

DEPARTMENT OF FISH AND GAME

WILDLIFE CONSERVATION BOARD

1807 13TH STREET, SUITE 103
SACRAMENTO, CALIFORNIA 95814
(916) 445-8448
FAX (916) 323-0280



WILDLIFE CONSERVATION BOARD

November 28, 2001
10:00 A.M.
¹/State Capitol, Room 112
Sacramento, California 95814

MINUTES

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STATE OF CALIFORNIA-THE RESOURCES AGENCY
 GRAY DAVIS, Governor
 DEPARTMENT OF FISH AND GAME

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WILDLIFE CONSERVATION BOARD

November 28, 2001

The Wildlife Conservation Board met at the State Capitol, Room 112, Sacramento, California on November 28, 2001. The meeting was called to order at 10:00 AM by Mr. Robert Hight, Director of the Department of Fish and Game. Mr. Hight then turned over the meeting to Mr. Al Wright, Executive Director of the Wildlife Conservation Board. Mr. Wright reported that he spoke with Chairman Chrisman yesterday and that the Chairman extended his apologies for his absence from this meeting. Mr. Wright added that the Chairman has been briefed on all of the projects. He then introduced Ms. Annette Porini, Chief Deputy Director of the Department of Finance, Mr. Michael Endicott, representing Assembly member Hannah Beth-Jackson and Mr. Gavin Payne, representing Senator Jack O=Connell.

1.

Roll Call

WILDLIFE CONSERVATION BOARD MEMBERS

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

Gavin Payne,

Vice, Senator Jack O'Connell

Michael Endicott,

Vice, Assembly Member Hannah-Beth Jackson

EXECUTIVE DIRECTOR

Al Wright

Staff Present:

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

Frank Giordano, Chief 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: Paul Hoffman, Department of Fish and Game
Matt Hamman, California Waterfowl Association
Anne McMahan, The Nature Conservancy
Jeff Drongesen, Department of Fish and Game
Andy McElhinney
Sam Lawson
Bud Thrapp, Department of Water Resources
Eric Goldsmith, Sanctuary Forest
Greg James, Inyo County Water Department
Bruce Berwager, Venoco, Inc.
Shelley Ratay, Trust for Public Land
Debra Geiler, Trust for Public Land
Jennifer Johnson, The Nature Conservancy
Jim Abbott, U.S. Bureau of Land Management
Don Koch, Department of Fish and Game
Dirk Brazil, Department of Fish and Game
Jim Swanson, Department of Fish and Game
Gordon McDaniel, Department of Parks and Recreation
Rob Kane, Department of Parks and Recreation
Jim Miller, The Modesto Bee
John Carlon, Sacramento River
Linda Ballentine, Arroyo Pasajero CRMP
Marcia Howe, Riverside Land Conservancy
D. Beardley, City of Chico
Valerie Gordon, The Nature Conservancy
Cathy Morris, The Nature Conservancy
Mike Ryan, San Luis Obispo County
Debbie Arnold, San Luis Obispo County

Tina Roberts Cannon, Department of Fish and Game
Lydia Miller, San Joaquin River RC
Mark Steidlmayer, Attorney at Law
Pat Laughlin
Robert Flewelling, Trust for Public Land
Dale Whitmore, Department of Fish and Game
Virginia Getz, Ducks Unlimited, Inc.
Sherri and Jerry Hodnefield
Janet Cobb, California Oak Foundation
Pam Milligan, Riverside County
John Tavaglione, Riverside County
John Field, Riverside County
Ed Sauls
Belinda Faustinos, Santa Monica Mountains Conservancy
Tom Fayram, Santa Barbara County Flood Control
Daniel Doiron

2. Funding Status as of November 28, 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 Account...\$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)	<u>2001-02 Habitat Conservation Fund Capital Outlay Budget</u>	
	Governor=s Budget.....	\$19,963,500.00
	Less Previous Board Allocations	(227,500.00)
	Unallocated Balance	\$19,963,500.00
(e)	<u>2000-01 Habitat Conservation Fund Capital Outlay Budget</u>	
	Governor=s Budget.....	\$20,005,000.00
	Less Previous Board Allocations	(10,097,733.00)
	Unallocated Balance	\$9,907,267.00
(f)	<u>1999-00 Habitat Conservation Fund Capital Outlay Budget</u>	
	Governor=s Budget.....	\$18,932,000.00
	Less Previous Board Allocations	(18,297,164.83)
	Unallocated Balance	\$634,835.17
(g)	<u>2001-02 General Fund Capital Outlay (Local Assistance) Budget</u>	
	Governor=s Budget.....	\$300,000.00
(h)	<u>2000-01 General Fund Capital Outlay Budget</u>	
	Governor=s Budget.....	\$115,000,000.00
	Less Previous Board Allocations	(69,626,096.00)
	Unallocated Balance	\$45,373,904.00
(i)	<u>1999-00 General Fund Capital Outlay Budget</u>	
	Governor=s Budget.....	\$33,100,000.00
	Less Previous Board Allocations	(29,358,936.50)
	Unallocated Balance	\$3,741,063.46
(j)	<u>1999-00 Harbors and Watercraft Revolving Fund</u>	
	Governor=s Budget.....	\$1,050,000.00
	Less Previous Board Allocations	(700,000.00)
	Unallocated Balance	\$350,000.00
(k)	<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(14,123,480.00)
 Unallocated Balance\$9,876,520.00

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

Governor=s Budget.....\$216,125,000.00
 Less Previous Board Allocations(67,659,362.00)
 Unallocated Balance\$148,465,638.00

Governor=s Budget (San Joaquin River Conservancy Projects)\$14,562,000.00
 Less Previous Board Allocations(7,090,047.00)
 Unallocated Balance\$7,471,953.00

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

Continuously Appropriated [Sec.5096.350 (a)(1), (2), (4) and (7)]....\$38,000,000.00
 Less Previous Board Allocations(12,416,248.00)
 Unallocated Balance\$25,583,716.00

RECAP OF FUND BALANCES

Wildlife Restoration Fund (a), (b) and (c)\$ 25,348,000.00
Habitat Conservation Fund (d), (e) and (f)\$ 30,505,602.17
General Fund (g), (h), (i) and (j)\$ 49,414,967.46
Harbors and Watercraft Revolving Fund (k)\$ 350,000.00
Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Bond Fund (l)\$ 9,876,520.00
Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (m) and (n)\$181,521,307.00

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.....	(8,104,250.00)
Tax Credit Available.....	\$ 91,895,750.00

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.....	\$20,000.00
Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund	\$40,000.00

4. Proposed Consent Calendar (Items 6 through 18, 35 and 36)

Mr. Wright reported that due to the extensive agenda heard at the August 30, 2001 meeting, the minutes were not yet available for review. Therefore, Consent Calendar item 5 was withdrawn from consideration. Mr. Wright reported that the Board received several letters of support for various projects on the consent calendar, as well as a couple of letters expressing concern regarding Item 9, Stone Corral Ecological Reserve. Mr. Wright reported that the Board received a

letter of concern from Mr. Jim Swanson on behalf of the DeJong Dairy Farms regarding potential problems with the acquired lands and possible impact on the farming operation. He reported that staff from the Department of Fish and Game in the Fresno region has agreed to meet with the property owners to work out these issues as soon as the transaction is completed. Regarding Item 10, the Board received a letter of support from Senator Jim Costa; Item 11, a letter of support from the California Waterfowl Association; Item 13, a letter from the Department of Conservation requesting additional information; Item 15, a letter of support from the California Waterfowl Association; Item 17, letters of support from Senators Wesley Chesbro, Assembly member Virginia Strom-Martin, Department of Forestry and Fire Protection, Bureau of Land Management, Save the Redwoods League and the Department of Parks and Recreation North Coast Redwoods District. Staff recommended that the Board approve Consent Calendar items 6 through 18, 35 and 36.

It was moved by Ms. Annette Porini that the Board approve Consent Calendar items 6 through 18, 35 and 36, as proposed in the individual agenda explanations, including funding as noted therein.

Motion carried.

5. Approval of Minutes, August 30, 2001 Meeting

Withdrawn from consideration at this time.

*6. Recovery of Funds

The following projects previously authorized by the Board are now completed, and some have balances of funds that can be recovered and returned to their respective funds. It was recommended that the following totals be recovered and that the projects be closed.

\$40,625.08 to the **General Fund**

\$3,399.00 to the **Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund**

\$18,160.41 to the **Habitat Conservation Fund** **\$524.00** to the **Wildlife Restoration Fund**

\$12,293.50 to the **California Wildlife, Coastal and Parkland Fund of 1988**

GENERAL FUND

Cache Creek Nature Center, Yolo County

Allocated	\$200,000.00
Expended	<u>-190,666.73</u>
Balance for Recovery	\$9,333.27

Wetland Habitat Restoration (American Basin Farms), Butte County

Allocated	\$292,000.00
Expended	<u>-267,768.65</u>
Balance for Recovery	\$24,231.35

Wetland Habitat Restoration, (Four Mile Ranch) (aka LeGrande), Colusa

County

Allocated	\$190,320.00
Expended	<u>-183,259.54</u>
Balance for Recovery	\$7,060.46

Total General Fund \$40,625.08

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

Montana Mirador Preserve, San Diego County

Allocated	\$3,385,000.00
Expended	<u>-3,381,601.00</u>
Balance for Recovery	\$3,399.00

**Total Safe Neighborhood Parks, Clean Water, Clean Air, and
Coastal Protection Bond Fund \$3,399.00**

HABITAT CONSERVATION FUND

Boden Canyon Ecological Reserve, Exp.1 & 2, San Diego County

Allocated	\$2,410,000.00
Expended	<u>-2,401,840.39</u>
Balance for Recovery	\$8,159.61

South Fork Kern River ER, (Canebrake Creek Exp. 1), Kern County

Allocated	\$248,000.00
Expended	<u>-237,999.20</u>
Balance for Recovery	\$10,000.80

Total Habitat Conservation Fund \$18,160.41

WILDLIFE RESTORATION FUND

Gateway to Lake Isabella, Kern County

Allocated	\$29,000.00
Expended	<u>-28,476.00</u>
Balance for Recovery	\$524.00

Total Wildlife Restoration Fund Recoveries.....\$524.00

CALIFORNIA WILDLIFE, COASTAL AND PARKLAND FUND OF 1988

Napa Marsh Wildlife Area, Salt Pond Unit, Solano, Sonoma and Napa
Counties

Allocated	\$1,775,000.00
Expended	<u>-1,762,706.50</u>
Balance for Recovery	\$12,293.50

Total California Wildlife, Coastal and Parkland Fund of 1988 \$12,293.50

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Annette Porini that the Board recover funds for the projects listed on pages 6 through 9 of this agenda and close the project accounts. Recovery totals include \$40,625.08 to the General Fund, \$3,399.00 to the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund; \$18,160.41 to the Habitat Conservation Fund; \$524.00 to the Wildlife Restoration Fund and \$12,293.50 to the California Wildlife, Coastal and Parkland Fund of 1988. Motion carried.

***7. Chuckwalla Bench Wildlife Area, Riverside County \$27,000.00**

This proposal was to consider the acquisition of 70^v acres of private land for the protection of habitat for threatened and endangered species, located southeast of the city of Indio, between the Chuckwalla and Chocolate Mountain ranges

The property lies on a desert plain that slopes gradually down from the Chocolate Mountains. The terrain is relatively flat, with a wash running across the northwest portion. There are no improvements or utilities on the property, with access available from a maintained, unpaved road, known as the Bradshaw Trail.

The property was first designated in a land acquisition evaluation (LAE) completed in 1991. The primary objective was preservation of high density desert tortoise habitat. In the early nineties, with the exception of the subject property, all of the 1,110 acres of property designated in the LAE was purchased by The Nature Conservancy (TNC) and conveyed to the Bureau of Land Management (BLM). The Wildlife Conservation Board (WCB) recently received a letter from the Department of Fish and Game (DFG), reaffirming the importance of the LAE and requesting acquisition of the property. Other public holdings in the area include vast holdings by the federal government, Chocolate Mountain Aerial Gunnery Range, which adjoins the southern portion of the subject property.

Botanically, the Chuckwalla Bench is one of the more diverse areas within the California Colorado Desert region. The washes support a wide variety of desert plant and animal life throughout the year. In addition to the desert tortoise, a state and federally listed endangered species, the area also includes a number of animal and plant species on the state=s special status list, including the Chuckwalla prairie falcon, Colorado Valley woodrat, rosy boa and Le Conte=s thrasher, California snakebush, Munz=s cholla and the Orocopia sage.

Current threats to the property include encroachment from development extending along the Highway 10 corridor to the north. There is also potential for mining and drilling operations in the area.

The primary management objective is to preserve the property in its natural state to protect tortoise populations, requiring little or no operation and maintenance costs. Some hunting of upland game, such as dove and

rabbit, may also occur. Another potential use could be to include the property in a package of parcels as part of a land swap/exchange with the federal government.

The grantor has agreed to sell for the fair market value, as approved by the Department of General Services (DGS), of \$17,500.00. An additional \$9,500.00 will be needed for appraisal, escrow, title insurance and DGS review costs.

The acquisition is exempt from CEQA as an acquisition of land for wildlife habitat conservation purposes and the appropriate notice would be filed upon approval of this project by the Board.

Staff recommended the Board approve the acquisition as proposed, allocate \$27,000.00 from the Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Proposition 12), Section 5096.350 (a)(3) to cover the purchase price and related costs; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Annette Porini that the Board approve the acquisition as proposed, allocate \$27,000.00 from the Safe Neighborhood, Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Proposition 12), Section 5096.350 (a)(3) to cover the purchase price and related costs; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish

and Game to proceed substantially as planned.

Motion carried.

***8. Allensworth Ecological Reserve, Expansion 24, Tulare County \$2,000.00**

This proposal was to consider the acquisition of 20^{1/2} 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 and is adjacent to state-owned property on the southern and western boundaries.

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 accounts on a project-by-project basis upon request by the 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 the BOR.

In February of 1991, the WCB approved the initial Allensworth Ecological

Reserve acquisition consisting of 651 $\frac{1}{2}$ acres in southern Tulare County. Additional acquisitions to date have increased the total acreage of the reserve area to 1,581 $\frac{1}{2}$ 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. The DFG operation and maintenance costs for this area are expected to be minimal. The management focus is habitat preservation with potential species augmentation.

The owners have agreed to sell the property at the appraised, approved fair-market value of \$10,000.00. As discussed above, related acquisition expenses are initially paid by the state and reimbursed by the BOR upon submission of paid invoices. It is estimated that \$2,000.00 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.

Staff recommended that the Board approve this transaction as proposed; allow the deposit into escrow of previously authorized grant funds for the purchase price of the proposed acquisition; and allocate \$2,000.00 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 Ms. Annette Porini that the Board approve this transaction as proposed; allow the deposit into escrow of previously authorized grant funds for the purchase price of the proposed acquisition; and allocate \$2,000.00 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.

***9. Stone Corral Ecological Reserve, Expansion 3, Tulare County \$21,650.00**

This proposal was to consider the acquisition of 80 ∇ 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 140, at Avenue 360 in Tulare County. The state will have access to the property by way of Avenue 360. This property is not adjacent to any state-owned property but is part of a continuing effort to join fragmented state ownerships in the area.

At the August 30, 2001 meeting, the Wildlife Conservation Board (WCB) accepted a grant from the Bureau of Reclamation (BOR) to assist with acquisitions in the Stone Corral area. The grant provides funding for the total purchase price of the properties being acquired in the Stone Corral area. Also at the August 30, 2001 meeting, the WCB approved an acquisition in the Stone Corral area, which was funded out of the grant. Funding for this acquisition will deplete the remaining funds in the BOR grant and additional funds will be needed from the Habitat Conservation Fund to complete the project. The BOR grant funds are deposited directly into the state's escrow account on a project-by-project basis upon request by the WCB.

In March of 1992, the WCB 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 899 $\frac{1}{2}$ 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 DFG 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-sepaled 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 \$320,000.00. As discussed above, this project will deplete the remaining balance in the BOR grant and additional funds from the HCF will be needed to complete the acquisition. It is estimated that \$21,650.00 will be needed to supplement the BOR grant for the land purchase and to cover administrative 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 of land for wildlife conservation purposes and the appropriate notice would be filed upon approval by the Board.

Staff recommended that the Board approve the acquisition as proposed; allow the direct deposit into escrow of previously authorized grant funds for a portion of the purchase price of the proposed acquisition and allocate \$21,650.00 from the Habitat Conservation Fund, Section 2786 (b/c), to cover additional 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 Ms. Annette Porini that the Board approve the acquisition as proposed; allow the direct deposit into escrow of previously authorized grant funds for a portion of the purchase price of the proposed acquisition and allocate \$21,650.00 from the Habitat Conservation Fund, Section 2786 (b/c), to cover the balance of the purchase price and related acquisition 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.

- *10. Riparian Habitat Restoration, Pleasant Valley Ecological Reserve,
\$49,200.00
Fresno County

This was a proposal to consider an allocation of a grant to the Westside Resource Conservation District for a cooperative project to remove saltcedar and restore native riparian habitat on approximately 260 acres of land that includes the main stem of the Arroyo Pasajero and two seasonal tributary

streams, Los Gatos Creek and Jacalitos Creek. This proposal also includes fencing off the restored areas plus an additional 300 acres of associated upland habitat to allow for improved management of livestock. The project improvements will occur within the Pleasant Valley Ecological Reserve, a 762± acre property that is owned and managed by the Department of Fish and Game (DFG), and within an adjacent 310± acre property that is owned and managed by the City of Coalinga. The project lies in Fresno County, parallel and south of Phelps Avenue, approximately five miles southeast of the City of Coalinga. Partners in the project include the DFG, the City of Coalinga, the Arroyo Pasajero Coordinated Resource Management Planning Group, Fresno County Recreation and Wildlife Commission, Pleasant Valley State Prison and a large number of local students and volunteers.

The Pleasant Valley Ecological Reserve (Reserve) lies in a desert wash and desert riparian area that includes a rare great valley mesquite scrub habitat component. Steep, arid hills to the west deliver large volumes of sediment-laden water, sometimes arriving at high speed, which causes meanders, bank cutting, erosion, and incision. This problem is exacerbated by saltcedar trees growing in the middle of the stream channel. The saltcedar trees are also displacing future generation of native trees by lowering the water table.

The City of Coalinga property was acquired as part of the City of Coalinga's Habitat Conservation Plan (HCP), and will ultimately be managed under the provisions of a Habitat Management Plan (HMP). The City property contains habitat similar to that found in the Reserve. An

interim management strategy for the property has been developed that incorporates the actions being carried out by this project, and includes the City's commitment to maintain the fencing and to cooperate on long-term management activities with the DFG and the Board.

This project will facilitate the management of cattle, and will improve habitat that will stabilize the stream and benefit many avian species, including dove, quail and songbirds. Predators in the area (badgers, coyotes and bobcats) will also benefit from an improved prey base. Many listed species or species of concern occur on the property or nearby, including the blunt-nosed leopard lizard, San Joaquin kit fox, San Joaquin antelope squirrel, short-nosed kangaroo rat and the San Joaquin pocket mouse. The public will also benefit from this project, by improving hunting and birdwatching/nature study opportunities.

The project meets the goals of the California Riparian Habitat Conservation Program, the California Riparian Habitat Joint Venture and the Stewards of the Arroyo Pasajero Coordinated Resource Management Plan.

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

<u>Description</u>	<u>Estimated Cost</u>
Saltcedar removal	\$144,800.00
Fencing	49,250.00
Revegetation (includes irrigation and cuttings)	43,700.00
Sign	500.00
Administration	1,922.00

Contingencies	8,328.00
<u>TOTAL PROJECT COST</u>	<u>\$248,500.00</u>
<u>Proposed Funding Distribution</u>	
Wildlife Conservation Board	
	\$ 49,200.00
CRMP	1,100.00
DFG (in-kind & materials)	
	33,500.00
Fresno County (in-kind)	1,800.00
Pleasant Valley State Prison (in-kind)	156,000.00
Volunteers (in-kind)	4,900.00
City of Coalinga	2,000.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$248,500.00</u>

The Department of Fish and 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 City of Coalinga has agreed to manage and maintain the improvements on their property for 25 years, pursuant to the terms of the Grant Agreement.

Staff recommended the Board approve this project as proposed; allocate \$49,200.00 from the Habitat Conservation Fund, Section 2786 e/f; 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Annette Porini that the Board approve this project as proposed; allocate \$49,200.00 from the Habitat Conservation Fund, Section 2786 (e/f); 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.

*11. Wetland Habitat Restoration, North Grasslands (Featherston),
\$83,000.00

Merced County

This was a proposal to consider an allocation of a grant to the California Waterfowl Association (CWA), for a cooperative project to enhance 430 acres of existing seasonal and permanent wetland habitat and 100 acres of upland habitat on two adjacent, privately-owned duck clubs. Featherston Duck Club and Fields Duck Club are located within the Grasslands Ecological Area immediately south of Gun Club Road, and approximately 7 miles east of the town of Gustine in Merced County. The San Luis National Wildlife Refuge complex is directly adjacent to and east of the project, and the Department of Fish and Game's (DFG) Los Banos Wildlife Management Area lies about one mile to the southeast.

The project is located in the Grasslands Ecological Area, an extensive complex of state, federal, and private habitat areas including DFG's Los Banos, Volta, and North Grasslands Wildlife Management Areas, the Great Valley Grasslands State Park, the federal San Luis National Wildlife Refuge Complex, and numerous private duck clubs. The project site is virtually

surrounded by both publicly-owned and privately-owned and managed wetlands, making it an excellent candidate for restoration and enhancement.

The existing wetlands on the Featherston and Fields Duck Clubs are relatively flat lacking topographical diversity and therefore not providing premium habitat values. In addition, monotypical stands of plants, which do not provide optimal waterfowl forage, have become established. The area also lacks a reliable and efficient water supply.

This project will improve wetland habitat values by recontouring flat pond bottoms to create swales, potholes, and loafing berms. This increase in topographical diversity will improve habitat diversity and value, and improve water control, delivery, and drainage, thus enabling wetland managers to create favorable conditions for desirable wetland plants. Water delivery to the Featherston property will also be improved by installing a ditch and associated water control structures linking the property with the Fremont canal. This ditch will cross the Fields Duck Club to the south and is being funded through a grant from the U.S. Fish and Wildlife Service (USFWS). The owner of Fields Duck Club has agreed to allow Featherston access to the ditch and associated structures so Featherston can maintain the water flows to the Featherston Duck Club.

Both Featherston and Fields properties are protected by federal conservation easements held by the USFWS in perpetuity. It is anticipated that Featherston will join DFG's Waterfowl Habitat program after this project is implemented. Under this program, the DFG assists with the long-term management of the property, working toward improving wetland values.

This project will help achieve the wetland habitat restoration goals of the Department of Fish and Game, the Central Valley Habitat Joint Venture and

the Inland Wetlands Conservation Program.

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

<u>Description</u>	<u>WCB</u>	<u>USFWS</u>	<u>Landowners</u>	<u>Total</u>
Survey, Design	\$4,000.00			\$4,000.00
Project management	8,000.00			8,000.00
Earthwork	42,675.00			42,675.00
Water control structures		\$1,100.00	\$3,525.00	4,625.00
Pipe		1,840.00	2,560.00	4,400.00
Installation		800.00	5,800.00	6,600.00
Revegetation	20,000.00		5,650.00	25,650.00
Contingencies	8,325.00			8,325.00
<u>TOTAL</u>	<u>\$83,000.00</u>	<u>\$3,740.0</u>	<u>\$17,535.00</u>	<u>\$104,275.</u>
<u>ESTIMATED COST</u>		<u>0</u>		<u>00</u>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$ 83,000.00
USFWS	3,740.00
Landowners	17,535.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$104,275.00</u>

The DFG has reviewed this proposal and recommends it for funding by the

Board. This project is exempt from CEQA under Section 15034, as it is a minor alteration of land to benefit fish and wildlife. Pursuant to the terms and conditions of the Grant Agreement, the landowners have agreed to manage and maintain the property for 25 years. 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 year remaining on the project life.

Staff recommended that the Board approve this project as proposed; allocate \$83,000.00 from the Habitat Conservation Fund, Section 2786 (d) (IWCP) as designated for wetlands in 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 Ms. Annette Porini that the Board approve this project as proposed; allocate \$83,000.00 from the Habitat Conservation Fund, Section 2786 (d) (IWCP) as designated for wetlands in 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.

*12.Cosumnes River Preserve Public Access, Sacramento County
\$125,835.00

This was a proposal to consider an amendment to an approved cooperative project with the Bureau of Land Management (BLM) to construct barrier-free public access improvements including trails, parking areas and restroom facilities at the Cosumnes River Preserve Visitors= Center located in southern Sacramento County. The Cosumnes River Preserve is a 37,000∇ acre natural area located near the confluence of the Cosumnes and Mokelumne Rivers, just east of Interstate 5. Over 25,000 acres of this protected area are owned in fee, while the remainder is controlled either through conservation easements or other voluntary agreements with private landowners.

The WCB was one of the original partners to the Cosumnes River Preserve, having acquired a 38∇ acre parcel in 1984, prior to the beginning of the official preserve project. The Preserve has become a cooperative conservation effort between its various property owners, which include BLM, The Nature Conservancy (TNC), Ducks Unlimited, the Department of Fish and Game, the Department of Water Resources, the M&T Staten Ranch and Sacramento County. Management of the area is handled through a Cooperative Agreement signed by the various owners of land within the Preserve. In 1991 the Board allocated \$175,000.00 toward the construction of a Visitors= Center at the Preserve and entered into a 25-year Lease and Operating Agreement with the BLM to operate and maintain the facility. The construction was completed in 1992 and an arson-suspected fire totally destroyed the building in 1995. In addition to the building, the fire consumed all of its contents, which included many valuable wildlife exhibits originally funded by TNC. In February, 1996, the Board contributed

\$100,000.00 toward reconstruction of the building, and with the help of BLM and TNC, a new Visitors= Center, including new wildlife exhibits, was completed that same year.

On August 10, 2000, the Board approved funding to improve public access to the Preserve by upgrading the existing trail system and parking areas, as well as installing additional sanitary facilities. The existing trails system receives extensive use by the public and specialized groups. The number of student visitors to the Preserve has increased gradually since 1995 from a low of 815 to over 3,000 annually for the past four years. During the permit processing for the project, design changes had to be made to the main parking area in order to accommodate larger vehicles, such as buses.

Due to these changes, the cost estimate for the project increased from \$315,000.00 to \$507,300.00, a shortfall of \$192,300.00. Additional changes included the elimination of the planned sandhill crane viewing platform because of concerns about potential impacts from increased human activity.

Due to the funding shortfall, BLM has requested additional funds in the sum of \$125,700.00 to complete the project. The balance of the needed funds will be provided by BLM and TNC. New cost estimates, which have been developed by BLM and reviewed by staff, are as follows:

<u>Cost</u>	<u>Description</u>	<u>Estimated</u>
	Permits	\$ 4,800.00
	Parking Areas (Concrete)	111,300.00
	Trail Areas (Concrete)	78,300.00

	Pavement	11,100.00
	Excavation, Swale and Trail	
115,100.00		
	Embankment/Fill Construction	43,200.00
	Single Unit Vault Toilet	12,700.00
	Double Unit Vault Toilet	24,400.00
	Culverts	13,000.00
	Water Control Structures	1,000.00
	Vegetation Protection Fencing	2,300.00
	Parking Lot Striping	1,400.00
	Traffic Control Devices	5,300.00
	Electrical	
12,000.00		
	Construction Stacking	3,600.00
	Mobilization	12,000.00
	Visitor Center Utility Relocation	25,700.00
	Contingencies	30,100.00
	<u>TOTAL ESTIMATED COSTS</u>	<u>\$507,300.00</u>
	<u>Proposed Funding Breakdown:</u>	
	WCB (August 10, 2000 approval)	\$315,000.00
	WCB (Current Request)	125,700.00
	BLM	40,900.00
	TNC	25,700.00
	<u>TOTAL AVAILABLE FUNDING</u>	<u>\$507,300.00</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 these additional costs to \$125,835.00.

Staff recommended that the Board approve this project as proposed; allocate \$125,835.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop. 12), Section 5096.350 (a)(2) for project costs and General Services review costs; authorize staff to enter into the appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Annette Porini that the Board approve this project as proposed; allocate \$125,835.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop. 12), Section 5096.350 (a)(2) for project costs and General Services= review costs; authorize staff to enter into the appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *13. Daugherty Hill Wildlife Area, Expansion 9, Yuba and Butte Counties
\$1,388,200.00

This proposal was to consider the acquisition of fee interest in 689 ∇ acres and a conservation easement over 642 ∇ acres of privately-owned land, all part of one ownership, as an addition to the Department of Fish and

Game=s Daugherty Hill Wildlife Area (previously known as Collins Lake Wildlife Area) for the protection of deer winter range, bald eagle winter range, and mountain lion and upland game habitat. The subject property is located approximately 20 miles northeast of Marysville near the town of Bangor. It is accessible from Darby Road (County) and, for Department of Fish and Game uses, from the adjacent conservation easement area.

In seven previous Wildlife Conservation Board (WCB) meetings between 1989 and 2001, the Board approved the acquisition of a total of 6,438∇ acres in both fee and easement for the wildlife area. If approved, the acquisition of this property will enhance wildlife habitat protection goal while increasing opportunities for public recreation.

Deer herd composition counts have been conducted on the adjacent wildlife area, where it is common to count more than 150 deer in a two-hour evening count. The natural plant communities found on the property can be described as a mixture of montane manzanita chaparral and blue oak woodlands, with buckbrush being the dominant shrub species, one that is heavily browsed by deer. Bedbud, coffeeberry and manzanita are also commonly found in the area. This mixture of plant cover provides excellent habitat for wild turkey, California valley quail, band-tailed pigeon, mourning dove, various species of rabbit and numerous nongame species. Hunting, as well as nonconsumptive uses, would be consistent with the current wildlife area management plan.

The 642∇ acres to be acquired in easement lie adjacent to and north of the easement portion of a 3,558∇ acre combination fee and conservation

easement acquisition approved by the Board on August 10, 2000. The 689 $\frac{1}{2}$ acres to be acquired in fee lie immediately north and east of the proposed easement area and, as stated above, is accessed directly from Darby Road. Both the easement and fee portions are threatened with development. The grantor will reserve the right to continue grazing cattle on the easement portion and to retain one building site and access and utility easements. The conservation easement provides for no public use. Management of the property would be undertaken by the DFG as a part of the existing wildlife area at minimal additional cost.

The approved appraised value of both areas is \$1,473,500.00. The owner has agreed to sell the fee and easement interests in the property to the state for \$1,377,200.00, thereby providing a donation to the state of \$96,300.00. In addition to the \$1,377,200.00 purchase price, an estimated \$11,000.00 will be needed for escrow and title fees, Department of General Services= fees and other related real estate costs.

The acquisition is exempt from the California Environmental Quality Act under Section 15313 as an acquisition of land for wildlife conservation purposes and a Notice of Exemption would be filed upon WCB approval.

Staff recommended that the Board approve this project as proposed; allocate \$1,388,200.00 to cover the purchase price, appraisal, title and escrow costs, General Services= costs, and the Department=s start-up costs from the Habitat Conservation Fund, Section 2786(a); authorize staff to enter into the appropriate agreements necessary to complete this project; and authorize staff and the Department of Fish and Game to proceed

substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Annette Porini that the Board approve this project as proposed; allocate \$1,388,200.00 to cover the purchase price, appraisal, title and escrow costs and General Services= costs from the Habitat Conservation Fund, Section 2786(a); authorize staff to enter into the appropriate agreements necessary to complete this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *14. Sacramento River Wildlife Area Access, Princeton Unit, Site 21, Glenn County \$135.00

This was a proposal to consider a cooperative project with Glenn County (County) to operate and maintain an existing public access trail and parking area on the Princeton Unit of the Department of Fish and Game=s (DFG) Sacramento River Wildlife Area. This site is located on the west side of the Sacramento River about one mile north of the town of Princeton in Glenn County.

The trail and parking area are located on a 50-acre parcel which was acquired for DFG by the Wildlife Conservation Board (WCB) in 1956. The property, originally known as Site 21, was acquired to preserve the mature riparian habitat that existed at the time. In 1975, WCB funded a fishing access development project on the site, which included the construction of

a parking area and an unpaved road leading to the west bank of the Sacramento River. Trash cans, toilets and signage were also included in the original project. The County entered into a 25-year agreement to operate and maintain the site for DFG in 1976. The purpose of the project was to increase public access to the Sacramento River, primarily for sport fishing. Initially the plan was to allow cars to drive to the river to facilitate boat launching. Subsequent vandalism and abuse of the site prompted the County to restrict vehicular traffic to the parking area and convert the road into a pedestrian-only trail.

Subsequent acquisitions of adjacent property by WCB, on behalf of the DFG, have increased the area to more than 200 acres. The total area is now known as the Princeton Unit of the Sacramento River Wildlife Area, and the former Site 21 is part of this larger unit. The County believes the Site 21 portion provides a valuable access area for the public and has agreed to enter into a new 25-year agreement to continue to operate and maintain the existing parking area and trail. Under the agreement, the County will keep the parking area and trail passable and clear of riparian vegetation. No development or improvements for the site are proposed at this time.

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

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

Motion carried.

- *15. Wetland Habitat Restoration, Honey Lake Valley (Honker Heaven),
\$62,000.00

Lassen County

This was a proposal to consider an allocation of a grant to Ducks Unlimited, Inc. (DU), for a partnership project to restore and enhance approximately 80 acres of seasonal wetlands, 6 acres of riparian habitat and 179 acres of wetlands associated uplands along approximately one mile of Long Valley Creek on a 265-acre privately-owned property in the Honey Lake Valley in Lassen County. Project partners include the landowner, DU, the U.S. Fish and Wildlife Service, the Natural Resources Conservation 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 northeast of the junction of Highway 395 and Herlong Access Road in Lassen County. The property is adjacent to the southeastern edge of 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 grazed for decades, with cattle free to roam into and out of the property. This uncontrolled grazing has caused severe degradation to the riparian habitat along the creek and has created erosion along a narrow arm of Honey Lake. Upland areas have been overgrazed as well and ground nesting birds have had limited success raising broods. The few remaining wetlands on site have not been maintained and provide little habitat value.

To improve riparian habitat, fencing will be installed to exclude cattle from the entire property. In addition, non-native Russian olive trees will be removed and willows and cottonwoods will be planted. Rock structures will be installed to arrest the ongoing erosion on the arm of Honey Lake. Trees will be planted in conjunction with the structures to provide the long-term erosion protection that will also benefit wildlife. To restore wetlands, a well and pump will be installed to supply water more reliably during critical dry years. Levees will be constructed to better manage water and new water control structures will be installed. Water will be maintained through July in some wetlands to provide water for breeding waterfowl and shorebirds. All wetlands will be flooded in the fall to provide critical habitat during fall migration and most will be maintained through the spring for birds heading back to breeding grounds farther north.

The Honey Lake Valley supports numerous species of wetland, riparian and upland grassland dependent species, both migratory and summer resident. These improvements will provide breeding habitat to waterfowl such as the Canada goose, 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. The riparian habitat will provide critical habitat for such species as yellow warblers, ash-throated flycatchers and Cooper=s hawks. In the fall, thousands of migrating birds stop in the Valley, and waterfowl such as American widgeon, gadwall and white-fronted geese, and shorebirds, including dowitchers and sandpipers, will benefit from this project. Special status species expected to benefit include the burrowing owl, which has been seen on site.

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

<u>Description</u>	<u>Estimated Cost</u>
Fencing	\$22,100.00
Well and pump	34,236.00
Erosion control structures	17,200.00
Water control structures	10,000.00
Earthwork	25,206.00
Pipelines	12,600.00
Non-native plant removal	6,495.00
Riparian planting	15,750.00
Project survey, design and management	20,040.00
Contingency	5,645.00
<u>TOTAL ESTIMATED COST</u>	<u>\$169,272.00</u>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$62,000.00
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U.S. Fish and Wildlife Service	15,820.00
Ducks Unlimited, Inc.	14,625.00
North American Wetlands Conservation Act	42,806.00
Natural Resources Conservation District	10,000.00
Landowner (In-kind)	14,780.00
Landowner (Cash)	9,241.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$169,272.00</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 25 years, pursuant to the terms and conditions of the Grant Agreement. 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 \$62,000.00 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 Ms. Annette Porini that the Board approve this project as

proposed; allocate \$62,000.00 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.

*16. Humboldt Bay Wildlife Area, Jacoby Creek/Gannon Slough Unit,
\$75,000.00

Expansion 2, Humboldt County

This proposal was to consider the allocation of a grant to the Jacoby Creek Land Trust to assist in a cooperative project with the City of Arcata and the Department of Fish and Game to purchase a conservation easement over 9.7 acres of private land for the protection and enhancement of habitat along Jacoby Creek, located south of Arcata, in Humboldt County.

The subject property is located on Old Arcata Road, just southerly of the Arcata city limits, 1 $\frac{1}{2}$ mile southerly of the downtown area. Land uses in the area are rural in nature, with homes situated on small acreage parcels and 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 of the subject property. The property is improved with an older single family residence and a number of small sheds, none of which are included in the easement area. The property has perimeter and cross fencing.

Jacoby Creek is part of the larger Humboldt Bay ecosystem that provides wetland habitat for fish, waterfowl, wading birds, shorebirds, passerines, raptors and other water associated wildlife. The Jacoby Creek/Gannon Slough 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 holds 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, timber harvest in the upper watershed and 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 have degraded habitat for fish and other aquatic organisms. Tidal restoration and freshwater wetland enhancement in this area will benefit a variety of wildlife. Management of the property after the acquisition will be assumed by the Jacoby Creek Land Trust in cooperation with the Department of Fish and Game and the City of Arcata. Management activities will include providing maintenance and enhancement along and in the creek bed and protection of the species of concern.

The owner has agreed to sell a conservation easement over the property

for the approved appraised value of \$68,000.00. The Jacoby Creek Land Trust will fund the related closing, escrow and title insurance costs. The grant to the Jacoby Creek Land Trust will be for \$68,000.00 and will be deposited directly into a designated escrow account for this purchase. An additional \$7,000.00 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 Jacoby Creek Land Trust for the acquisition of the subject property; allocate a total of \$75,000.00 for the grant and other related costs, from the Habitat Conservation Fund, Section 2786 b/c; authorize staff to enter appropriate agreements necessary to carry out this project; and authorize the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Annette Porini that the Board approve a grant to the Jacoby Creek Land Trust for the acquisition of the subject property; allocate a total of \$75,000.00 for the grant and other related costs, from the Habitat Conservation Fund, Section 2786 (b/c); authorize staff to enter appropriate agreements necessary to carry out this project; and authorize the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *17. Mattole River Ecological Reserve, Expansion 10,
\$606,000.00

Humboldt County

This proposal was to consider the allocation of a grant to Sanctuary Forest, Inc. (SFI), a local nonprofit organization and longtime cooperating partner with the Board and the Department of Fish and Game (DFG) to assist in the acquisition of a single ownership, totaling 40 $\frac{1}{2}$ acres, for the preservation of old-growth redwood and mixed coniferous forest and Mattole River watershed land adjoining the Mattole River Ecological Reserve. The property is located in southern Humboldt County, just north of the village of Whitethorn. Access to the ecological reserve area is from Briceland Road, which traverses the property and a portion of the Reserve.

At its meetings of November 15, 1988, May 11, 1989, February 13, 1991, and November 18, 1999, the Board approved the previous purchases totaling 1,282 $\frac{1}{2}$ acres. The land described for acquisition at this time contains large stands of old-growth redwood and Douglas fir, as well as various hardwoods, providing ideal habitat for numerous old-growth dependent animal and plant species. These forests, located near the headwaters of the Mattole River, contain the best king salmon spawning gravels in the entire watershed and provide nesting habitat for the marbled murrelet, spotted owl, osprey, goshawk and many other bird species. The numerous cool, clean creeks flowing from the forest support many aquatic species, including the Olympic salamander and tailed frog. In past years,

logging practices all around the subject area have made this particular forest the last genetic reservoir of many threatened and endangered species found in the Upper Mattole River watershed.

This property is the forest gateway of the scenic road corridor to the Sanctuary Forest, Sinkyone Wilderness State Park and the King Range National Conservation Area. It is an irregularly shaped, 40 $\frac{1}{2}$ acre parcel of land. Both the Mattole River and Mill Creek flow through the property. Over $\frac{3}{8}$ of a mile of the Mattole River bisects west to east and the final $\frac{1}{4}$ mile of Mill Creek, flowing easterly, empties into the Mattole.

Habitat for more common mammal species such as deer, elk, fox, raccoon, bear, skunk, porcupine, squirrel and mountain lion is abundant throughout the subject property and the existing reserve area. The undisturbed ecosystem in the forest is an excellent educational laboratory, not only for trained scientists, but for students as well. It clearly shows the interdependence of rare plant and animal species and old-growth forests.

The subject property will be managed by the SFI as part of the existing ecological reserve. Long-term management strategies for all the properties previously acquired are being developed cooperatively among numerous interested public agencies, private landowners and nonprofits who own property within the watershed. Among these are the U.S. Bureau of Land Management, the State Department of Parks and Recreation, the Department of Fish and Game, Save the Redwoods League, the State Coastal Conservancy, the Department of Forestry and Fire Protection and the SFI.

The SFI has secured an exclusive purchase option and will hold title upon completion of the transaction. The owners have agreed to sell the acreage for the state=s approved appraised value of \$600,000.00. In addition to the purchase price, \$6,000.00 will be needed for administrative costs, bringing the total proposed allocation to \$606,000.00.

Staff recommended that the Board approve this purchase as proposed; allocate \$606,000.00 from the Habitat Conservation Fund, Section 2786 (b/c), to cover the grant amount 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 Ms. Annette Porini that the Board approve this purchase as proposed; allocate \$606,000.00 from the Habitat Conservation Fund, Section 2786 (b/c), to cover the grant amount 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.

- *18. Tauhindauli Public Access, Siskiyou County

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This was a proposal to consider the acquisition of 5.6^v acres of land and associated improvements, and authority to accept Cantara Trustee Council (CTC) funding to be deposited directly into a designated escrow account to effect purchase of the land for the purpose of expanding public recreational opportunities associated with the Upper Sacramento River in Siskiyou County.

Specifically, the property is located on the east bank of the Upper Sacramento River in the City of Dunsmuir, just north of the Interstate 5 overhead crossing. Access to the subject property is by a paved city street known as Upper Soda Road. The entire area received recognition in 1991 as the area of a devastating chemical spill, which was labeled as California=s largest inland ecological disaster. About 19,000 gallons of metam sodium were spilled into the Sacramento River from a derailed Southern Pacific tanker car, just upstream from the subject property at the Cantara Loop. Through the management actions of state and federal trustee agencies, as well as local organizations and concerned citizens, the Upper Sacramento River has almost completely recovered to its pre-spill condition.

The subject property contains a mix of habitats native to the Upper Sacramento River canyon, including montane riparian woodlands and willow scrub, and provides forage for mule and black-tailed deer and other wildlife species. In addition, the Upper Sacramento River is considered a world class fishery supporting a healthy population of wild rainbow trout.

The property is presently improved with a residence which is anticipated to be used as a interpretation facility by the Department of Fish and Game and the City of Dunsmuir to educate the public about the Sacramento River, the wildlife that inhabit the local area and the area=s local history. The property is highly recommended for acquisition by both the Department and the CTC. The CTC was established in 1995 to administer funds received in the settlement of litigation that followed the metam sodium spill. It is the CTC=s mission to ensure that the proceeds of the settlement are used effectively to restore natural resources and to replace resource values that were lost as a result of the spill. The CTC has requested that WCB staff carry out recommended acquisition projects.

The owners have agreed to sell their property, including improvements, at the Department of General Services= (DGS) approved fair market value of \$375,000.00. All administrative expenses, including appraisal, DGS review charges and escrow fees will be paid by the CTC. The purchase is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes and the appropriate notice would be filed upon approval of this project by the Board.

Staff recommended that the Board approve the acquisition as proposed; authorize acceptance of Cantara Trustee Council funds in the amount of \$375,000.00 for placement directly into escrow for purposes of acquiring the subject property; 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 Ms. Annette Porini that the Board approve the acquisition as proposed; authorize acceptance of Cantara Trustee Council funds in the amount of \$375,000.00 for placement directly into escrow for purposes of acquiring the subject property; 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.

19. San Felipe Valley Wildlife Area, Expansion 2, San Diego County
\$5,050,000.00

Mr. Wright reported that this was a proposal to consider a cooperative project with the Trust for Public Land (TPL) and the California Department of Forestry and Fire Protection (CDF) to acquire 5,041 $\frac{1}{2}$ acres of land as an addition to the Department of Fish and Game's (DFG) San Felipe Valley Wildlife Area, in northeastern San Diego County. Mr. Randy Nelson briefly described the project and its location.

The subject property is part of the privately-owned Rutherford Volcan Mountain Ranch, located approximately 10 miles northeast of the community of Julian and north of the Cleveland National Forest. In May of 1995, the Wildlife Conservation Board (WCB) approved the initial San Felipe Valley Wildlife Area acquisition, consisting of 566 $\frac{1}{2}$ acres, together with a 200 $\frac{1}{2}$

acre donation. An additional acquisition in May of 1998 increased the total acreage of the wildlife area to 1,087 ∇ acres.

The proposed acquisition will provide for the protection of additional deer habitat while also protecting a critical migration corridor and public use consistent with the existing wildlife area. The subject property will fill a two-mile gap created by the existing wildlife area to the east and county park land to the west. The south boundary of the subject is adjoined with a second County-managed property, consisting of 1,319 ∇ acres, and a 390 ∇ acre parcel owned by the San Dieguito River Park Joint Powers Authority. The public holdings are locally referred to as the Volcan Mountain Preserve. As a result of the cooperative efforts in this area, deer will continue to move easily through the corridor extending easterly from the wildlife area onto lands in the San Felipe Hills owned by the Bureau of Land Management and extending into the Cleveland National Forest and the Anza Borrego State Park.

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

with the maintenance of the habitat values and to expand public hunting opportunities.

Major wildlife species represented within the property include deer, mountain lion, coyote, bobcat, gray fox, badger, wild turkey, golden eagle, California quail, mourning dove and several species of raptors. The area has critical habitat, including the Riversidian alluvial fan sage scrub, necessary to support the endangered Least Bell=s vireo, the threatened Southwestern pond turtle and the endangered unarmored threespine stickleback.

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 the existing wildlife area. The DFG proposes to develop a management plan in consultation with the County of San Diego and the San Dieguito River Park Joint Powers Authority to manage the overall area as part of the Volcan Mountain Preserve and the San Felipe Valley Wildlife Area.

The proposed acquisition is exempt from CEQA under Section 15313, Class 13 as the acquisition of land for wildlife conservation purposes and, subject to approval by WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

The TPL has entered into an option agreement to acquire the subject property and has offered to assist in the sale of the subject 5,041 $\frac{1}{2}$ acres to the state at the appraised fair market value of \$7,800,000.00. It is proposed that WCB contribute \$5,015,000.00 toward the purchase price of

the property. An additional \$35,000.00 will be needed for appraisal, escrow, title insurance costs and Department of General Services= review costs. 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). The balance of the purchase price will be from a \$1,800,000.00 Transportation Enhancement Activity (TEA) grant administered by the Department of Transportation and a \$985,000.00 Forest Legacy Program grant administered by CDF.

Mr. Nelson reported that Terry Stewart and Kim McKee of the Department of Fish and Game South Coast Region were in the audience, also Jeff Calvert of the Department of Forestry and Fire Protection and Bob Flewelling of The Trust for Public Land.

Mr. Hight asked if there were any questions or comments. There were none. Mr. Hight commented that this is a very good project from the Department of Fish and Game=s point of view because there is great pressure and need for additional land that will be compatible with hunting.

Staff recommended that the Board approve this acquisition as proposed; allocate \$5,050,000.00 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; accept the terms and conditions of the Interagency Agreements for the TEA grant and the Forest Legacy Program grant for funding of the balance of the purchase price of the property directly into an escrow; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and DFG to proceed substantially as planned.

It was moved by Mr. Robert C. Hight that the Board approve this acquisition as proposed; allocate \$5,050,000.00 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; accept the terms and conditions of the Interagency Agreements for the TEA grant and the Forest Legacy Program grant for funding of the balance of the purchase price of the property directly into an escrow; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and DFG to proceed substantially as planned.

Motion carried.

20. Tuna Canyon Conservation Area, Los Angeles County Tax Credit

Mr. Wright reported that this proposal was to consider a donation of 1,016^{1/2} acres to the Santa Monica Mountains Conservancy for inclusion under the Natural Heritage Tax Credit Act of 2000, and approval of a tax credit in the amount of \$16,115,000.00 in favor of Alfred E. Mann, the donor of the land. The project is submitted pursuant to the requirements of the Natural Heritage Preservation Tax Credit Act of 2000. Ms. Marilyn Cundiff briefly described this donation and its location.

The subject property is located at the western boundary of Topanga Canyon State Park within the Santa Monica Mountains National Recreational Area. The property extends east to west from Topanga Canyon State Park to Las Flores Canyon and north to south from Saddlepeak Road to the Pacific Coast Highway.

The entire parcel is located within the Coastal Zone and is considered by Los Angeles County as environmentally sensitive habitat. Specifically, the property supports a rich mosaic of coastal Southern California plant communities in near pristine condition. The terrain ranges from near sea level to over 1,500 feet, with the higher elevations forming a dissected plateau offering a dramatic coastal view of the entire Santa Monica Bay and beyond.

The parcel connects thousands of acres of other protected public parklands that offer unparalleled views of the coast, the Channel Islands, downtown Los Angeles, the San Gabriel Mountains and the Santa Susana Mountains. Fronting the Pacific Coast Highway in some locations, the property provides an avenue for coastal access at Las Tunas Beach. Moreover, the property is located in an area of sensitive coastal habitats where, collectively, the State Department of Parks and Recreation, the National Park Service and the Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority have protected more than 70,000 acres.

Habitat types that are represented on the property include Sycamore riparian woodland, interspersed with southern willow scrub, coastal sage scrub and coast live oak woodlands. In addition, grasslands, including native grasses, with sensitive plant species such as Plummer=s mariposa lily and Catalina mariposa are present throughout the property. Relatively few exotic species, other than annual grasses, have invaded the property.

The parcel proposed for donation is also of historical significance. According to an archaeological resource survey conducted in 1990, at least four significant archaeological sites have been identified on the property, with the oldest site dating back approximately 8,000 years. According to the survey, the presence of prehistoric Native American Chumash sites is not uncommon given the gentleness of the terrain at the highest elevations. Numerous rock outcrops occur among the coast live oaks, with potential for bedrock mortar sites. Given the historic importance of this area, all archaeological, paleontological, and cultural resources identified on the proposed property will be protected.

The preservation and protection of Tuna Canyon is consistent with and compliments the Santa Monica Mountains Conservancy Act, the Santa Monica Mountains Comprehensive Plan, the Rim of the Valley Trail Corridor Master Plan, the County of Los Angeles General Plan and the Mountains Recreation and Conservation Authority. In addition, the property is adjacent to protected parklands in the Santa Monica Mountains Zone and the Santa Monica Mountains National Recreational Area.

Consistent with the provisions of the Natural Heritage Preservation Tax Credit Act of 2000, the donation of approximately 1,016 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, will augment public access or will protect archaeological resources are eligible to receive a tax credit valued at 55 percent of the appraised fair market value of the donation.

Mr. Wright reported that the Board received a letter of support for this project from Assembly member Fran Pavley.

Further, the appraised fair market value must be, and has been, approved the State Department of General Services. Accordingly, the donation of approximately 1,016 acres having an approved fair market value of \$29,300,000 would entitle the landowner to receive

a tax credit of \$16,115,000.00. In addition to the donation, the landowner has agreed to convey to the Santa Monica Mountains Conservancy, through a sales agreement, approximately 400 acres valued at approximately \$13.2 million. The sale, coupled with the donation, will place 1,416 acres into protected open space and parklands.

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 September 24, 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.

Mr. Hight asked the audience if there were any comments or questions. There were none. Ms. Porini commented that she has driven through a part of the Topanga Canyon acquisition and that she was pleased to see this project for consideration, that the long-range plan is to have hiking trails leading from the San Fernando Valley to the ocean, along the ridge route of some of the previously acquired property in Topanga State Park and through these two acquisitions in Topanga.

Staff recommended that the Board approve the donation for inclusion under the Natural Heritage Preservation Tax Credit Act 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 Ms. Annette Porini that the Board approve the donation for inclusion under the Natural Heritage Preservation Tax Credit Act 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.

21. Riparian Habitat Restoration, Santa Rosa Creek, Santa Barbara County \$330,000.00

Mr. Wright reported that this was a proposal to consider an allocation of a grant to the Santa Barbara County Flood Control and Water Conservation District and Water Agency (District) for a cooperative project to restore approximately one mile of stream channel and

approximately 25 acres of riparian habitat on private property. The partners in this proposal include the three landowners, the District, the State Coastal Conservancy, the Santa Barbara County Roads Department, the California Department of Water Resources, the California Department of Transportation and the Board. The project is located on Santa Rosa Creek, between State Highway 246 and Santos Road, and is approximately 20 miles east of the City of Lompoc. Mr. Scott Clemons briefly described the project and its location.

Santa Rosa Creek is a seasonal stream, and a tributary to the Santa Ynez River. The Santa Rosa Creek watershed includes three major sub-watersheds, comprised mainly of rangelands on the north and orchards and other cultivated crops in the project area. In response to rapid erosion and loss of agricultural lands, some of the northern tributaries to the Santa Ynez River were fitted with grade control stabilizers during the 1960's and 1970's by the Soil Conservation Service. During this time, the Santa Rosa Creek was a stable riparian environment with substantial vegetative cover extending from the upper watershed downstream to the confluence with the Santa Ynez River. In 1977, the Santos Road bridge/culvert across Santa Rosa Creek failed due to high flows and the resulting accelerated erosion. Although the culvert was replaced, erosion continued upstream, arriving at the Domingos Road bridge in 1983. That bridge was closed and ultimately removed, but the headcut continued upstream in response to several subsequent high rainfall years, causing the failure of the State Highway 246 bridge in 1998.

Historically the Santa Rosa Creek channel had been about ten feet deep with gently sloping banks. The channel has now eroded to an average depth of 35 feet, with vertical banks found along much of the project reach. There has also been substantial lateral erosion of the banks, with over 100 feet of bank lost in some places. This lateral erosion has also extended upstream on several lateral tributary drains that feed into Santa Rosa Creek. The Cachuma Resource Conservation District estimates that 400,000 cubic yards of sediment has been lost from the project area since 1978, contributing excessive sediment to the Santa Ynez River. As a result of the severe erosion, nearly all of the riparian habitat along the project reach has been destroyed. Left untreated the erosion will continue upstream, once again threatening the newly rebuilt State Highway bridge, and damaging mature riparian habitat that exists on three major sub-watersheds that drain into Santa Rosa Creek. Two other major county roads and the State Water Project distribution line could also be impacted.

The proposed project is designed to halt the incision and lateral erosion, restore the historic stream channel and floodplain configuration, and restore approximately 25 acres of riparian habitat. To accomplish these objectives, the project will install one large grade control structure, one small downstream check structure, numerous bank stabilization features, including rock and bio-engineered structures, on the stream banks and side channels, and will plant appropriate native vegetation on the grade structures, banks and on top of the banks in a buffer zone. All revegetated areas will be maintained by the landowners.

Over the next ten to twelve years the grade control structure (approximately 20 feet high) will lift the streambed to the historic grade, restore a functioning floodplain, and provide the stabilization necessary to minimize bed and bank erosion in the project reach that has been occurring at elevated levels since 1978. This structure will impound several hundred thousand cubic yards of sediment in the reconstructed floodplain of Santa Rosa Creek, sediment which would otherwise be transported in excessive amounts each year to the Santa Ynez River, contributing to the loss of hydraulic capacity in the river.

Several riparian and upland wildlife species will benefit from this project, including the endangered willow flycatcher and several other neotropical migrant songbirds, red-tailed hawk, turkey vulture, California quail, mule deer, gray fox, deer mouse, California slender salamander, and Pacific treefrog. Due to its >flashy= flow conditions and lack of perennial flows, Santa Rosa Creek does not support fish.

The proposed project will further the goals of the Central Coastal Regional Water Quality Control Board, the California Clean Water Action Plan, the California Riparian Habitat Conservation Program and the California Riparian Habitat Joint Venture. Once restored, the project area will provide the most valuable riparian resource amongst all of the Santa Ynez River tributaries between Buellton and Lompoc.

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

<u>Description</u>	<u>Estimated Cost</u>
Grade Control Structure	\$750,000.00
Downstream Check No. 1	50,000.00
Bank Stabilization (mainstem)	42,000.00
Side Drain Stabilization	182,000.00
Vegetation Installation/Maintenance	120,000.00
Buffer Area Grading	16,000.00
Right-of-Way Survey	16,000.00
Construction Right-of-Way	30,000.00
Engineering Design	184,000.00
Biological/Archeological Surveys	7,000.00
Environmental Review/Permitting	17,000.00
Domingos Road Bridge	10,000.00
Administration and Inspection	96,000.00
Signs and Contingencies	10,000.00
<u>TOTAL ESTIMATED COST</u>	<u>\$1,530,000.00</u>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$330,000.00
State Coastal Conservancy	700,000.00
Santa Barbara County Flood Control and Water Conservation District and Water Agency	250,000.00
Santa Barbara County Roads Department	50,000.00
California Department of Water Resources	100,000.00
California Department of Transportation	100,000.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$1,530,000.00</u>

The Department of Fish and Game has reviewed this proposal and recommends it for funding by the Board. The County of Santa Barbara has approved a Mitigated Negative Declaration for this project, in compliance with the provisions of the California Environmental Quality Act.

Under the terms of the Grant Agreement, the landowners have agreed to manage and maintain the project improvements for 25 years, and the District has agree to oversee all project management and maintenance activities, including the management and repair of the grade control structure, for that same time period. If at any time during the life of the project, the District or the landowners are unable to manage and maintain the project improvements, the District will refund to the State of California an amortized amount of funds based on the number of years left on the project life.

Mr. Wright reported that the Board received a letter of support for this project from Senator Jack O=Connell.

Mr. Clemons reported that Mr. Thomas Fayram, Deputy Public Works Director, Santa Barbara County Public Works Department, was in the audience should there be any questions. Mr. Fayram spoke in support of the grant request for their flood control district, and that the district has been working cooperatively with the landowners in the area as well as the Coastal Conservancy to try to restore this area of the creek. He commented that they have lost approximately 300,000 cubic yards of material into the Santa Ynez River because of erosion. He stated that this project would help reduce future sedimentation and restore the riparian corridor that has been devastated by the downcutting from the creek. He stated that their County water agency and flood control district are partnering with the Bureau of Reclamation for a fish management plan on the Santa Ynez River and that this fits in with that plan to control the sedimentation.

Mr. Michael Endicott, speaking on behalf of Assembly member Jackson, expressed appreciation for completing this part of the project, which will protect habitat, farm lands and stabilizing roads all at the same time and in a natural way.

Staff recommended that the Board approve this project as proposed; allocate \$330,000.00 from the Habitat Conservation Fund, Section 2786 (e/f); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

It was moved by Ms. Annette Porini that the Board approve this project as proposed; allocate \$330,000.00 from the Habitat Conservation Fund, Section 2786 (e/f); 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.

22. Horseshoe Lake Fishing Pier, Butte County \$89,270.00

Mr. Wright reported that this was a proposal to consider a cooperative project with the City of Chico (City) to improve public access at Horseshoe Lake by installing a barrier-free fishing pier and a path from the existing parking area to the pier. Horseshoe Lake is located in Bidwell Park in the City of Chico in Butte County. Mr. Tony Chappelle briefly described the project and its location.

Horseshoe Lake is located in the City=s Bidwell Park which is the third largest municipal park in the United States. The park covers 3,670 acres and spans nearly eleven miles in length. Horseshoe Lake itself covers an area of approximately 6 acres at its maximum capacity. The lake is manmade and was originally constructed to provide water for a nearby golf course. Fed by runoff during the winter and spring, the lake level is also maintained by well pumping if necessary in the summer. The existing public access facilities at the lake consist of a parking lot on the southern side, and an unpaved footpath around the lake which is used by anglers, hikers, and equestrian enthusiasts. Fish species found in the lake include bluegill, golden shiner, bass, and catfish. The lake is stocked once a year with channel catfish in preparation for the City=s annual AHooked on Fishing Not on Drugs@ fishing event for kids. This national event was initiated in 1989 and is attended by more than four thousand children at Horseshoe Lake each year. The Department of Fish and Game (DFG) is an important participant, providing assistance with fish planting, educational displays and fishing instruction. Public use of the lake is estimated at 15,000 visitors per year.

Currently the lake is not accessible to mobility impaired individuals. The proposed project will improve public access at Horseshoe Lake by installing a barrier-free fishing pier on the southern side of the lake. A paved path will also be constructed from the parking lot to the pier. The City has agreed to operate and maintain the project for 25 years, and will provide a free lease to the state for the duration of the operating agreement.

Cost estimates for this proposal have been developed by the City and have been reviewed by staff as follows:

<u>Description</u>	<u>Estimated Cost</u>
Mobilization	\$ 2,000.00
Excavation and footing dewater	10,000.00
Concrete (pad and footings)	5,400.00
Pier	22,100.00
Bridge to pier	35,000.00
Sign	500.00
Contingencies	8,000.00
Project Management	6,000.00
<u>TOTAL ESTIMATED COST</u>	<u>\$89,000.00</u>

The City has filed a Notice of Determination indicating that a Negative Declaration was prepared for this project under the California Environmental Quality Act. The DFG reviewed the proposal and recommends it for funding by the Board.

Staff recommended that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$89,270.00 from the General Fund for project costs and General Services= review costs; and authorize staff and the Department to proceed substantially as planned.

It was moved by Mr. Robert C. Hight that the Board approve this project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$89,270.00 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.

23. Riparian Habitat Restoration, Lower Owens River \$490,000.00
Saltcedar Control, Inyo County

Mr. Wright reported that this proposal was to consider an allocation for a grant to the Inyo County Water Department to assist in the removal of saltcedar and restoration of native vegetation along the channel and banks of the Lower Owens River from just downstream of the Los Angeles aqueduct to Dry Owens Lake, on property that is owned and managed by the City of Los Angeles, Department of Water and Power (LADWP), in Inyo County. The project will remove saltcedar along approximately 42 miles of the river, and will set the stage for improved habitat conditions that are expected to occur when this reach of the river is re-watered, an event that is planned to begin in 2003. Mr. Scott Clemons briefly described the project and its location.

Saltcedar is a non-native invasive plant that is spreading rapidly in the Owens Valley. It colonizes moist areas that have been disturbed by periodic inundation, grading or other disturbances that remove native plants. Once established, saltcedar is a very hardy plant that can withstand adverse soil and weather conditions, will reproduce rapidly under favorable conditions, and eventually degrade the remaining native plant communities and the associated wildlife habitat. Most of the estimated 15,000 acres of saltcedar in the Owens Valley are located along the dry Lower Owens River channel. This portion of the river is dry due to the diversion of flows into the Los Angeles Aqueduct. Inyo County Water Department has been working on saltcedar removal for the last three years, using funding provided by LADWP. These funds were designated for three years of removal work, and to support ongoing annual maintenance and control for an indefinite period of time. The 60-mile Lower Owens River was the first priority for treatment, and Inyo County crews have cleared saltcedar from approximately one quarter of the channel thus far.

Project partners include the LADWP, Inyo County, the Department of Fish and Game and the

Wildlife Conservation Board (Board). The goal of this project is to treat and control as much of the remaining saltcedar, estimated to be occupying approximately 2,184 acres along the Lower Owens River, as possible prior to the rewatering.

The USDA is testing a tamarisk biocontrol program in the Owens Valley in conjunction with the Inyo County Water Department. Although not a part of this project, the biocontrol program will be running concurrently, and it is hoped that the predatory insects being evaluated will provide long-term, maintenance-level control of saltcedar throughout the Owens Valley.

The proposed project will help to restore and enhance the riparian habitat of the Lower Owens River. The removal of monotypic stands of saltcedar that are currently present along the Lower Owens River will enhance the 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. The rewatered Lower Owens River will provide excellent, year-round fish and wildlife habitat that will complement several other important protected habitat areas in the region, including Mono Lake (Important Bird Area), Owens Lake (Important Bird Area), Fish Slough (BLM Area of Critical Environmental Concern, Pupfish Refuge), Ash Meadows (National Wildlife Refuge), and the White/Inyo Mountains. The project will aid in the restoration of the former Great Basin Cottonwood/Willow Riparian Forest habitat along the Lower Owens River, which will provide habitat for a large number of fish and wildlife species, including neotropical migrant songbirds (e.g., Yellow-billed cuckoo and Willow flycatcher), large mouth and small mouth bass, Owens sucker, Owens Valley vole, Owens pupfish, Owens tui chub, Long-eared owl, Swainson=s hawk, Wood duck, and Great blue heron.

This project contributes to the goals of the California Riparian Habitat Conservation Program, the California Riparian Habitat Joint Venture and the Intermountain West Habitat Joint Venture, by restoring approximately 2,184 acres of riparian habitat along 42 miles of the Lower Owens River.

Inyo County has received a grant for this project from the Environmental Enhancement and Mitigation Program, which will be used towards the proposed project. Estimated costs for the proposed project have been reviewed by staff and the Department, and are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Project Management	\$331,758.00
Crew-saltcedar removal work	236,459.00
Administration	186,150.00
Services and Supplies (includes removal, herbicides, and restoration)	219,333.00
Equipment	9,000.00
Sign	1,000.00
Contingencies	6,300.00

<u>TOTAL ESTIMATED COST</u>	<u>\$990,000.00</u>
<u>Funding Partners:</u>	
Wildlife Conservation Board	\$490,000.00
Environmental Enhancement and Mitigation Program Grant	250,000.00
Inyo County	250,000.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$990,000.00</u>

A Mitigated Negative Declaration was approved for this project in October, 1999 by Inyo County Water Department, in compliance with the provisions of the California Environmental Quality Act.

Mr. Wright reported that the Board received letters of support for this project from Assembly member Phil Wyman, George Milovich, Agricultural Commissioner of Inyo and Mono Counties, Inyo County Cattlemen=s Association, U.S. Environmental Protection Agency, Independence Civic Club, U.S. Department of Agriculture, Inyo National Forest, Eastern Sierra Institute for Collobrative Education and the Toiyabe Chapter of the Sierra Club.

Mr. Clemons reported that Mr. Greg James, Director of the Inyo County Water Department, was in the audience should there be any questions. Mr. James spoke in support of this project and emphasized how completion of this project would benefit the area as well as downstream.

Staff recommended that the Board approve this project as proposed; allocate \$490,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund, Section 5096.350 (a)(2); 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 \$490,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund, Section 5096.350 (a)(2); 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.

24. Wetland Habitat Restoration, Honey Lake Valley (Honey Lake Ranch), \$103,000.00
Lassen County

Mr. Wright reported that this was a proposal to consider an allocation of a grant to Ducks Unlimited, Inc., (DU) for a cooperative project to restore and enhance approximately 66 acres of seasonal wetlands, one acre of riparian habitat and 121 acres of wetlands-associated uplands on a 1,420-acre privately-owned property in the Honey Lake Valley in Lassen County. Project partners include the landowner, DU, the U.S. Fish and Wildlife Service, the North American Wetlands Conservation Act and the Board. The project site is located approximately fifteen miles southeast of the City of Susanville and two miles east of Highway 395 in Lassen County. The property is adjacent to the northern edge of Honey Lake on the western border of the Dakin Unit of the Department of Fish and Game=s Honey Lake Wildlife Area. Mr. Peter Perrine briefly described the project and its location.

The site has been managed as a duck club for many years, with the landowner having restored several wetland ponds on site. As a result of these efforts, approximately half the property has now been restored and these areas are beautifully managed. The northern and western portions of the property are as yet undeveloped and provide limited habitat value. A series of wetland ponds has been restored on the eastern portion of the property, but there is additional land where more ponds could be created.

To enhance and restore wetland habitat, two new seasonal wetland ponds will be created, one on the north and one on the east side of the property.

Levees will be created or strengthened, water control structures installed and swales and islands developed to provide a mosaic of shallow water, uplands and emergent vegetation. Adjacent to the seasonal wetland on the north, an irrigation system will be installed and uplands planted to native grasses and forbs to provide nesting habitat for ground nesting birds. Two pumps will be installed to provide water during dry years and for summer irrigations. Finally, in the western portion of the property, a series of wetlands will be restored and riparian habitat established within a cluster of low hills, providing a diversity of habitats within a relatively small area.

The Honey Lake Valley supports numerous species of wetland, riparian 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. The adjacent Honey Lake Wildlife Area produces more than 1000 geese and 5000 ducks in an average year, and this site will add to that production. In addition, other ground nesting birds, such as meadowlarks and pheasants will benefit from the upland habitat provided. The riparian habitat will provide critical habitat for such species as yellow warblers, ash-throated flycatchers and Cooper=s hawks. In the fall, thousands of migrating birds stop in the Valley, and waterfowl such as American widgeon, gadwall and white-fronted geese, and shorebirds, including dowitchers and sandpipers, will benefit from this project. Special status species expected to benefit include the white faced ibis, which are often seen foraging on site.

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

<u>Description</u>	<u>Estimated Cost</u>
Earthwork	\$64,030.00
Water control structures	12,000.00
Establishment of native uplands	14,360.00
Riparian planting	5,490.00
Uplands irrigation system	48,000.00
Pumps	15,000.00
Pipelines	39,600.00
Project survey, design and management	16,235.00
Contingency	9,150.00
<u>TOTAL ESTIMATED COST</u>	<u>\$223,865.00</u>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$103,000.00
U.S. Fish and Wildlife Service	8,050.00
Ducks Unlimited, Inc.	5,000.00
North American Wetlands Conservation Act	68,015.00
Landowner (In-kind)	1,800.00
Landowner (Cash)	38,000.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$223,865.00</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 25 years, pursuant to the terms and conditions of the Grant Agreement. 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. Wright reported that the Board received a letter of support for this project from the California Waterfowl Association.

Mr. Perrine reported that Ms. Virginia Getz, representing Ducks Unlimited, Inc., and Mr. Don Koch, representing the Department of Fish and Game, were in the audience should there be any questions.

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

Staff recommended that the Board approve this project as proposed; allocate \$103,000.00 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.

It was moved by Ms. Annette Porini that the Board approve this project as proposed; allocate \$103,000.00 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.

25. Alberhill Conservation Area, Riverside County \$6,010,000.00

Mr. Wright reported that this proposal was for the allocation of a grant to the County of Riverside to assist in its purchase of one or more real properties, totaling up to 9,422^v acres. Acquisition of the real property will preserve a regionally-significant wildlife corridor and protect threatened and endangered wildlife, native plants and special habitats and further implement joint federal, state and local Natural Community Conservation Planning (NCCP) efforts in western Riverside County. Ms. Debra Townsend briefly described the project and its location.

The Alberhill Creek area is located along the Interstate 15 corridor in the Temescal Valley, between the cities of Corona and Lake Elsinore. The topography of the area can mostly be characterized as low elevation and flat alluvial flood plain. The valley, however, rises steeply into rugged sloping terrain on either side of the Temescal Creek drainage. Most of the area is currently undeveloped. However, the southern boundary of the project area includes portions of the city of Lake Elsinore.

The location of the proposed Alberhill Conservation Area is strategically important to the development of the County=s Multiple Species Habitat

Conservation Plan (MSHCP) because it would link habitats and provide wildlife corridors within a large network of preserves in southwestern Riverside County. The corridors allow animal movement between areas of refuge, particularly in the Indian Wash and Horsethief Canyon areas. These areas are natural drainages that connect the Department of Fish and Game=s (DFG) Lake Mathews-Estelle Mountain Ecological Reserve to the northeast with the Cleveland National Forest to the west. The proposed conservation area also serves as a connection from the Santa Ana River to populations of various species to the south. This corridor connects populations of the Least Bell=s vireo in the Prado Basin to populations along Alberhill Creek and Temescal Wash. The DFG has approved a Conceptual Area Protection Plan for the 9,244 \surd acre area and recommends the state=s funding participation in the County=s acquisition of these important connections.

The proposed conservation area is also important in terms of containing high quality habitat hosting several threatened and endangered species and habitats. The area is a mix of different chaparral, sage scrub and riparian habitats. The majority of the area is dominated by Riversidean sage scrub, an important habitat for several native species such as the California gnatcatcher and Quino checkerspot butterfly. Other upland habitats include the Diegan coastal sage scrub and chamise chaparral. Habitats associated with the Temescal Creek drainage include riparian scrub, riparian forest, southern willow scrub and southern cottonwood willow, important areas for the Least Bell=s vireo and Southwestern willow flycatcher.

The proposed Alberhill Conservation Area is integral to the eventual

development of an agreed upon MSHCP/NCCP with the County and various other local jurisdictions within the planning area. It is proposed that the County assume full responsibility for management of the properties which could lead to cooperative agreements between various public agencies, private interests and non-governmental organizations. This type of cooperative management ensures that multiple management objectives can be achieved more efficiently by drawing the strengths of the various partners. Specifically, the DFG would benefit by achieving the objectives of its CAPP without the burden of primary management responsibility.

The County proposes that the area be managed primarily to preserve threatened and endangered species and to conserve biodiversity. Additional management objectives may include providing public access for recreational pursuits such as fishing and hiking as well as educational opportunities through interpretive kiosks and signs. Since this area may be managed as part of a western Riverside County multi-species preserve system, all management activities identified would need to be consistent with the management component of the County's MSHCP/NCCP.

The Board's proposed grant would provide the County with \$6,000,000.00 to facilitate its acquisition of one or more properties within the conservation area. It is estimated that an additional \$10,000.00 will be needed for administrative expenses, including Department of General Services' review costs, bringing the total recommended allocation for the proposal to \$6,010,000.00.

The terms and conditions of the proposed grant provide that DFG will

review and approve the property being proposed for acquisition by the County. The grant further provides that staff will review all proposed title documents, appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds directly into the County's escrow account or accounts for the purchase of these properties.

Mr. Wright reported that the Board received letters of support for this project from Congressmen Darrell Issa and Ken Calvert, Friends of the Forest and Santa Rosa Plateau, and the Endangered Habitats League.

Ms. Townsend reported that Supervisor John Tavaglione, County of Riverside, was in the audience, also Jeff Drongesen, representing the Department of Fish and Game. Supervisor Tavaglione spoke in support of the proposal and expressed his appreciation for the Department's participation in this project. Mr. Hight commended the County for their efforts.

Staff recommended that the Board approve the award of a grant to the County of Riverside to be applied toward the acquisition of up to 9,422 $\frac{1}{2}$ acres, as proposed; allocate a total of \$6,010,000.00 for the grant and related expenses, as follows: \$4,165,000.00 from the General Fund $\frac{1}{2}$ NCCP, and \$1,845,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop 12), Section 5096.350 (a)(3) T&E; 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 C. Hight that the Board approve the award of a grant to the County of Riverside to be applied toward the acquisition of up to 9,422 \surd acres, as proposed; allocate a total of \$6,010,000.00 for the grant and related expenses, as follows: \$4,165,000.00 from the General Fund \surd NCCP, and \$1,845,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop 12), Section 5096.350 (a)(3) T&E; 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.

26. Triple Creeks Conservation Area, Riverside County \$7,010,000.00

Mr. Wright reported that this proposal was for the allocation of a grant to the County of Riverside, and the acceptance and transfer of a \$10,000,000.00 grant from the U.S. Fish and Wildlife Service (USFWS), to assist in the County=s acquisition of one or more real properties, totaling up to 9,706 \surd acres of land. Acquisition of the property is intended to preserve a regionally-significant wildlife corridor and protect threatened and endangered wildlife, native plants and special habitats and further implement joint federal, state and local Natural Community Conservation Planning (NCCP) efforts in western Riverside County. Ms. Debra Townsend briefly described the project and its location.

The proposed Triple Creeks Conservation Area is located primarily to the east of Interstate 215 and northeast of the City of Murrieta. The project

area includes portions within the City of Murrieta, the City of Temecula and the unincorporated communities of Murrieta Hot Springs, French Valley and Antelope Valley. Access to the area is via Interstate 15/215 or State Highway 79. The topography of the area can be characterized as rolling hills and alluvial valleys crossed by several streams flowing southwest to Murrieta-Temecula Creeks and from there into the Santa Margarita River. This general region and the proposed conservation area are rapidly developing, particularly along the Interstate 15 corridor.

Most large areas of publicly-owned open space in western Riverside County consist of hilly and mountainous terrain, with the exception of the Department of Fish and Game's (DFG) San Jacinto Wildlife Area and portions of the State Parks' holdings at Lake Perris. A majority of the land that will be proposed for protection under the County of Riverside's proposed Multiple Species Habitat Conservation Plan (MSHCP) will also be concentrated in hilly and mountainous areas. The Triple Creeks Conservation Area, however, is one of the lowland areas proposed for conservation under the MSHCP as necessary for the preservation of coastal-plain valley habitats which support species such as Stephens' kangaroo rat, California gnatcatcher, San Jacinto fairy shrimp and the Quino checkerspot butterfly. These species are rapidly becoming threatened or endangered throughout southern California. The mountainous hills and riparian canyons of the conservation area consist of high quality habitat, including a mix of oak riparian, coastal sage scrub, chaparral and annual grasslands, supporting raptors and upland species.

Future development in the valleys will create impassible barriers between

other reserves, such as the Southwestern Riverside County Reserve, the Cleveland National Forest and DFG=s Johnson Ranch Reserve, Santa Rosa Plateau Ecological Reserve or the San Jacinto Wildlife Area. The proposed conservation area would consist of a single core reserve in the center of the French Valley-Antelope Valley and linkages between the core reserve and the existing habitat reserves. The DFG has approved a Conceptual Area Protection Plan (CAPP) for the 9,706∇ acre project and recommends the state=s funding participation in the County=s acquisition of these important connections.

The proposed Triple Creeks Conservation Area is integral to the eventual development of an agreed upon MSHCP/NCCP with the County and various other local jurisdictions within the planning area. It is proposed that the County assume full responsibility for management of the properties, which could lead to cooperative agreements between various public agencies, private interests and non-governmental organizations. This type of cooperative management ensures that multiple management objectives can be achieved more efficiently by drawing on the strengths of the various partners. Specifically, the DFG would benefit by achieving the objectives of its CAPP without the burden of primary management responsibility.

The County proposes that the area be managed primarily to preserve threatened and endangered species and to conserve biodiversity. Additional management objectives may include providing public access for recreational pursuits, such as fishing and hiking, as well as educational opportunities through interpretive kiosks and signs. Since this area may be managed as part of a western Riverside County multi-species preserve system, all

management activities identified would need to be consistent with the management component of the County=s MSHCP/NCCP.

The Board=s proposed grant would provide the County with \$7,000,000.00 to facilitate its acquisition of one or more properties within the conservation area. It is estimated that an additional \$10,000.00 will be needed for administrative expenses, including Department of General Services= review costs, bringing the total recommended allocation for the proposal to \$7,010,000.00. In addition, the USFWS has agreed to enter into a Cooperative Agreement with the Board to contribute \$10,000,000.00 in Section 6 funds to the County, to be deposited directly into an escrow or escrows established for the purchase of real property within the conservation area.

The terms and conditions of the proposed grant provide that DFG and USFWS will review and approve any property being proposed for acquisition by the County. The grant further provides that staff will review all proposed title documents, appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds directly into the County=s escrow account or accounts for the purchase of these properties.

Mr. Wright reported that the Board received letters of support for this project from Congressmen Darrell Issa and Ken Calvert, also from the Endangered Habitats League.

Ms. Townsend reported that Supervisor John Tavaglione, Riverside County Board of Supervisors, and Mr. Jeff Drongesen, Department of Fish and

Game, were in the audience should there be any questions.

Staff recommended that the Board approve the award of a grant to the County of Riverside to be applied toward the acquisition of up to 9,706 ∇ acres, as proposed; allocate \$7,010,000.00 for the grant and related expenses from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop12), Section 5096.350 (a)(5); authorize the acceptance of U.S. Fish and Wildlife Service Section 6 funds in the amount of \$10,000,000.00, for placement directly into escrow or escrows for purposes of acquiring real properties as proposed; 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 Ms. Annette Porini that the Board approve the award of a grant to the County of Riverside to be applied toward the acquisition of up to 9,706 ∇ acres, as proposed; allocate \$7,010,000.00 for the grant and related expenses from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop12), Section 5096.350 (a)(5); authorize the acceptance of U.S. Fish and Wildlife Service Section 6 funds in the amount of \$10,000,000.00, for placement directly into escrow or escrows for purposes of acquiring real properties as proposed; 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.

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| 27. | <u>Carrizo Plain Ecological Reserve, Expansion 3,
San Luis Obispo County</u> | <u>\$4,286,600.00</u> |
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Mr. Wright reported that this proposal was to consider the acquisition of 14,314^{1/2} acres of land from The Nature Conservancy (TNC) as an addition to the state's Carrizo Plain Ecological Reserve for the protection of several sensitive plant and animal species and to provide a direct link between the Los Padres National Forest and the Carrizo Plain National Monument in eastern San Luis Obispo County. Additionally, this proposal is to authorize the acceptance of mitigation funds in the amount of \$21,400.00 to be used toward the purchase of the subject, which is mitigation for San Joaquin kit fox and has been approved by the Department of Fish and Game (DFG). Ms. Linda Drake briefly described the project and its location.

The Carrizo Plain is located about 150 miles northwest of downtown Los Angeles and lies midway between Santa Maria and Bakersfield in a valley separating the Coast and Temblor mountain ranges. The subject property (Chimineas Unit) is situated between the Los Padres National Forest to the south and the Carrizo Plain National Monument to the northeast. Highway 166 borders the property on the south and provides access to the site.

In 1985, the U.S. Fish and Wildlife Service, the Bureau of Land Management (BLM) and the DFG signed a Memorandum of Understanding to establish the Carrizo Plain Natural Area (CPNA). Representatives of 16 public and private agencies formed a steering committee to develop the concept and objectives of the CPNA and to secure the necessary funds to purchase and manage the land. Committee representation includes San Luis Obispo and Kern Counties, the ranching industry, oil, gas and mining industries, federal and state governments and environmental groups. The area's first purchase, 82,000^{1/2} acres, was by TNC in 1988. Subsequently,

TNC sold a majority of the acreage to BLM. This was followed by three additional purchases by the Wildlife Conservation Board (WCB) beginning in late 1988. The overall designated area of the CPNA is 253,628 \surd acres; 200,000 \surd acres of BLM land, 6,300 \surd acres of TNC land, 8,500 \surd acres of DFG land and about 42,000 \surd acres of land held by private owners.

Former President Clinton, while in office, designated the federal lands of the CPNA as the Carrizo Plain National Monument (CPNM). This area allows for tremendous interpretive and educational opportunities, not only because of the incredible natural and cultural values associated with it, but also due to its close proximity to the Santa Barbara and San Luis Obispo metropolitan areas. As a replica of what the San Joaquin Valley was like before widespread settlement, the CPNM has been the focus of educational programming in the United States, Europe and South America.

The CPNM is the largest remaining tract of the San Joaquin Valley biogeographic province with limited human alteration containing a diverse complex of habitats with very limited distribution. It includes the largest remaining contiguous habitats for many endangered, threatened and rare species such as the San Joaquin kit fox, blunt-nosed leopard lizard, giant kangaroo rat and San Joaquin antelope squirrel, supporting some of the healthiest populations of these species. The CPNM also provides habitat for many state or federally listed plant species, including the California jewelflower, Hoover=s woolly-star and San Joaquin woolly-threads. In addition, the area contains habitat for California condors as well as pronghorn antelope, mule deer, tule elk, sandhill cranes and mountain plovers.

The approved appraisal value of the property is \$4,328,210.00 and TNC

has agreed to sell it to the state for \$4,292,987.00. It is estimated that an additional \$15,013.00 will be needed for title insurance, escrow and Department of General Services= review costs. The project is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes and the appropriate notice would be filed upon approval by the Board.

Mr. Wright reported that the Board received several letters of support for this project from the Arroyo Grande Sportmen=s Club, California Native Plant Society, California Central Coast Chapter of Safari Club International, Rocky Mountain Elk Foundation, North Cuesta Audubon Society and the City of San Luis Obispo. He also noted that the Board received letters of concern from adjacent landowners Pamela and Daniel Doiron and James Rickard, and a request for additional information from the Department of Conservation.

Ms. Drake reported that Ms. Anne McMahon and Ms. Jennifer Johnson of The Nature Conservancy, and Mr. Jim Swanson of the Department of Fish and Game, were in the audience should there be any questions.

Mr. Hight asked if there were any questions or comments. Mr. Doiron expressed his appreciation for the opportunity to address the Board. Mr. Doiron stated that he represented some of the landowners that are in direct contact with the acquired land. He stated that there are Tule elk herds in the area, that will be impacted by the project. He added that the landowners do not oppose the conservation of the area, but are concerned about some safety issues in the future that will impact the area. He stated that the land is part of the Cuyama Valley and not part of the Carrizo

Plains ecological system. He believes the Department is not aware of what endangered species are on that land and that the Department has not conducted studies. Mr. Doiron stated that a major safety issue is access along Highway 166, a major road with lots of traffic. He added that there have been continual problems with fires, accidents involving large animals, and that these issues must be considered in the planning process. He stated that this land was acquired by The Nature Conservancy during the summer of 2001 and that as part of the conservation in that area the water was shut off, forcing the elk herd to move closer to the highway, presenting significant safety issues. He stated that the landowners request consideration of this project be postponed until the Department of Fish and Game can put together a management plan so that the safety issues and concerns regarding adequate fire prevention can be addressed before approving the acquisition.

Mr. Hight stated that typically acquisitions occur and then a plan is prepared immediately thereafter. Mr. Jim Swanson, representing the Department of Fish and Game, stated that in the interim, the Department proposes to use the existing management plan for the Carrizo Plains and surrounding area. He added that after the Department obtains more information regarding the property, a more detailed plan would be developed, such as access off of Highway 166, considering whether or not it is appropriate, and dealing with safety and fire issues. He stated that the Department of Fish and Game works with the Department of Forestry and Fire Protection to make sure their fire plan meets their standards. He added that in regard to the tule elk and the water problem, it is the Department's understanding the previous owner began efforts to resolve this problem and that the Department plans to do some habitat work in the area, recognizing the need for water in this very dry area. Ms. Porini asked

how long it would take the Department to develop the management plan. Mr. Swanson stated that it normally takes approximately one year to develop the plan, and explained that with the assistance of The Nature Conservancy, the Department already started conducting resource inventories on the property. He stated that public work shops which provide input and address concerns are usually conducted before the management plan is developed. Mr. Swanson stated that with this project those workshops would start within three to four months of the acquisition.

Mr. Hight commented that this acquisition would not make matters worse and that it is the goal of the Department to improve the situation, assuring Mr. Doiron that through the public process the Department would seek their guidance and wisdom in developing the management plan. Mr. Doiron asked why the management plan is not developed before the property is acquired, using the Board=s special project funds account. Mr. Wright explained that those special project funds are not used for the long-term development of management plans.

Staff recommended that the Board approve the acquisition of 14,314 ∇ acres and to accept the \$21,400.00 in mitigation fees toward the purchase; allocate \$4,286,600.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Section 5096. 350(a)(3)) to pay for the remaining acquisition cost and related project expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

It was moved by Mr. Robert C. Hight that the Board approve the

acquisition of 14,314 ∇ acres and to accept the \$21,400.00 in mitigation fees toward the purchase; allocate \$4,286,600.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund, Section 5096. 350(a)(3), to pay for the remaining acquisition cost and related project expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

28. Merced River Salmon Habitat Preservation Project, \$355,000.00
Robinson Cattle Company, Merced County

Mr. Wright reported that this proposal was to consider the acquisition of a conservation easement over 310 ∇ acres as a cooperative project with the Department of Water Resources (DWR) and Department of Fish and Game (DFG) to provide salmon spawning gravel and protect seasonal and permanent wetlands and other related upland and riparian habitats. The proposal is also to consider the purchase of 335,616 tons of aggregate material which deposits are located in the upper Merced River, east of the Hwy 59 crossing, and accept the donation of 914,384 tons of aggregate as part of the transaction. The subject property is located approximately 10 miles northeasterly of the City of Merced, Merced County, four miles northerly of LeGrand and two miles easterly of Planada, near the southeast juncture of Highway 140 and Cunningham Road. Mr. Ron Boeck briefly

described the project and its location.

The Merced River Salmon Habitat Preservation Project is a cooperative project by the DWR and DFG to restore and enhance salmon habitat, more specifically spawning gravels and riparian habitat along the upper Merced River. The project area is considered critically important to the maintenance of salmon populations in the San Joaquin Valley. The area contains a number of listed plants and animals and is considered a significant wintering habitat for waterbirds and raptors. The project, as proposed, is considered by the DFG to be essential to the conservation of salmon spawning habitat, and would aid in the natural re-establishment of riparian vegetation for shading and nutrient input. The property proposed for this acquisition is part of the DFG's East Merced Vernal Pool Grasslands Conceptual Area Protection Plan. 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 Sierra canyons to Stanislaus National Forest, Sierra National Forest and Yosemite National Park, the preservation of habitats in the properties described in the plan are considered a necessary step to preserve a significant linkage of wildlife habitats and corridors between the San Joaquin Valley and the high Sierras. The Merced River Corridor is key to meeting the goals of this DFG habitat protection plan.

The Merced River Corridor, adjacent vernal pools and grasslands 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 the adjacent river

and 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 the Merced River corridor 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, this river corridor and adjacent 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, this still-unfragmented habitat faces the very real threat of subdivision and development or conversion to more intense aggregate mining or agricultural use. The Central Valley is experiencing tremendous growth pressure, but in this part of the valley it might become even greater with the potential construction of a new campus of the University of California.

Management objectives for the subject include maintaining cattle ranching as the primary land use and protection of the stream corridor by

implementing an aggressive, but owner friendly, management plan. The plan is designed to maintain healthy populations of special status species and improve the ecological health of the area by encouraging modifications to ranching practices, such as fencing riparian areas and encouraging other practices conducive to the improvement of both the aquatic and upland habitat.

The grantor has agreed to sell a conservation easement over the project area, 310 $\frac{1}{2}$ acres, a portion of his larger ownership, for the approved appraised value of \$105,000.00. Additionally, for project purposes, the grantor agrees to sell 335,616 tons of aggregate material valued at \$0.73 per ton. The grantor further agreed to donate an additional 914,384 tons of aggregate material for future project purposes or to simply keep it in place.

The appraised fair market value for the proposed conservation easement over this land and aggregate material is \$350,000.00, a value approved by the Department of General Services. An additional \$5,000.00 is estimated to be needed for title and escrow cost and Department of General Services= review costs, bringing the total allocation necessary for this proposal to \$355,000.00.

The proposed acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes and appropriate Notices of Exemption will be filed upon Board approval. Any CEQA compliance related to DWR restoration activities will be addressed by DWR. As the purchase is a conservation easement, with the fee ownership remaining with the current landowner, day to day operation and management of the property will also remain with the

landowner.

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

Staff recommended that the Board approve this project as proposed for the acquisition of the conservation easement and materials purchase and accept the donation of additional material as proposed above; allocate \$355,000.00 for the acquisition and related administrative expenses from the Habitat Conservation Fund, Section 2786 (e/f); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

It was moved by Ms. Annette Porini that the Board approve this project as proposed for the acquisition of the conservation easement and materials purchase and accept the donation of additional material as proposed above; allocate \$355,000.00 for the acquisition and related administrative expenses from the Habitat Conservation Fund, Section 2786 (e/f); 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.

29. Eagle Ridge Conservation Easement, Calaveras County \$10,000.00 and Tax Credit

Mr. Wright reported that this proposal was to consider approval of an application for inclusion into the Natural Heritage Preservation Tax Credit Act of 2000 (NHPTC), the acceptance of a donation of a conservation easement over 3,009⁹/₇ acres of wildlife habitat and approval of a tax credit in the amount of \$1,430,000.00, pursuant to the requirements of

the NHPTC. The subject property, known as the Eagle Ridge Ranch, is located in north central Calaveras County, about 12 miles east of San Andreas near the community of Rail Road Flat, and the conservation easement would be donated to the Department of Fish and Game (DFG). Mr. John Donnelly briefly described the project and its location.

The Board allocated funding in 1985, 1988 and 1998, for the purposes of acquiring conservation easements on 2,000^v acres of lands adjacent to and running south of the subject property for protection of contiguous critical deer winter range benefitting the Railroad Flat deer herd. If approved, this project will bring the total contiguous acreage protected to approximately 5,310 acres, which includes a 300-acre holding of the U.S. Bureau of Land Management.

The key species benefitting from this proposed conservation easement are migrant California mule deer. Virtually the entire property provides winter habitat for large numbers of migrant deer. However, the ranch also supports a variety of wildlife, including black bear, mountain lion, bobcat, coyote and California quail. In addition, Calaveras Reservoir is located on the property and supports a variety of waterfowl species, including ducks and Canada Geese. The property also supports nesting eagles which have successfully fledged their young the last two years.

The principal habitat type can best be described as nonserpentine gray pine-chaparral woodland. The overstory is composed of interior live oak and gray pine with an extensive annual grassland and scattered buck brush understory. The ridge areas are composed of lava flows with shallow soils dominated by scrubs like buck brush. The lower areas have a heavier

cover of oaks. In addition, the North Fork Calaveras River flows across the property and provides, along with the Calaveras Reservoir, important riparian resources for riparian dependent species.

According to the DFG=s Railroad Flat deer herd management plan, up to 75 percent of the winter range for this herd is privately owned. Land uses in the area are gradually changing from large acreage cattle ranches to small acreage ranchettes, potentially reducing the property=s wildlife values.

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

Consistent with the provisions of the Natural Heritage Preservation Tax Credit Act, the donation of the subject property qualifies for a tax credit under Section 37015 (b) of the Act. According to the Act, landowners who donate property or interests in property for wildlife purposes, 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 a conservation easement over approximately 3,009 acres of wildlife habitat entitles the landowner to receive 55 percent of the Department of General Services= approved, appraised value of \$2,600,000.00, resulting in a tax credit of \$1,430,000.00.

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 September 25, 2001, a public hearing was held in Calaveras County at the San Andreas County Library to discuss the proposed donation. The hearing was attended by members of the public, County representatives, California Oak Foundation and WCB staff. The general consensus was in full support of the proposed conservation easement.

The proposed donation and subsequent acceptance of the conservation easement is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of an interest in land for wildlife conservation purposes and the appropriate notice would be filed upon approval of the project by the Board.

Mr. Donnelly expressed his appreciation to the landowners, Sherri and Jerry Hodnefield, who were in the audience, and also to Janet Cobb of the California Oaks Foundation, who was a big help to both the Department of Fish and Game and the Wildlife Conservation Board during the planning process.

Mr. Hight asked the audience if there were any questions or comments. There were none. Ms. Porini thanked the landowners for their very generous donation and expressed appreciation to the Board for the manner in which the maps and displays are now presented.

Staff recommended that the Board approve the acceptance of the conservation easement as proposed; approve the donation and related tax credits; allocate \$10,000.00 from the Habitat Conservation Fund, Section 2786 (a), to cover project costs, including Department of General Services=

review charges, escrow and title company costs; 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 Ms. Annette Porini that the Board approve the acceptance of the conservation easement as proposed; approve the donation and related tax credits; allocate \$10,000.00 from the Habitat Conservation Fund, Section 2786 (a), to cover project costs, including Department of General Services= review charges, escrow and title company costs; 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.

30. Hart Ranch Donation, Lake County Tax Credit

Mr. Wright reported that this proposal was to consider a donation of approximately 22 acres to the California Department of Parks and Recreation (DPR) for inclusion under the Natural Heritage Preservation Tax Credit Act of 2000 and approve a tax credit in the amount of \$20,350.00 in favor of George N. Hart and Danney R. Hart, the donors of the land. Ms. Marilyn Cundiff briefly described the donation and its location.

The Hart property is located at the southwest corner of Clark Drive and Soda Bay Road, just southwest of the entrance to the Clear Lake State Park in the unincorporated community of Kelseyville. The property is approximately 10 miles east of Lakeport and approximately five miles north of Kelseyville.

The donation qualifies for the tax credit program pursuant to Section 37015 (e). Specifically, as an expansion to the Clear Lake State Park, 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 Clear Lake State Park. Over the years, the DPR has focused on AFirst and Last Impressions@ of parks for the visiting public. This proposed donation will contribute toward the department=s mission of providing viewshed impressions unspoiled by development. In

addition, the site is of archaeological importance. Specifically, there are known Native American Pomo archaeological sites and artifacts located on this parcel.

Even though the site consists of relatively steep hillside terrain sloping upward from Clark Drive and Soda Bay Road, the property provides panoramic views of Mount Konocti and of the surrounding lower areas including Clear Lake. The vegetation is natural and includes oak woodlands, buckeye and gray pine. The property includes the Konocti ridgeline which runs down from Mt. Konocti. The ridgeline is used as a corridor by numerous species of wildlife as they move from higher elevations down to the Cole Creek area for food and water. Species observed in this corridor include mountain lions, Blacktail deer, wild turkey, bobcats, coyote, Jack rabbits, Barn Owls, Redtail Hawk and California Quail.

Consistent with the provisions of the Natural Heritage Preservation Tax Credit Act of 2000, the donation of approximately 22 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 of 55 percent of the appraised fair market value of the donation. Further, the appraised fair market value must be, and has been, approved by the State Department of General Services. Accordingly, the donation of approximately 22 acres would entitle the landowners to receive a tax credit of 55 percent of the fair market value of \$37,000.00. Thus, the tax credit would be \$20,350.00.

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 where the property is situated. Pursuant to this requirement, the DPR held a public hearing on August 23, 2001. The meeting was attended by members of the community and the Superintendent of the Clear Lake State Park. According to DPR staff and minutes of the meeting, the donation was supported and there was no opposition or concern with respect to the proposed donation or the expansion of the Clear Lake State Park.

Ms. Cundiff reported that Mr. Gordon McDaniel, representing the Department of Parks and Recreation, was in the audience should there be any questions.

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

Staff recommended that the Board approve the donation for inclusion to the Natural Heritage Preservation Tax Credit Program 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 Ms. Annette Porini that the Board approve the donation

for inclusion to the Natural Heritage Preservation Tax Credit Program 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.

31. Sacramento River Conservation Area, Expansions 4 and 5, \$4,423,000.00
Glenn County

Mr. Wright reported that this proposal was to consider the allocation of two separate grants, one to The Nature Conservancy (TNC) and one to the Sacramento River Partners (SRP), to assist in the acquisition of 712.55^v acres of private land, and to authorize the acceptance of the donation of all or portions of the properties, as expansions to the Sacramento River Conservation Area, for the protection of habitat for threatened and endangered species and riparian habitat. The properties are located within the Sacramento River floodplain, between Hamilton City to the north and Butte City to the South. Mr. Dave Means described the projects and location.

Both properties are improved with orchards and are located outside the immediate levee system of the Sacramento River. Both have paved public road access. Both properties are located near the terminus of levees and, as a result, are prone to flooding as flood waters flow around the ends of the levees.

Because the properties are subject to frequent flooding, they are prime candidates for being taken out of production and allowed to return to riparian habitat. In the future the riparian areas will provide an important seasonal habitat for migratory birds, waterfowl, native

amphibians and salmonids. This includes a number of federal and state listed threatened and endangered species, such as the western yellow-billed cuckoo, giant garter snake, greater sandhill crane, bank swallow, western pond turtle and Swainson=s hawk. Improved riparian habitat will provide improved spawning areas for the central valley steelhead and winter-run Chinook salmon.

Within the area there are many other properties owned by TNC, Department of Fish and Game (DFG) and the U.S. Fish and Wildlife Service (USFWS). At the February 23, 2001 WCB meeting, the Board approved grants of \$805,000.00 and \$561,500.00 to TNC to acquire the Sacramento River Conservation Area (SRCA), 102± acres, and Expansion 1, 89± acres. Both properties adjoin the eastern border of the proposed Expansion 4. TNC also owns two other properties abutting the Expansion 4, totaling 350± acres. Pending approval of this project, TNC will hold in conservation a total of 995± acres in the vicinity.

Located further east of the TNC properties, along the Sacramento River, is the DFG=s, Sacramento River Wildlife Area, 1,078 ± acres in size, acquired in a number of separate transactions between the late eighties and early nineties. Eventually, TNC plans to donate all or a portion of the properties to the DFG, creating a potential total DFG ownership of 2,073± acres at this location.

USFWS holdings in the area include the Sacramento River National Wildlife Refuge, with property located south of and abutting proposed Expansion 4, and property on the east side of the Sacramento River, known as the Pine Creek Unit. At the May 18, 2001 WCB meeting, the Board approved the SRCA, Expansions 2 and 3, to assist in the expansion of the USFWS Pine Creek Unit.

In the vicinity of the proposed Expansion 5, the DFG has a conservation easement over 128.21± acres, known as Angel Slough, and owns 113± acres, part of the Sacramento River Wildlife Area. The USFWS also owns property to the north, the Llano Seco Refuge.

Both proposed expansions fall under the purview of the SRCA. The SRCA was established from Senate Bill 1086, passed by the State Legislature in 1986, calling for development of a management plan to protect, restore and enhance fisheries and riparian habitat along the Sacramento River and its tributaries. The SRCA is governed by a board of directors that includes both private landowner and public interest appointees from each of the seven involved counties, an appointee by the Resources Agency, and is advised by a panel of representatives from three state agencies: the Department of Water Resources, DFG and the Reclamation Board, and three federal agencies: the Corps of Engineers, USFWS and the Bureau of Reclamation. Both proposed projects have been presented to the SRCA Board as information items. Although no position was requested or taken, both acquisitions were seen as consistent with the SRCA Handbook, used as a tool Ato further the goal of restoring and protecting a continuous riparian corridor along the 222 miles of the Sacramento River between Keswick and Verona.@

The two proposed acquisitions are more specifically described as follows:

Sacramento River Conservation Area, Expansion 4 \$2,743,000.00

This is a proposed \$2,733,000.00 grant to TNC to assist in the acquisition of 454± acres of privately-owned agriculture land, located approximately 2.5 miles southeast of Hamilton City on the west side of the Sacramento River. The property is improved with prune and walnut orchards. Besides the protection of riparian habitat, the property is also being acquired to facilitate local efforts to improve flood control in the area, explained below.

Located between the subject property and the Sacramento River is the AJ@ levee. The AJ@ levee is privately owned and provides flood protection to nearby Hamilton City and the local farming community. Over time flooding and erosion have diminished the levee's integrity. The U.S. Army Corp of Engineers is currently studying ways to relocate and reconstruct the levee to a more defensible position, further away from the river. In cooperation with this effort TNC has agreed to allow the relocation and reconstruction of the levee across the subject property. Once the levee is reconstructed, the subject property will be within the inner river zone and allowed to return to riparian habitat. In the interim and before relocation of the levee, TNC will manage the orchards, retiring portions as they reach the end of their useful lives or as necessary due to damage caused by periodic flooding.

TNC has entered into an option agreement with the current owner to acquire the property based on the appraised fair market value of \$2,733,000.00 and as approved by the Department of General Services (DGS). An additional \$10,000.00 will be needed for DGS review costs. The terms of the proposed grant provide staff will review all proposed title documents, preliminary title reports, agreements for purchase, escrow instructions and instruments of conveyance prior to disbursement of funds directly into an escrow account for this purchase.

Mr. Wright reported that the Board received several letters of support for this project from the California Waterfowl Association, Sacramento River Partners, U.S. Fish and Wildlife Service, Audubon Society, Butte Environmental Council, Friends of the River, Sacramento Preservation Trust, Sierra Club Yahi Group, Upper Sacramento River Exchange and Tom Southern, a neighboring landowner. He stated the Board also received a letter of support from Glenn County Board of Supervisors regarding Expansion 4 and a letter of support from Dan Silva, from neighboring Sutter County. He reported that the Board received one letter of opposition regarding Expansion 5 from Glenn County Supervisor Keith Hanson, and a letter from Glenn County Board of Supervisors taking a neutral position regarding Expansion 5.

Mr. Means reported that Mr. Sam Lawson of The Nature Conservancy and Mr. Paul Hoffman of the Department of Fish and Game were in the audience should there be any questions.

Ms. Porini requested clarification of the County=s concerns regarding Expansion 4. Mr. Means explained that this related to the County=s concern that the grant agreement acknowledge the property may be used to assist in the relocation of the AJ@ levee. As a result, the grant agreement has been amended to acknowledge that this property may be used to assist in the relocation of the levee, and staff is agreeable to that condition.

Sacramento River Conservation Area, Expansion 5 \$1,680,000.00

This is a \$1,670,730.00 grant to the SRP to assist in the acquisition of 258.55± acres of privately-owned agriculture land, located on the east side of the Sacramento River, just north of Butte City. The property is improved with almond and walnut orchards, with a 26.61± acre riparian area on the river side of the levee. The owner, as part of this transaction, will donate this riparian area to the SRP.

After the SRP acquires the property, its first action will be to remove the almond orchards, located on the eastern boundary of the property. This area is subject to the worst flooding and has the greatest potential for reestablishment of riparian habitat. The SRP will manage the remaining walnut orchards as such until they can secure additional resources to promote restoration. As a condition of the grant, the DFG will have an option to accept the property through donation for up to seven years, after which the DFG, at its option, can either accept or extend these terms an additional five years.

The SRP has entered into an option agreement with the current owner to acquire the property for \$1,670,730.00, based on the appraised fair market value of \$1,700,000.00, less \$29,270.00 for the riparian area being donated, as approved by the DGS. An additional \$9,270.00 will be needed for DGS review costs. The terms of the proposed grant provide staff will review all proposed title documents, preliminary title reports, agreements for purchase, escrow instructions and instruments of conveyance prior to disbursement of funds directly into an escrow account for this purchase.

The future acceptance of the properties by the state would be exempt from CEQA as acquisitions of land for wildlife habitat conservation purposes and, if approved by the Board, the appropriate notice will be filed with the State Clearinghouse.

Mr. Means reported that Mr. John Carlon of the Sacramento River Partners was in the audience and requested Mr. Carlon explain their plans to involve the public and get local input in the process. Mr. Carlon stated that their objective with the County would be to meet with adjoining landowners and agricultural interests, taking a lot of time to meet one on one or in small workshops and with the County staff as well. He commented that a lot of the properties the state manages along the Sacramento River do not have public access, however, this property has a county-maintained road leading to it, therefore another component of this planning process would be to meet with recreational users and get their input on how to provide recreational and educational opportunities. Ms. Porini asked how soon the planning process would begin and how soon they would be conducting public workshops. Mr. Carlon said they have already started, as this project has been considered by the technical advisory group and Board of

the Sacramento River Conservation Area, and the Glenn County Board of Supervisors, as well as discussion with the Agricultural Commissioner.

Mr. Hight asked if there were any further questions or comments. Mr. Hight stated that he has talked with several members of the board of supervisors and the members are delighted to have the ability to protect Hamilton City in floods and at the same time enhance habitat.

Staff recommended for Expansions 4 and 5, that the Board approve the grants to TNC and the SRP; allocate \$2,743,000 from the Habitat Conservation Fund, Section 2786 (b/c) T&E species, for the grant to TNC for Expansion 4 and \$1,680,000.00 from the Habitat Conservation Fund, Section 2786 (e/f) Aquatic/Riparian for the grant to the SRP for Expansion 5, to be applied toward acquisition and project related costs; authorize the future acceptance of the donation of all or portions of the property to the state; 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 C. Hight that the Board approve the grants to TNC and the SRP; allocate \$2,743,000 from the Habitat Conservation Fund, Section 2786 (b/c) T&E species, for the grant to TNC for Expansion 4 and \$1,680,000.00 from the Habitat Conservation Fund, Section 2786 (e/f) Aquatic/Riparian for the grant to the SRP for Expansion 5, to be applied toward acquisition and project related costs; authorize the future acceptance of the donation of all or portions of the property to the state; 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.

32. South Spit Humboldt Bay, Humboldt County \$5,000.00

Mr. Wright reported that this proposal was to consider the acceptance of a donation of the donor=s interest in 598 $\frac{1}{2}$ acres of vacant land located on the South Spit of Humboldt Bay in Humboldt County and the subsequent conveyance of an interest in the property to the U.S. Bureau of Land Management (BLM) for the protection of wildlife habitat and to provide controlled public recreational use. The subject property is accessible from Highway 101 by traveling west on Hookton Road, then Table Bluff Road to South Jetty Road. South Jetty Road passes through the majority of the property on the west side of Humboldt Bay. Mr. Randy Nelson briefly described the project and its location.

The proposed purchase is composed of two areas which, while not contiguous, are connected by property owned by the U.S. Fish and Wildlife Service. The first area is, for the most part, a very linear parcel running in a generally southwesterly direction from the opening into Humboldt Bay to the southernmost part of the Bay. The westerly boundary is Pacific Ocean coastline. The majority of the easterly boundary is Humboldt Bay. It is also bordered by lands of the State Lands Commission, Humboldt County, the federal government, and Texaco, Inc. The second area comprising the subject property is situated on southeast corner of the Bay and is bounded

by the Bay itself, federal land on the east and west and private property to the south.

The acquisition of the subject property by the state and the management of the property by BLM will provide for the protection and enhancement of habitat for a number of state and federally listed species. Among the federally listed birds seen on the property is the western snowy plover (threatened). The beach layia (endangered) is an annual plant growing on the property that is on both federal and state lists. The subject property is also inhabited by a variety of shore birds, ravens, and vultures, as well as small mammals, foxes and raccoons.

With the acquisition of the subject property, the great majority of the land surrounding Humboldt Bay will be under public ownership and preserved as open space. It is intended that access to the western portion of the property be controlled with the installation of a gate on South Jetty Road to allow for the restoration of damaged areas so that appropriate public recreational access can resume without causing further degradation of sensitive habitat area. In addition, as mentioned above, the subject property has habitat values that are of statewide significance that should be restored and protected.

The donor has agreed to donate its interest in the subject property. The property has not been appraised, thus its value is unknown. There are a number of owners holding title to fractional interests in the property. WCB staff, with the aid of the donor, will pursue those outstanding interests. It is estimated that \$5,000 will be needed by DFG for escrow and title fees and related real estate costs in connection with the present donation.

The acquisition is exempt from the California Environmental Quality Act under Section 15313 as an acquisition of land for wildlife conservation purposes and a Notice of Exemption will be filed upon WCB approval.

Mr. Nelson reported that Mr. Don Koch representing the Department of Fish and Game was in the audience should there be any questions.

Ms. Porini stated that in the past she worked for the state senator who represented the area and she is very familiar with the management problems that occurred on the South Spit area. She added that she feels this proposal is a great solution in terms of taking care of some of those problems.

Mr. Abbott, Assistant State Director of the Bureau of Land Management (BLM), commented that considering the public's use and natural resources located on this property, the BLM would be working cooperatively with the Department of Fish and Game in managing the property.

Staff recommended the Board approve the acceptance of this 598 $\frac{1}{2}$ acre donation; authorize the transfer of an interest in the property to the U.S. Bureau of Land Management at no cost; allocate \$5,000.00 from the General Fund (unscheduled) to pay the expenses associated with accepting and transferring the property; authorize staff to enter into the 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 Ms. Annette Porini that the Board approve the acceptance of this 598 $\frac{1}{2}$ acre donation; authorize the transfer of an interest in the property to the U.S. Bureau of Land Management at no

cost; allocate \$5,000.00 from the General Fund (unscheduled) to pay the expenses associated with accepting and transferring the property; authorize staff to enter into the appropriate agreements necessary to complete this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

33. Tomales Bay State Park Donation, Marin County Tax Credit

Mr. Wright reported that this proposal was to consider a donation of 92± acres to the California State Parks Foundation (SPF) and subsequent transfer to the Department of Parks and Recreation (DPR) for inclusion under the Natural Heritage Preservation Tax Credit Act of 2000 (Act), and to approve a tax credit in the amount of \$651,750.00 in favor of Andrew T. Varlow, the donor of the land. The subject property is located in western Marin County along Tomales Bay approximately : mile northeast of Millerton Point. Mr. Jim Sarro provided a brief description of the donation and its location.

The donation qualifies for the tax credit program pursuant to Section 37015(e) of the Act. Specifically as an expansion to the Millerton Point sub-unit of Tomales Bay State Park, the donation will protect open space and provide the public with park and recreational opportunities. The interim donee will be the SPF, a private non-profit organization, which will allow DPR time to obtain the necessary State approvals for acceptance of the subject property. Upon transfer to DPR by SPF, the addition of the subject property will bring the total contiguous acreage protected at Tomales Bay

State Park to 2,100± acres.

The proposed donation will serve as a broad wildlife corridor by connecting two larger park parcels currently separated by private holdings and linking the shoreline of Tomales Bay with upland open space areas. The principal habitat type is coastal scrub and pine forest, with a small riparian corridor in the center. In addition, the property contains a host of native plant species and is known to support mule deer, mountain lion, bobcat, coyote and many species of land birds, including songbirds, osprey, hawks, quail and waterfowl.

Proposed state park uses will include passive recreation only, such as hiking trails, wildlife viewing and birding. As a requirement of the donation, no development will be undertaken. This project provides DPR with an opportunity to protect additional critical habitat, benefitting a host of wildlife species, while incurring small additional management cost. It is estimated that DPR staff currently providing resource protection patrol and delivering visitor services to the adjacent Millerton and Tomasini Point use areas would provide the same services on this acquisition.

Consistent with the provisions of the Natural Heritage Preservation Tax Credit Act, the donation of the subject property qualifies for a tax credit under Section 37015 (e) of the Act. According to the Act, landowners who donate property or interests in property that will be used as a park or open space 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 a parcel of approximately 92 acres of wildlife habitat entitles the landowner to

receive 55 percent of the State Department of General Services' approved, appraised value of \$1,185,000.00, resulting in a tax credit of \$651,750.00. The proposed donation and subsequent acceptance of the property are exempt from CEQA under Class 13 of Categorical Exemptions, as an acquisition of an interest in land for wildlife and plant protection and conservation purposes.

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 where the property is located. Pursuant to this requirement, a public hearing will be held on November 13, 2001 in Marin County at the Marin District State Parks Headquarters in Novato to discuss the proposed donation.

Mr. Wright reported that the Board received a letter of support for this project from Rusty Areias, Director, Department of Parks and Recreation.

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

Staff recommended that the Board approve the donation for inclusion to the Natural Heritage Preservation Tax Credit Program and issue the related tax credits as proposed; 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 C. Hight that the Board approve the donation for inclusion to the Natural Heritage Preservation Tax Credit Program and issue the related tax credits as proposed; 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.

34. Carpinteria Bluffs Donation - Trust For Public Land, Santa Barbara County \$3,000.00 and Tax Credit

Mr. Wright reported that this proposal was to consider a donation of up to 30 $\frac{1}{2}$ acres to the Trust For Public Land for inclusion under the Natural Heritage Preservation Tax Credit Act of 2000 and to approve a tax credit in the amount of \$7,314,477.00 in favor of Venoco, Inc., the donor of the land. Ms. Marilyn Cundiff briefly described the donation and its location.

The Venoco property is located immediately south of the Ventura Freeway, State Highway 101, and west of the Bailard Road off ramp. It is bordered by Carpinteria Avenue to the north, Dump Road to the east and the Carpinteria Tar Pits Park and the Santa Barbara Channel to the south.

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, coastal and recreational opportunities.

The parcel to be donated is of regional and community significance because it contributes toward the expansion of the Carpinteria Bluffs Coastal Access, Recreational and Open Space Master Plan. Through these plans, the City has shaped an ambitious vision to establish a large belt of public coastal open space with a complex system of trails running the entire length of the city. Furthermore, the proposed donation will contribute toward the Carpinteria General Plan which specifically calls on the City to encourage the linkage of greenbelts and open space by bikeways and trails. In addition, the property to be donated is located immediately adjacent to the Carpinteria Tar Pits Park, an existing coastal recreational area. While public access to the Carpinteria Tar Pits is currently very limited, the subject property would substantially increase public access opportunities to the park and, thus, realize a goal of the Coastal Act.

While the primary purpose of the donation is to provide additional public recreational opportunities and increase public access to state, local parks and recreational areas, the property also provides critical habitat for a number of special species. Specifically, the stands of eucalyptus, elm and Monterey pine trees on the inland parcels of the property play a critical role in the yearly migration of monarch butterflies to North America's west coast.

Every fall, monarch butterflies fly west and south to over-wintering sites in coastal California and central Mexico. Although the number of monarchs migrating to the area varies from year to year, as many as 45,000 butterflies have been observed roosting on the subject property. Such sites are crucial as they sustain the butterfly populations by providing food and protection from the winter weather. The trees on the property provide an important habitat for additional special status species including the white-tailed kite, sharp-shinned hawk, loggerhead shrike, yellow warbler, purple martin, yellow-breasted chat and black swift. Mourning dove, starling, rock dove, Anna=s hummingbird and numerous song birds also inhabit the area.

The coastal portion of the subject property includes approximately 10 acres of coastal bluffs and beach located immediately east of the Carpinteria Tar Pits Park. This piece is of particular importance to the federally protected Pacific harbor seal, as a hauling ground is located on its sandy beach. Here, harbor seals breed, bear their young and haul out to the ocean to rest. This rookery, at which over 300 harbor seals have been observed, is one of only six similar sites located along the mainland southern California coast.

Consistent with the provisions of the Natural Heritage Preservation Tax Credit Act of 2000, the donation of approximately 30 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 by the State Department of General Services. Accordingly, the donation of approximately 30 acres entitles the landowners to receive 55 percent of \$13,299,050.00 for a tax credit of \$7,314,477.00.

At the time of preparation of this agenda, discussions were underway among Venoco, the City of Carpinteria, the County of Santa Barbara and the Trust for Public Land regarding responsibility for any environmental cleanup that may be necessary within approximately 10 acres of the property. The same 10 acre parcel is also subject to a 50 percent fee interest in a third party. In the event that either the cleanup issue remains unresolved or ownership is not vested entirely with Venoco at the time of the hearing of this item by the Board, the 10 acre site would be withdrawn from the donation and the tax credit would be reduced accordingly to \$4,833,701.00, which is 55 percent of the approved fair market value of the 20 acres that would remain as a donation.

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 Trust For Public Land held a public hearing on September 18, 2001. The meeting was attended by members of the community, the City Manager of Carpinteria, representatives of Carpinteria Department of Parks and Recreation, representatives of the donor, Venoco, and staff from the Wildlife Conservation Board and The Trust For Public Land. The public hearing was well attended and participants expressed

a great deal of interest and support for the donation.

There is a third party holder of an interest in a portion of the property. The donor has agreed to acquire the third party's interest, with the escrow closing date of December 10, 2001, thus enabling the donor to complete the donation of fee simple in the entire property to the donee.

Staff recommends the donor's acquisition of the third party's interest by December 10, 2001, as proposed by the donor, be made a condition of the Board's approval of this agenda item and that if the condition is not met, the Board's action is automatically revoked.

Ms. Cundiff reported that Mr. Matt Roberts, representing the City of Carpinteria Department of Parks and Recreation, Mr. Bruce Berwager, representing Venoco, Inc., and Debra Geiler and Shelley Ratay, representing the Trust for Public Land, were in the audience should there be any questions.

Mr. Wright reported that the recommendation to approve this project was separated into two parts, one refers to the annex property and the other to the coastal property. He explained that there were environmental cleanup issues associated with both parcels, the contamination having been in the area for a very long time. Mr. Wright reported that staff of Venoco, Inc., the Trust for Public Land and the City staff were working to resolve the issues. Mr. Wright explained that the annexed parcel had fuel tanks that leaked. He stated there were agreements in place about the remediation and the fact that remediation has taken place on the annexed parcel. The responsible county agency does not want to issue a closure letter on the clean up until the conclusion of the wet season. Mr. Wright stated that it is his belief in talking to all parties involved that everyone fully believes that adequate remediation has been done and the county will approve it. He explained that the motion to approve speaks to the need to insure there is a donation agreement in place that addresses the indemnification issues and the transfer of title from Venoco to the Trust for Public Land and eventually to the City, as well as financial responsibilities for completing the remediation. He stated that all of that is in place and Venoco signed the donation agreement last night. The Trust for Public Land has taken the agreement to their Board today for approval. Mr. Wright stated that the conditions placed before the Board for approval regarding the annex parcel have been met.

Regarding the coastal property, historically from the mid-thirties to the mid-fifties, the site was used as an old county burn dump. Mr. Wright stated that soil samples have been taken for analysis and Venoco has submitted a site characterization work plan to the County for their review and approval. The correspondence between the County indicates that there will need to be additional soil samples taken and an augmentation to the site characterization report. Some remediation needs to be completed before the County issues a site closure letter on the property. Mr. Wright stated there has been significant progress made toward agreement between Venoco and the County regarding financial responsibility for site cleanup issues. Mr. Wright stated that Venoco and the other surface owner, Exxon, reach an agreement regarding Venoco acquiring 100 percent interest in the property before the

donation could be approved.

Mr. Berwager addressed the Board stating that Mr. Wright accurately characterized the cleanup efforts and the agreements that have been reached. He commented that he did not disagree with anything that was said and offered to answer any questions.

Ms. Ratay, representing the Trust for Public Land, acknowledged Mr. Wright's comments were accurate.

Mr. Neilson, Mayor of Carpinteria, also agreed that Mr. Wright's comments accurately reflected the cleanup efforts and the agreements. He stated that he represented the citizens and that the community is fully aware of all the negotiations and the difficulties involved in this matter, however, they are confident that all of the parties are working toward the same goal.

Mr. Michael Endicott, on behalf of Assembly member Hannah-Beth Jackson, expressed appreciation to everyone who worked on this project. He acknowledged that this is an exciting project, a key property, providing public access and preserving habitat. He commented that Assembly member Jackson also respects the way the Board has split the motion, and to make sure all outstanding issues are addressed and the cleanup is completed. Again, he commended the Board for its efforts to resolve the issues.

Ms. Porini stated that she also appreciated the concept of splitting the projects and having the conditions noted. She requested that, in the future and on a periodic basis, staff provide the Board with an update on the project, advising whether or not the conditions are being met, or if there is some problem, until the project is closed.

Mr. Wright reported that the Board received approximately 103 letters of support for this project. Mr. Wright expressed his appreciation to everyone for traveling so far to attend this meeting.

Staff recommended that the Board approve the donation for inclusion under the Natural Heritage Preservation Tax Credit Program and related tax credits, conditioned as described; allocate \$3,000.00 from the General Fund for project review charges; 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 Ms. Annette Porini that the Board approve, on a conditional basis, the donation of the 20-acre Annex parcel and related tax credits in the amount of \$4,833,701.00; allocate \$3,000.00 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.

Annex Donation

35. This approval is contingent upon the execution of a donation agreement between Venoco and TPL that includes the following provisions:

§ Venoco provides indemnification to the Trust For Public Land and its successors in title, for liability arising out of the existing contamination on the property.

§ Venoco=s ongoing responsibility to complete remediation to the satisfaction of regulatory agency(ies).

2. The City of Carpinteria enters into an agreement with the TPL to accept title to the property. Such agreement is subject to the approval of the TPL Board of Directors prior to the close of escrow .

3. Venoco transfers title to TPL.

Coastal Parcel Donation

It was also moved by Ms. Annette Porini that the Board approve, on a conditional basis, the donation of the 10-acre beach parcel and related tax credits in the amount of \$2,480,776.00; allocate \$3,000.00 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.

This approval is contingent upon completion of the following actions before May 30, 2002:

1. Venoco acquires 100 percent of fee interest for the surface estate.
2. Venoco and the County of Santa Barbara reach agreement for cost-sharing to resolve the clean up issues and provide for full remediation. Secondly, execute a plan for action to resolve the clean up issues for the Carpinteria dump agreeable to the County Public Health Department and any other regulatory agency with jurisdiction.
3. Execute a donation agreement between Venoco and TPL that includes the following:
 - § Venoco provides indemnification to the Trust For Public Land and its successors in title, for liability arising out of the existing contamination on the property.
 - § Venoco=s ongoing responsibility to complete remediation to the satisfaction of regulatory agency(ies).
4. The City of Carpinteria enters into an agreement with TPL to accept title to the property. Such agreement is subject to the approval of the TPL Board of Directors prior to the close of escrow.
5. Venoco transfers title to TPL.

Motions carried.

**35.Morro Bay Dunes, San Luis Obispo 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 \$650,000.00, to facilitate the cooperative acquisition of a 40^v acre property by the Department of Parks and Recreation (DPR). Acquisition of the real property will preserve a regionally-significant habitat corridor in the Morro Bay Dunes Greenbelt, on the coast of San Luis Obispo.

The 40-acre Morro Bay Dunes property is located in the town of Los Osos, adjacent to the Los Osos Middle School and within the Morro Bay National Estuary. This vacant property is located at the easterly end of Pismo Avenue, a dirt road extending from South Bay Boulevard. The gently-sloping terrain in this east-west valley supports the past use of the site for farming and offers pleasant views of the Los Osos Valley and Hollister Peak.

The property proposed for acquisition supports a number of rare, threatened and endangered species, as well as sensitive plant communities including the Morro Bay blue butterfly, California red-legged frog, Morro Bay kangaroo rat, California black rail, steelhead trout, Blochman leafy daisy and dune almond. The USFWS has prepared a Recovery Plan for Morro shoulderband snail, in which all designated dune habitat around Los Osos is critical to the survival of the threatened species. Recent studies identify 22 special status animal species and seven special status plant species within just the dune portion of the Morro Bay watershed. These include the only 700 acres of Morro manzanita in the world and the only known remaining locations in California of California Suaeda, a saltmarsh plant.

The property, which is located immediately south of the Morro Bay State Park, is among the key parcels in the multi-agency efforts to preserve the dune complex and to establish a green belt linking this park with the Montana de Oro State Park. Agencies and conservation groups actively engaged in the planning and acquisition efforts include the USFWS, Department of Fish and Game, DPR, U.S. Bureau of Land Management, the Coastal Commission, the State Coastal Conservancy, the Trust for Public Land (TPL) and the Morro Estuary Greenbelt Alliance (MEGA). The parcel has also been deemed important by the Morro Bay National Estuary Program for preserving the long-term health and biodiversity of the Morro Bay Estuary. The project has received support from a variety of political entities from the local to the national levels. Ultimately, acquisition of the Morro Bay Dunes site would solidify linkage between currently protected areas and would aid in the conservation of numerous listed species.

The parcel is currently zoned for residential development. Consistent with local and state-wide residential real estate trends, the community of Los Osos has experienced a dramatic escalation in real estate demand. Sale of the property for residential development and construction would have a significant negative impact on wetland areas, riparian habitat and the endangered coastal dune ecosystem caused by habitat fragmentation, introduction of non-native species, weed encroachment, sedimentation and polluting runoff.

Once acquired, the subject property will be added to the Morro Bay State Park and managed by DPR for increased public access to miles of hiking

trails, open space, restoration areas and state park lands. The acquisition would also secure an outdoor classroom for coastal dune education and restoration work for the Los Osos Middle School located adjacent to the property. Under the guidance of MEGA, the school has developed in-class curricula for the students as part of their Earth Club, studying the importance of dune habitat and growing native dune and riparian plants for revegetation and restoration of their backyard classroom.

A current appraisal, approved by the Department of General Services, indicates the value of the 40⁺ acre property to be \$1,500,000.00. The funding for the acquisition of the property will be provided by a variety of pending grants from the Morro Bay National Estuary Program (\$250,000.00), the Environmental Enhancement and Mitigation Program (\$500,000.00), the Coastal Resources Grant Program (\$100,000.00) and a USFWS Section 6 Grant (\$650,000.00). The Wildlife Conservation Board has agreed to be the receptacle for the Section 6 funds and has entered into a Cooperative Agreement with USFWS. The terms and conditions of the agreement provide that staff will review all 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 for purchase of the property by DPR.

Staff recommended that the Board accept the \$650,000.00 grant from the U.S. Fish and Wildlife Service for deposit directly into an escrow for the purchase of the subject property by the Department of Parks and Recreation, 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 Ms. Annette Porini that the Board accept the \$650,000.00 grant from the U.S. Fish and Wildlife Service for deposit directly into an escrow for the purchase of the subject property by the Department of Parks and Recreation, 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.

****36. East Merced Vernal Pool Grassland Preserve, Expansion 4,
\$3,852,500.00**

Merced County

This proposal was to consider the allocation of a grant to The Nature Conservancy (TNC), a non-profit organization, to acquire a conservation easement over a private ownership, totaling 7,620 ± acres, as part of an ongoing cooperative project to protect critical vernal pool and grassland habitat. The property is located east of Snelling Road, approximately 2 miles south of the town of Snelling and 12 miles northwest of the city of Merced, within Merced County.

The Board authorized and approved two grants during its meeting of May 18, 2001 which facilitated the purchase of conservation easements by the

California Rangeland Trust and TNC encumbering 7,526^v acres of land and effectively establishing the East Merced Vernal Pool Grassland Preserve. Subsequently, the Board, during its meeting of August 30, 2001, awarded two additional grants to TNC which led to the expansion of the Preserve by over 2,000^v acres and, if approved, this project will increase the total area protected to nearly 15,500^v acres.

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. 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, acquisition of the subject property effectively links habitats and provides wildlife corridors between the San Joaquin Valley and the high Sierras.

As noted above, plants and wildlife found on this property are abundant. The annual inundation and subsequent 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.

Waterbirds are heavy users of these vernal pools and adjacent uplands, with users including Canada geese, Pacific white-fronted geese, Ross=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 vernal pool habitat vary greatly depending on the individual property=s potential for conversion and, of course, by individual desires and goals of the property owner. The Central Valley is experiencing tremendous growth pressure and the proposed construction of a new campus of the University of California in Merced County will only increase pressure for residential, commercial and industrial development in area. Additionally, conversion to intense agricultural uses, including orchards, vineyards and row crops is occurring at an alarming rate and if this were to occur on the subject site, would certainly destroy the property=s habitat values.

Management objectives of the subject site would allow for continued cattle ranching as the primary land use while, at the same time, implementing management strategies that promote healthy populations of special status species and incorporating ranching practices that encourage a viable ecosystem. Conserving vernal pool habitat and its associated wildlife

species requires conserving the vernal pools and their associated uplands in an intact ecosystem.

The appraised fair market value for the proposed conservation easement over this land is \$3,847,500.00, 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 \$3,852,500.00

The terms and conditions of the proposed grant provide that staff review and approve all documents pertaining to the Grantee=s acquisition, including 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 the grant to The Nature Conservancy for the conservation easement purchase as proposed; allocate \$3,852,500.00 for the grant amount and for project review charges 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 Ms. Annette Porini that the Board approve the grant to

The Nature Conservancy for the conservation easement purchase as proposed; allocate \$3,852,500.00 for the grant amount and for project review charges 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.

Mr. Hight thanked everyone for attending. He commented that the new maps were a great addition to the meeting.

There being no further business to discuss, the meeting adjourned at 11:30 AM.

Respectfully submitted,

Al Wright
Executive Director

PROGRAM STATEMENT

At the close of the meeting on November 28, 2001, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$930,159,161.92. This total includes funds reimbursed by the

Federal Government under the Accelerated Public Works Program completed in 1966, the Land and Water Conservation Fund Program, the Anadromous Fish Act Program, the Sport Fish Restoration Act Program, the Pittman-Robertson Program, and the Estuarine Sanctuary Program.

The statement includes projects completed under the 1964 State Beach, Park, Recreational and Historical Facilities Bond Act, the 1970 Recreation and Fish and Wildlife Enhancement Bond Fund, the Bagley Conservation Fund, the State Beach, Park, Recreational and Historical Facilities Bond Act of 1974, the General Fund, the Energy Resources Fund, the Environmental License Plate Fund, the State, Urban and Coastal Park Bond Act of 1976, the 1984 Parklands bond Act, the 1984 Fish and Wildlife Habitat Enhancement Bond Act, the California Wildlife Coastal and Park Land Conservation Act of 1988, Cigarette and Tobacco Products Surtax Fund of 1988, California Wildlife Protection Act of 1990, the Safe, Clean, Reliable Water Supply Act of 1996, the Natural Resources Infrastructure Fund, the Harbors and Watercraft Revolving Fund, Forest Resources Improvement Fund, the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000, Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Act of 2000 and the Wildlife Restoration Fund. In addition to projects completed with the above funding sources, this statement includes tax credits awarded under the Natural Heritage Preservation Tax Credit Act of 2000. The tax credits are not reflected in the total amount allocated to projects.

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.....	41,831,997.02
Coastal and Bay	\$ 3,014,730.08
River and Aqueduct Access	11,768,853.70
Lake and Reservoir Access	8,272,682.98
Piers	18,775,730.26
D. Game Farm Projects	146,894.49
E. Wildlife Habitat Acquisition, Development and Improvement	829,045,661.39
Wildlife Areas (General).....	\$263,935,005.29
Miscellaneous Wildlife Habitat Development.....	5,469,933.74
Wildlife Areas/Eco Reserves	
(Threatened, Endangered or Unique Habitat)	250,091,907.07
Land Conservation Area	1,971,557.18
Inland Wetlands Conservation Grants and Easements	13,028,457.79
Riparian Habitat Conservation Grants and Easements	10,177,608.78
Other Wildlife Habitat Grants.....	284,371,191.54
F. Hunting Access Projects.....	484,898.57
G. Miscellaneous Projects (including leases).....	10,656,879.29
H. Special Project Allocations	1,117,464.79
I. Miscellaneous Public Access Projects.....	6,900,417.36

	State Owned	\$1,260,770.63
	Grants	5,649,504.00
J.	Sales and/or exchanges.....	543,088.07
K.	Natural Heritage Preservation Tax Credit Act (tax credits awarded).....	<u>(33,635,827.50)</u>
	Statutory plans.....	(0.00)
	Corridors, wetlands, wildlife habitat, streams and riparian habitat	(2,128,500.00)
	Agricultural lands.....	(0.00)
	Water and water rights	(269,500.00)
	State and local parks, open space and archaeological resources	(31,237,827.50)
	Total Allocated to Projects	\$930,159,161.92