential development and the purchase of it will insure its protection.

When the property is purchased, it will continue to be operated as a cattle ranch, via a lease, and the lease profits will be used to improve and maintain the existing habitat. It is anticipated that the property will be managed by either The Nature Conservancy, the County of Solano or the Solano County Farms and Open Space Foundation, under policies consistent with the current Jepson Prairie area.

The owners of the property have agreed to sell at the Department of General Services' (DGS) approved fair market value of \$2,500,000.00. It is estimated that an additional \$5,000.00 will be needed for DGS review costs bringing the total requested allocation to complete this project to \$2,505,000.00.

The terms and conditions of the proposed grant provide that staff review and approve all documents pertaining to the Grantee's acquisition, including any appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments for conveyance prior to disbursement of funds.

Mr. Sarro reported that some concern has been expressed locally, primarily from the City of Fairfield and County of Solano, that at some point in the future Travis Air Force Base may need to expand and that there is a real concern that should this property become publicly owned, this could impede any future expansion of the Air Force Base. He stated that The Nature Conservancy, in its negotiations, has entered into an agreement with the County of Solano and the City of Fairfield to allow them a 20-year option period to acquire this property in the event expansion of the airport becomes either necessary or deemed appropriate. He stated that if this occurs, the Board's funds would be returned, fair market value or the purchase price, whichever is greater. Mr. Sarro added that the area will be managed by The Nature Conservancy, the County of Solano or possibly the Solano County Farms and Open Space Foundation. Mr. Sarro reported that Mr. Banky Curtis, representing the Department of Fish and Game, and Mr. Chris Unkel of The Nature Conservancy, were in the audience to answer questions regarding this project or the transactions.

Chairman Skip Thomson, Solano County Board of Supervisors, expressed his appreciation for resolving the County's issues. He also commended The Nature Conservancy for their participation in working with the Board of Supervisors in addressing those concerns. Supervisor Thomson went on to read the County's letter of support to Mr. Wright and asked that it be included in these minutes. (Attachment E)

Mr. Sean Quinn, Director of Planning and Development for the City of Fairfield, stated that originally the City had some concerns that this acquisition would have an impact on future expansion of Travis Air Force Base. He stated that the City has entered into a Letter of Intent with The Nature Conservancy and the County of Solano and, based on that letter, the Fairfield City Council supports the acquisition. Mr. Quinn expressed his appreciation to The Nature Conservancy for working with the City in resolving their concerns and also thanked

Mr. Chris Unkel of The Nature Conservancy for his efforts. Mr. Quinn reiterated the City's support of this acquisition.

Mr. Vern VanBuskirk, representing the Citizens' Committee to Protect Travis Air Force Base, spoke in support of the acquisition. He stated that the citizens' committee has over 1,000 members and that they have been working for over six years to prevent urban encroachment from hindering the activities at Travis Air Force Base. He added that the Committee strongly supports the action proposed, as it will protect the wildlife in the Jepson Prairie area but will also protect the economic viability of Travis Air Force, which is the major employer in Solano County. On behalf of the Committee, he urged the Board's support of this project.

Mr. Chrisman asked if there were further comments or questions. There were none. Mr. Chrisman expressed his appreciation to The Nature Conservancy for their willingness to worth through this process in addressing the various concerns.

Staff recommended that the Board approve this grant as proposed; allocate \$2,505,000.00 from the Habitat Conservation Fund, Section 2786 (b/c) to cover the grant amount and related expenses; authorize staff to enter into the necessary agreements needed 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 grant as proposed; allocate \$2,505,000.00 from the Habitat Conservation Fund, Section 2786 (b/c) to cover the grant amount and related expenses; authorize staff to enter into the necessary agreements needed to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

At this time Mr. Michael Endicott excused himself from the meeting and stated that on behalf of Assembly member Jackson, he offered the Member's support on two agenda items being considered - Item 40, the Bixby Ranch acquisition, stating that it is an excellent project and very important, also Item 54, the Arroyo Hondo Preserve. He expressed his appreciation for the opportunity to comment and apologized for needing to leave the meeting.

- **58. East Merced Vernal Pool Grassland Preserve, Expansions 2 and 3, \$2,999,396.00
Merced County

This proposal was to consider an allocation for two grants to The Nature Conservancy, a non-profit organizations, for a cooperative project to acquire conservation easements over two separate ownerships, totaling 2,067.9± acres of vernal pool and grassland habitat. The subject properties are located approximately 10 miles easterly of the City of Merced, four miles

northerly of LeGrand and two miles easterly of Planada, near the southeast juncture of Highway 140 and Cunningham Road. They are located within Merced County, near the Mariposa County line.

The East Merced Vernal Pool Grasslands Conceptual Area, as described in the Department of Fish and Game (DFG) generated Conceptual Area Protection Plan, is defined by the distribution of vernal pools, which are found from the Tuolumne River (in Stanislaus County) to the north, to the Chowchilla River (in Madera County) to the south. The plan identifies a larger planned project to protect 60,000 acres of critical habitat, including vernal pools and adjacent grasslands. This area contains the largest area of vernal pool grasslands in the state, including some of the most dense and most diverse vernal pool habitats known to exist. They extend westerly, in an irregular fashion, toward the City of Merced, and slightly into Mariposa County to the east. Plants and wildlife found in and around the vernal pools are abundant, many of which are listed species, are species of special concern or are candidates for listing. This is due in large part to the heavy loss of vernal pool habitat in California, with over 90 percent of the state's original, vast vernal pool habitat having been converted to urban use, or cultivated to agricultural uses.

The subject area is considered critically important to a number of listed plants and animals and is considered a significant wintering habitat for waterbirds and raptors. Its preservation is considered by many to be essential to the conservation of vernal pool ecosystems. The conservation easement acquisitions proposed herein are included within the previously referenced DFG generated East Merced Vernal Pool Grasslands Conceptual Area Protection Plan (CAPP). The east Merced vernal pool grasslands complex is contiguous to the Sierra Nevada foothills to the east. While wildlife corridors currently exist through foothill and Sierran Canyons to Stanislaus National Forest, Sierra National Forest and Yosemite National Park, the acquisition of the properties described in this CAAP is considered as a necessary step to preserve a significant linkage of wildlife habitats and corridors between the San Joaquin Valley and the high Sierras.

As noted above, plants and wildlife found on these properties are abundant. The annual inundation and subsequent through drying of vernal pools effectively excludes many upland plants and widespread wetland plants. Thus the flora of the vernal pools is predominantly native specialists, although surrounded by grasslands in which Mediterranean grasses are dominant. The fauna of vernal pools is also highly specialized. The absence of fish and non-native predators makes vernal pools ideal rearing habitat for amphibians such as tiger salamanders and spadefoot toads. Vernal pool crustacea are uniquely adapted to the extremes of inundation and drying, where their eggs can remain viable in the dry soil for decades. Vernal Pool inhabitants in this area include, but are not limited to, the Conservancy fairy shrimp (federally endangered), the vernal pool fairy shrimp (federally threatened), the Midvalley fairy shrimp, the vernal pool tadpole shrimp (federally endangered), the California tiger salamander and the Western spadefoot toad.

Vernal pools and grassland form one single ecological unit. The flowers of many vernal pool plants have specialized native pollinators that carry out most of their life cycles in burrows in upland soils. Vernal pool amphibians require adjacent upland habitat to survive through the dry season. Grasses found in these uplands include succulent owl's clover, Colusa grass, San Joaquin Valley orcutt grass, Greenes tuctoria, pincushion navarretia and others. Birds that use vernal pools for foraging, resting or nesting also use the adjacent uplands.

Waterbirds are heavy users of these vernal pools and adjacent uplands, with users including Aleutian Canada geese, Pacific white-fronted geese, Ross' geese, cackling Canada geese, northern pintail, shoveler, gadwall, American widgeon, ring-necked duck, common goldeneye, bufflehead, common merganser, ruddy duck, long-billed curlew and others associated with this habitat type. In short, the vernal pool grasslands of eastern Merced County represent one of the most biologically significant regions remaining within the Central Valley of California.

Threats to this habitat vary greatly depending on the individual property's potential for conversion and, of course by individual desires and goals of the owners. Overall though, this still unfragmented habitat faces the very real threat of subdivision and development, or conversion to a more intense agricultural use. The Central Valley is experiencing tremendous growth pressure in general, but in this part of the valley it might become even greater with the potential impending construction of a new campus of the University of California. Unless a carefully defined plan of conservation is implemented, such as the acquisition of conservation easements or fee purchases, a pattern of sprawl may develop along the highways and major roads, encircling pristine habitat with development. Currently, even without a new campus, the vernal pool habitat is facing threats including the primary threat from development for residential, commercial or industrial purposes. A secondary, and very real threat, is conversion to a higher agricultural use which, in most cases, would destroy the properties' habitat values. The areas relative flatness, coupled with recent advances in deep ripping and irrigation technologies have resulted in the conversion of vernal pool habitat in other areas to orchards, vineyards and row crops. This has already been noted in northeastern Merced County (along Keyes Road) where, in just the past five years, thousands of acres of rangeland have been converted to almond orchards. Without adequate protection, such as the acquisition of conservation easements, this unique habitat will continue to be fragmented and/or lost to agriculture or development. Conserving these habitats and their associated species requires conserving the vernal pools and uplands in an intact ecosystem.

Management objectives include maintaining cattle ranching as the primary land use through the acquisition of compatible conservation easements, maintaining healthy populations of special status species, and improving the ecological health of the area by encouraging modifications to ranching practices such as fencing riparian areas to allow seasonal grazing, as well as encouraging other practices conducive to the improvement of habitat.

The conservation easements being considered for acquisition with grant funds, made available in the 2000-2001 Budget Act for acquisition of sensitive habitat related to the

University of California Merced Grasslands Project, are more specifically described as follows:

Expansion 2 (Jim Cunningham Ranch)

\$2,606,413.00

A grant in the amount of \$2,601,413.00 is proposed to The Nature Conservancy for this property, which contains 1,763.6± acres, and is located in Merced County, approximately ten miles easterly of the City of Merced and approximately 2 miles easterly of Planada. More specifically, it is located southerly of Highway 140, and is separated by Cunningham Road, a two lane, paved county road. It is generally level to rolling topography, ranging in elevation from 255± to 300± feet, and is located adjacent to the western boundary of the Nelson Ranch conservation easement acquisition which was approved by the Board at the May 18, 2001 meeting.

This property is currently used for cattle grazing and poultry production. Stock water is provided by several wells and windmills strategically located about the property, while domestic water is provided by a pump and well system located near the residences. Improvements to the property include three residences, nine poultry houses, a shop building, a small set of corrals, miscellaneous outbuildings and fencing necessary for its cattle grazing operation.

Potential threats to this property's habitat values could come from future residential development as the ownership includes nine separate legal parcels. Due to its current zoning, parcel sizes of future development could vary from 1.5 acres up to 398 acres. Another threat to the habitat is from potential conversion of the open rangeland to other more intensive agricultural uses such as vineyards and /or orchards.

The appraised fair market value for the proposed conservation easement over this land is \$2,601,413.00, a value approved by the Department of General Services. An additional \$5,000.00 is estimated to be needed for administrative costs, including Department of General Services' review costs, bringing the total allocation necessary for this proposal to \$2,606,413.00

Expansion 3 (Estate of Carlston E. Cunningham)

\$392,983.00

A \$387,983.00 grant is proposed to The Nature Conservancy to acquire this 304.3± acre parcel which is located south of Highway 140, fronting on Cunningham Road along its easterly property line, and adjacent to a portion of the northerly property line of that parcel discussed above (Expansion 2). Like the above properties, the topography of this property is generally level to undulating with elevations ranging from 280± to 300± feet. It is improved with a small residence, miscellaneous outbuildings and fencing necessary for its current use

of cattle grazing.

While the property is currently used for cattle grazing, a use that can be compatible with protection of the property's vernal pool habitat, a conversion to a higher property use is certainly a possibility in the future. Such uses could include vineyards and/or orchard development, both of which would have a detrimental impact on the habitat values of the property. Stock water is currently provided to the subject property by Miles Creek and three on-site well. Domestic water is provided by a well and pump system.

The proposed conservation easement has been appraised at \$387,983.00, a value which has been approved by the Department of General Services. An additional \$5,000.00 will be needed to pay for administrative costs, including Department of General Services' review fees, bringing the total allocation necessary for this proposal to \$392,983.00.

The above noted proposals are exempt from CEQA under Class 13 of Categorical Exemptions as acquisitions of land for wildlife conservation purposes and appropriate Notices of Exemption have been filed. As the proposed purchases are for conservation easements only, with the fee ownership remaining with the current landowners, day to day operation and management responsibilities will also remain with these landowners.

Staff recommended that the Board approve the grants to The Nature Conservancy for two conservation easement purchases as proposed above; allocate \$2,999,396.00 for the grants and to cover administrative expenses from the General Fund (2000/01 FY), as specifically designated for purchases related to the University of California, Merced campus project; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Robert Hight that the Board approve the grants to The Nature Conservancy for two conservation easement purchases as proposed above; allocate \$2,999,396.00 for the grants and to cover administrative expenses from the General Fund (2000/01 FY), as specifically designated for purchases related to the University of California, Merced campus project; 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.

59. Staff Report - Easement Transfers

Informational

At the February 24, 1998 Wildlife Conservation Board meeting, the Board authorized the Executive Director to transfer less-than-fee interests (easements, rights of ways, etc.) in Department of Fish and Game or Wildlife Conservation Board controlled lands, where the value of the interests is less than \$50,000.00. This was done to improve service to the public and to reduce the cost of processing these transfers.

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

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

PROJECT TITLE	TRANSFER TYPE	GRANTEE	SIZE	CONSIDERATION
Elk Hills Pipeline Easement, Kern County	Agreement and Transfer of Easement	West Kern Water District	.37 acres	\$0.00 - exchange of easements having same size, use and value.

Mr. Chrisman thanked the Board staff for their very good work that they do in concert with people across the state that are committed to these projects. He noted that today the Board allocated, including tax credits, \$80+ million towards the preservation of habitat and other natural values in the state.

There being no further business to discuss, the meeting was adjourned at 12:45 PM.

Respectfully submitted,

Al Wright
Executive Director

Attachments

PROGRAM STATEMENT

At the close of the meeting on August 30, 2001, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$900,048,373.91. This total includes funds reimbursed by the Federal Government under the Accelerated Public Works Program completed in 1966, the Land and Water Conservation Fund Program, the Anadromous Fish Act Program, the Sport Fish Restoration Act Program, the Pittman-Robertson Program, and the Estuarine Sanctuary Program.

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The statement includes projects completed under the 1964 State Beach, Park, Recreational and Historical Facilities Bond Act, the 1970 Recreation and Fish and Wildlife Enhancement Bond Fund, the Bagley Conservation Fund, the State Beach, Park, Recreational and Historical Facilities Bond Act of 1974, the General Fund, the Energy Resources Fund, the Environmental License Plate Fund, the State, Urban and Coastal Park Bond Act of 1976, the 1984 Parklands bond Act, the 1984 Fish and Wildlife Habitat Enhancement Bond Act, the California Wildlife Coastal and Park Land Conservation Act of 1988, Cigarette and Tobacco Products Surtax Fund of 1988, California Wildlife Protection Act of 1990, the Safe, Clean, Reliable Water Supply Act of 1996, the Natural Resources Infrastructure Fund, the Harbors and WaterCraft Revolving Fund, Forest Resources Improvement Fund, the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000, Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Act of 2000 and the Wildlife Restoration Fund.

A. Fish Hatchery and Stocking Projects.....	\$16,006,219.06
B. Fish Habitat Preservation, Development and Improvement.....	23,425,641.88
Reservoir Construction or Improvement.....	\$ 5,518,592.00
Stream Clearance and Improvement	14,788,961.69
Stream Flow Maintenance Dams	547,719.86
Marine Habitat	646,619.07
Fish Screens, Ladders and Weir Projects	1,923,749.26
C. Fishing Access Projects	41,742,592.02
Coastal and Bay	\$ 3,014,730.08
River and Aqueduct Access	11,768,718.70
Lake and Reservoir Access	8,183,415.98
Piers	18,775,730.26
D. Game Farm Projects	146,894.49
E. Wildlife Habitat Acquisition, Development and Improvement	799,017,421.11
Wildlife Areas (General).....	\$262,390,970.29
Miscellaneous Wildlife Habitat Development.....	5,469,933.74
Wildlife Areas/Eco Reserves, (Threatened, Endangered or Unique Habitat)	244,328,417.48
Land Conservation Area	1,971,557.18
Inland Wetlands Conservation Grants and Easements	12,989,043.10
Riparian Habitat Conservation Grants and Easements	8,953,408.78
Other Wildlife Habitat Grants.....	262,914,090.54
F. Hunting Access Projects.....	484,898.57
G. Miscellaneous Projects (including leases).....	10,653,879.29
H. Special Project Allocations	1,117,464.79
I. Miscellaneous Public Access Projects.....	6,910,274.63
State Owned	\$1,260,770.63
Grants	5,649,504.00
J. Sales and/or exchanges.....	543,088.07
Total Allocated to Projects	\$900,048,373.91