

DEPARTMENT OF FISH AND WILDLIFE

WILDLIFE CONSERVATION BOARD

1416 9TH STREET, ROOM 1266
SACRAMENTO, CALIFORNIA 95814
(916) 445-8448
FAX (916) 323-0280
www.wcb.ca.gov

State of California
Natural Resources Agency
California Department of Fish and Wildlife
WILDLIFE CONSERVATION BOARD
Minutes

September 3, 2015

ITEM NO.		PAGE NO.
1.	Roll Call	1
2.	Funding Status - Informational	3
3.	Special Project Planning Account	13
4.	Proposed Consent Calendar (Items 5 – 7, 11 – 16, and 18 – 22)	14
*5.	Approval of Minutes – May 21, 2015, June 30, 2015, and July 23, 2015	14
*6.	Recovery of Funds	15
*7.	Mouth of Cottonwood Creek Expansion (Manner) Shasta County	22
8.	Epperson Place Ranch Conservation Easement Colusa County	27
9.	Keegan Ranch Conservation Easement Colusa County	27
10.	Yolo County HCP/NCCP Development, Phase III Yolo County	27
*11.	McCune and Cronin Habitat Enhancement Solano County	32

ITEM NO.	PAGE NO.
*12. Maxwell Conservation Easement Transfer Fresno County	38
*13. San Joaquin River Parkway, Spano River Ranch, Habitat Enhancement Project Fresno County	41
*14. Southern Sierra Nevada Mountains, Cummings Ranch Kern County	45
*15. Puma Canyon, Expansion 6 San Bernardino County	50
*16. Shay Meadows Conservation Area Expansions 2 and 3 (Whitcher and Smith) San Bernardino County	54
*17. SR-91 Wildlife Underpass Design Riverside County	58
*18. Western Riverside Multiple Species Habitat Conservation Plan (2012) – Dyer/Wynn, Riverside County	58
*19. Western Riverside Multiple Species Habitat Conservation Plan (2012) - McCormick, Riverside County	63
*20. Hollenbeck Canyon Wildlife Area, Expansion 5 San Diego County	68
*21. Lucky 5 Ranch, Phase II San Diego County	72
*22. Sycuan Peak Ecological Reserve, Expansion 5 San Diego County	77
23. Pine Creek Linkages (Rose Ranch) Tehama County	81
24. Upper Butte Basin Wildlife Area, Expansion 7 Butte County	86
25. Brush Creek Conservation Easement (Miller Trust), Mendocino County	91

ITEM NO.	PAGE NO.
26. Ten Mile River - Parker Ranch, Forest Conservation Program Mendocino County	96
27. Feather River Wildlife Area, Riparian Habitat Restoration Abbott Lake Unit, Augmentation Sutter County	102
28. Blue Ridge-Berryessa CAPP, Smittle Creek Napa County	108
29. Summers Meadow Mono County	113
30. Santa Cruz Mountains Linkages, Coyote Ridge (NCCP), Santa Clara County	118
31. San Joaquin River Parkway, San Joaquin Hatchery Public Access and Trail, Augmentation II Fresno County	126
32. Carmel River, San Clemente Dam Removal, Augmentation Monterey County	133
33. Elkhorn Slough Tidal Marsh Restoration Monterey County	138
34. Cienega Springs Ventura County	144
35. Malibu Creek Rindge Dam Removal, Planning Los Angeles County	149
36. Buena Vista Lagoon (MacHutchin) San Diego County	154

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WILDLIFE CONSERVATION BOARD

September 3, 2015

ITEM NO.

1. Roll Call

WILDLIFE CONSERVATION BOARD MEMBERS

Charlton H. Bonham, Chair
Director, Department of Fish and Wildlife

Karen Finn, Program Budget Manager
Vice, Michael Cohen, Member
Director, Department of Finance

Jack Baylis, Member
President, Fish and Game Commission

JOINT LEGISLATIVE ADVISORY COMMITTEE

Katharine Moore
Vice, Senator Fran Pavley

Tara Brown
Vice, Assembly Member Das Williams

EXECUTIVE DIRECTOR

John P. Donnelly

Wildlife Conservation Board Staff Present:

Minutes for September 3, 2015, WCB Board Meeting

Anh Dang, Office Technician
Dawn Drowne, Staff Services Analyst
Ron Wooden, Seasonal Clerk
Celestial Reysner, Staff Services Analyst
Chad Fien, Public Land Management Specialist IV
Colin Mills, Staff Counsel
Elizabeth Hubert, Public Land Management Specialist IV
Heidi West, Public Land Management Specialist IV
Jasen Yee, Senior Land Agent
John Walsh, Supervising Land Agent
Cynthia Alameda, Public Land Management Specialist IV

Kurt Weber, Senior Land Agent
Laura Featherstone, Executive Assistant
Liz Yokoyama, Senior Land Agent
Lloyd Warble, Staff Services Analyst
Melissa Ho, Budget and Fiscal Officer
Peter Perrine, Assistant Executive Director
Nancy Templeton, Staff Counsel

Scott McFarlin, Public Land Management Specialist IV
Brian Cary, Public Land Management Specialist IV
Brian Gibson, Senior Land Agent

Others Present:

Lauren Ward, Property Owner
Cody Hanford, Transition Habitat Conservancy
Daniel Strait, Bureau of Reclamation
Sharon Weaver, San Joaquin River Parkway and Conservation Trust
Dana Jones, State Parks

Terri Stewart, CDFW
Al Beserra, California Watercress
Kenneth Holbrook, Maidu Summit Conservancy
John Woodbury, Napa County Regional Park and Open Space District
Yvonne Schell, Miller Trust
Helen Swagerty, River Partners
David Van Cleve, Anza Borrego Foundation
Daniel Porter, The Nature Conservancy
Marlyce Myers, The Nature Conservancy
Kevin Knowles, Conservation Land Group
William Cox, CDFW
Gary Williams, CDFW
Jeffrey Shoe, CDFW
John Hunt, Northern California Regional Land Trust
Aaron Johnson, CDFW
Ann Cole, Mendocino Land Trust
Brian Shelton, CDFW
David Neubert, River Partners
Monique Fountain, Elkhorn Slough Reserve
Justin Milami, CDFW

Jill Bays, Transition Habitat Conservancy
Dave Encinas, DWR
Mike Conner, The Nature Conservancy
Matt Freeman, Santa Clara Valley Open space Authority
Edmund Sullivan, Santa Clara Valley Historical Association
Melinda Marks, San Joaquin River Conservancy
Jamie King, State Parks
Linwood Gill, Ten Mile River – Parker Ranch
Steve Miller, Miller Trust

Daniel Cooper, Miller Trust
Terry Palmisano, CDFW
Dick Troy, Anza Borrego Foundation
Petrea Marchand, Yolo Habitat Conservancy
Trish Chapman, Coastal Conservancy
Tim Hermansen, CDFW
Eric Haney, CDFW
Josh Bush, CDFW
Gary Kelley, CDFW
Alisa Ellsworth, CDFW
Andrew Mauro, Buena Vista Audubon Society
Roger Sternberg, Mendocino Land Trust
Cheryl Moxley, CDFW
James Allen, Allen Law Corp.
Kenneth Robledo, CDFW
Gary Miltimore, Sierra Foothill Conservancy

2. Funding Status Informational

The following funding status depicts Capital Outlay appropriations by year of appropriation and by fund source and fund number.

(a)	2015-16 Wildlife Restoration Fund, (0447)	
	Budget Act	\$1,000,000.00
	Previous Board Allocations	<u>-0.00</u>
	Unallocated Balance	\$1,000,000.00
	September 2015 Board Meeting Allocation	0.00
	Total Project Development	<u>-200,000.00</u>
	Projected Unallocated Balance	\$800,000.00
(b)	2015-16 Habitat Conservation Fund, (0262)	
	Non-budget Act	\$20,663,000.00
	Previous Board Allocations	<u>-0.00</u>
	Unallocated Balance	\$20,663,000.00
	September 2015 Board Meeting Allocation	0.00
	Total Project Development	<u>-3,000,000.00</u>
	Projected Unallocated Balance	\$17,663,000.00
(c)	2014-15 Habitat Conservation Fund, (0262)	
	Non-budget Act	\$20,663,000.00
	Previous Board Allocations	<u>-8,521,121.00</u>
	Unallocated Balance	\$12,141,879.00
	September 2015 Board Meeting Allocation	-5,654,879.00
	Total Project Development	<u>-6,487,000.00</u>
	Projected Unallocated Balance	\$0.00
(d)	2013-14 Habitat Conservation Fund, (0262)	
	Non-budget Act	\$20,663,000.00
	Previous Board Allocations	<u>-19,735,644.00</u>
	Unallocated Balance	\$927,356.00
	September 2015 Board Meeting Allocation	-595,575.00
	Total Project Development	<u>-5,000.00</u>
	Projected Unallocated Balance	\$326,781.00

(e)	2012-13 Habitat Conservation Fund, (0262)	
	Budget Act	\$20,663,000.00
	Previous Board Allocations	<u>-4,474,979.00</u>
	Unallocated Balance	\$16,188,021.00
	September 2015 Board Meeting Allocation	0.00
	Total Project Development	<u>0.00</u>
	Projected Unallocated Balance	\$16,188,021.00
(f)	2011-12 Habitat Conservation Fund, (0262)	
	Budget Act	\$20,663,000.00
	Previous Board Allocations	<u>-11,431,820.00</u>
	Unallocated Balance	\$9,231,180.00
	September 2015 Board Meeting Allocation	-2,862,798.00
	Total Project Development	<u>-3,234,411.00</u>
	Projected Unallocated Balance	\$3,133,971.00
(g)	2010-11 Habitat Conservation Fund, (0262)	
	Budget Act	\$20,668,000.00
	Previous Board Allocations	<u>-15,772,849.00</u>
	Unallocated Balance	\$4,895,151.00
	September 2015 Board Meeting Allocation	-3,349,303.00
	Total Project Development	<u>-425,000.00</u>
	Projected Unallocated Balance	\$1,120,848.00
(h)	2009-10 Habitat Conservation Fund, (0262) (2013-14 Reappropriation)	
	Budget Act	\$20,668,000.00
	Previous Board Allocations	<u>-20,315,119.00</u>
	Unallocated Balance	\$352,881.00
	September 2015 Board Meeting Allocation	-276,000.00
	Total Project Development	<u>-76,881.00</u>
	Projected Unallocated Balance	\$0.00
(i)	2008-09 Habitat Conservation Fund, (0262) (2012-13 Reappropriation)	
	Budget Act	\$20,668,000.00
	Previous Board Allocations	<u>-16,686,469.00</u>
	Unallocated Balance	\$3,981,531.00

	September 2015 Board Meeting Allocation	-3,972,899.00
	Total Project Development	<u>-0.00</u>
	Projected Unallocated Balance	\$8,632.00
(j)	2007-08 Habitat Conservation Fund, (0262) (2011-12 Reappropriation)	
	Budget Act	\$20,674,000.00
	Previous Board Allocations	<u>-20,038,475.00</u>
	Unallocated Balance	\$635,525.00
	September 2015 Board Meeting Allocation	-297,037.00
	Total Project Development	<u>-191,391.00</u>
	Projected Unallocated Balance	\$147,097.00
(k)	2006-07 Habitat Conservation Fund, (0262) (2013-14 Reappropriation)	
	Budget Act	\$20,699,000.00
	Previous Board Allocations	<u>-19,833,298.00</u>
	Unallocated Balance	\$865,702.00
	September 2015 Board Meeting Allocation	0.00
	Total Project Development	<u>-0.00</u>
	Projected Unallocated Balance	\$865,702.00
(l)	2006-07 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, (0005) (2015-16 Reappropriation)	
	Capital Outlay Budget [Sections a3, a5 & a6]	\$15,224,000.00
	Previous Board Allocations	<u>-13,619,459.00</u>
	Unallocated Balance	\$1,604,541.00
	September 2015 Board Meeting Allocation	0.00
	Total Project Development	<u>0.00</u>
	Projected Unallocated Balance	\$1,604,541.00
(m)	1999-00 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, (0005)	
	Continuously Appropriated [Sec. 5096.350 (a)(1), (2), (4) & (7)]	\$36,100,000.00
	Previous Board Allocations	<u>-31,350,000.00</u>
	Unallocated Balance	\$4,750,000.00

	September 2015 Board Meeting Allocation	0.00
	Total Project Development	<u>0.00</u>
	Projected Unallocated Balance	\$4,750,000.00
(n)	2004-05 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund, (6029)	
	2014-15 Reappropriation	\$11,000,000.00
	Previous Board Allocations	<u>-10,807,019.00</u>
	Unallocated Balance	\$192,981.00
	September 2015 Board Meeting Allocation	0.00
	Total Project Development	<u>0.00</u>
	Projected Unallocated Balance	\$192,981.00
(o)	2001-02 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund, (6029)	
	Continuously Appropriated (Section 5096.650)	\$273,000,000.00
	Previous Board Allocations	<u>-249,147,449.00</u>
	Unallocated Balance	\$23,852,551.00
	September 2015 Board Meeting Allocation	-1,354,485.00
	Total Project Development	<u>-17,153,989.00</u>
	Projected Unallocated Balance	\$5,344,077.00
(p)	2003-04 Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002, (6031) Colorado River Reappropriated 06/07, 10/11, & 14/15 (Section 79568)	\$32,500,000.00
	Previous Board Allocations	<u>-21,904,443.00</u>
	Unallocated Balance	\$10,595,557.00
	September 2015 Board Meeting Allocation	0.00
	Total Project Development	<u>0.00</u>
	Projected Unallocated Balance	\$10,595,557.00
(q)	2002-03 Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002, (6031)	
	Continuously Appropriated (Sections 79565 and 79572), including Chapter 81, Statutes of 2005	\$814,350,000.00
	2003-04 Budget Act Transfer to HCF from Section 79565	-21,000,000.00
	2004-05 Budget Act Transfer to HCF from Section 79565	-21,000,000.00
	2005-06 Budget Act Transfer to HCF from Section 79565	-4,000,000.00
	2005-06 Budget Act Transfer to HCF from Section 79572	-3,100,000.00
	2006-07 Budget Act Transfer to HCF from Section 79572	-17,688,000.00
	2007-08 Budget Act Transfer to HCF from Section 79572	-5,150,000.00

	2008-09 Budget Act Transfer to HCF from Section 79572	-1,000,000.00
	Previous Board Allocations	<u>-683,897,392.00</u>
	Unallocated Balance	\$57,514,608.00
	September 2015 Board Meeting Allocation	-1,970,000.00
	Total Project Development	<u>-55,544,608.00</u>
	Projected Unallocated Balance	\$0.00
(r)	2010-11 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051) (2014-15 Reappropriation)	
	Budget Act (San Joaquin River Conservancy Projects)	\$3,380,000.00
	Previous Board Allocations	<u>0.00</u>
	Unallocated Balance	\$3,380,000.00
	September 2015 Board Meeting Allocation	-47,280.00
	Total Project Development	<u>-3,332,720.00</u>
	Projected Unallocated Balance	\$0.00
(s)	2009-10 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051) (2013-14 Partial Reappropriation)	
	Budget Act (San Joaquin River Conservancy Projects)	\$4,800,000.00
	Previous Board Allocations	<u>-3,447,280.00</u>
	Unallocated Balance	\$1,352,720.00
	September 2015 Board Meeting Allocation	-1,352,720.00
	Total Project Development	<u>0.00</u>
	Projected Unallocated Balance	\$0.00
(t)	2009-10 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051) (2015-16 Reappropriation)	
	Budget Act (San Joaquin River Conservancy Projects)	\$5,200,000.00
	Previous Board Allocations	<u>0.00</u>
	Unallocated Balance	\$5,200,000.00
	September 2015 Board Meeting Allocation	0.00
	Total Project Development	<u>0.00</u>
	Projected Unallocated Balance	\$5,200,000.00
(u)	2008-09 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051) (2015-16 Reappropriation)	

	Budget Act (San Joaquin River Conservancy Projects)	\$10,000,000.00
	Previous Board Allocations	<u>0.00</u>
	Unallocated Balance	\$10,000,000.00
	September 2015 Board Meeting Allocation	0.00
	Total Project Development	<u>-6,528,642.00</u>
	Projected Unallocated Balance	\$3,471,358.00
(v)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051) (2014-15 Reappropriation)	
	Budget Act (San Joaquin River Conservancy Projects)	\$10,000,000.00
	Previous Board Allocations	<u>-2,889,082.00</u>
	Unallocated Balance	\$7,110,918.00
	September 2015 Board Meeting Allocation	0.00
	Total Project Development	<u>-7,110,918.00</u>
	Projected Unallocated Balance	\$0.00
(w)	2009-10 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051) (2014-15 Reappropriation)	
	Chapter 2, Statutes of 2009 (SB 8)	\$24,000,000.00
	Less 2013-14 Partial Reappropriation	<u>-15,500,000.00</u>
	Balance	\$8,500,000.00
	Less Previous Board	<u>-5,074,012.00</u>
	Unallocated Balance	\$3,425,988.00
	September 2015 Board Meeting Allocation	0.00
	Total Project Development	<u>-0.00</u>
	Projected Unallocated Balance	\$3,425,988.00
(x)	2009-10 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051) (2013-14 Partial Reappropriation)	
	Chapter 2, Statutes of 2009 (SB 8)	\$15,500,000.00
	Previous Board Allocations	<u>-8,875,174.00</u>
	Unallocated Balance	\$6,624,826.00
	September 2015 Board Meeting Allocation	-462,500.00
	Total Project Development	<u>-6,162,326.00</u>
	Projected Unallocated Balance	\$0.00

(y)	2008-09 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051), (2014-15 Reappropriation)	
	Budget Act (NCCP Section 75055(c))	\$25,000,000.00
	Previous Board Allocations	<u>-10,287,979.00</u>
	Unallocated Balance	\$14,712,021.00
	September 2015 Board Meeting Allocation	-2,710,000.00
	Total Project Development	<u>-12,002,021.00</u>
	Projected Unallocated Balance	0.00
(z)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 , (6051) (2014-15 Reappropriation)	
	Budget Act (Section 75055(c))	\$25,000,000.00
	Previous Board Allocations	<u>-23,404,568.00</u>
	Unallocated Balance	\$1,595,432.00
	September 2015 Board Meeting Allocation	0.00
	Total Project Development	<u>-1,595,432.00</u>
	Projected Unallocated Balance	\$0.00
(aa)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051) (2013-14 Appropriation)	
	Budget Act (Section 75055(d)(1))	\$1,279,000.00
	Previous Board Allocations	<u>-1,098,806.00</u>
	Unallocated Balance	\$180,194.00
	September 2015 Board Meeting Allocation	0.00
	Total Project Development	<u>0.00</u>
	Projected Unallocated Balance	\$180,194.00
(ab)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051) (2013-14 Appropriation)	
	Budget Act (Section 75055(d)(2))	\$1,500,000.00
	Previous Board Allocations	<u>-1,177,682.00</u>
	Unallocated Balance	\$322,318.00
	September 2015 Board Meeting Allocation	0.00
	Total Project Development	<u>0.00</u>

	Projected Unallocated Balance	\$322,318.00
(ac)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051) (2013-14 Appropriation)	
	Budget Act (Section 75055(d)(4))	\$2,368,000.00
	Previous Board Allocations	<u>-1,907,281.00</u>
	Unallocated Balance	\$460,719.00
	September 2015 Board Meeting Allocation	-375,000.00
	Total Project Development	<u>0.00</u>
	Projected Unallocated Balance	\$85,719.00
(ad)	2006-07 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051)	
	Continuously Appropriated (Section 75055a)	\$164,700,000.00
	Previous Board Allocations	<u>-127,900,803.00</u>
	Unallocated Balance	\$36,799,197.00
	September 2015 Board Meeting Allocation	-5,146,000.00
	Total Project Development	<u>-17,683,000.00</u>
	Projected Unallocated Balance	\$13,970,197.00
(ae)	Continuously Appropriated (Section 75055(b))	\$123,525,000.00
	Previous Board Allocations	<u>-93,561,851.00</u>
	Unallocated Balance	\$29,963,149.00
	September 2015 Board Meeting Allocation	-620,000.00
	Total Project Development	<u>-14,550,000.00</u>
	Projected Unallocated Balance	\$14,793,149.00
(af)	2015-16 Water Quality, Supply, and Infrastructure Improvement Fund of 2014, (6083)	
	Budget Act (Section 79735(b)(2))	\$38,400,000.00
	Previous Board Allocations	<u>-0.00</u>
	Unallocated Balance	\$38,400,000.00
	September 2015 Board Meeting Allocation	-0.00
	Total Project Development	<u>-0.00</u>
	Projected Unallocated Balance	\$38,400,000.00
(ag)	2015-16 Water Quality, Supply, and Infrastructure Improvement Fund of 2014, (6083)	

Budget Act (Section 79731(g))	\$2,800,000.00
Previous Board Allocations	-0.00
Unallocated Balance	\$2,800,000.00
September 2015 Board Meeting Allocation	-0.00
Total Project Development	-0.00
Projected Unallocated Balance	\$2,800,000.00

RECAP OF FUND BALANCES

Wildlife Restoration Fund (a)	\$1,000,000.00
September 2015 Board Meeting Allocation	0.00
Total Project Development	-200,000.00
Projected Unallocated Balance	\$800,000.00

Habitat Conservation Fund (b), (c), (d), (e), (f), (g), (h), (i), (j), (k)	\$69,882,226.00
September 2015 Board Meeting Allocation	-17,008,491.00
Total Project Development	-13,419,683.00
Projected Unallocated Balance	\$39,454,052.00

Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (l) and (m)	\$6,354,541.00
September 2015 Board Meeting Allocation	0.00
Total Project Development	0.00
Projected Unallocated Balance	\$6,354,541.00

California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Fund (n) and (o)	\$24,045,532.00
September 2015 Board Meeting Allocation	-1,354,485.00
Total Project Development	-17,153,989.00
Projected Unallocated Balance	\$5,537,058.00

Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (p) and (q)	\$68,110,165.00
September 2015 Board Meeting Allocation	-1,970,000.00
Total Project Development	-63,389,426.00
Projected Unallocated Balance	\$2,750,739.00

Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (r), (s), (t), (u), (v), (w), (x), (y), (z), (aa), (ab), (ac), (ad), (ae)	\$105,927,482.00
September 2015 Board Meeting Allocation	-10,713,500.00
Total Project Development	-67,369,627.00
Projected Unallocated Balance	\$27,844,355.00

Water Quality, Supply, and Infrastructure Improvement Fund of 2014 (af) and (ag)	\$41,200,000.00
September 2015 Board Meeting Allocation	0.00

Total Project Development 0.00
Projected Unallocated Balance \$41,200,000.00

TOTAL – ALL FUNDS \$316,519,946.00
 September 2015 Board Meeting Allocation -31,046,476.00
 Total Project Development -161,532,725.00
Projected Unallocated Balance \$123,940,745.00

RECAP OF NATURAL HERITAGE PRESERVATION TAX CREDIT ACT OF 2000

Chapter 113, Statutes of 2000 and Chapter 715, Statutes of 2004
 Tax credits awarded through June 30, 2008 \$48,598,734.00

Chapter 220, Statutes of 2009 (effective January 1, 2010)
 Tax credits awarded \$55,000.00

SUMMARY OF BOND CASH

The following summary provides the status of the up-front general obligation bond sale proceeds that the Wildlife Conservation Board has received since the spring of 2009.

Bond Fund	Authorized GO Bond Proceeds	Expenditures through 08/07/15	Encumbrances through 07/31/15	Cash Balances Includes Encumbrances
Proposition 12	\$ 12,621,973.31	\$ 9,287,343.81	\$ 450,424.09	\$ 2,884,205.41
Proposition 40	\$ 89,120,580.40	\$ 87,054,107.14	\$ 91,236.34	\$ 1,975,236.92
Proposition 50	\$ 164,694,364.56	\$ 87,562,868.69	\$ 730,056.10	\$ 76,401,439.77
Proposition 84	\$ 264,242,047.99	\$ 255,708,975.25	\$ 3,808,226.63	\$ 4,724,846.11
Proposition 1E	\$ 65,725,202.07	\$ 51,613,406.37	\$ 52,856.75	\$ 14,058,938.95
Proposition 1	\$ 40,000.00	\$ 0.00	\$ 0.00	\$ 40,000.00
Grand Totals	\$ 596,444,168.33	\$ 491,226,701.26	\$ 5,132,799.91	\$100,084,667.16

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 the Board's approval of a project, all expenditures incurred and recorded in the Special Project Planning Account are transferred to the Board approved project account which then reduces the Special Project Planning Account expenditures. This procedure provides 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 is available to 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.

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

Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund	\$50,000.00
Habitat Conservation Fund	\$75,000.00
Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006	\$75,000.00
Water Quality, Supply, and Infrastructure Improvement Fund of 2014.....	\$25,000.00

4. Proposed Consent Calendar (Items 5 – 7, 10 – 16, and 18 – 22)

Chairman Bonham requested Item 10 be removed from the Consent Calendar as he had a question on the project.

It was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve Consent Calendar Items 5 – 7, 11 – 16, and 18 – 22 as proposed in the individual agenda explanations.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

- *5. Approval of Minutes – May 21, 2015; June 30, 2015; and July 23, 2015

It was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve the Minutes from the May 21, 2015; June 30, 2015; and July 23, 2015, Board Meeting.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

*6. Recovery of Funds

Informational

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 is recommended that the following totals be recovered and that the projects be closed.

\$687,522.98 to the **Habitat Conservation Fund**
\$241,737.57 to the **California Clean Water, Clean Air, Safe
 Neighborhood Parks, and Coastal Protection Fund**
\$2,753,238.40 to the **Water Security, Clean Drinking Water, Coastal
 and Beach Protection Fund of 2002**
140,228.39 to the **Safe Drinking Water, Water Quality and Supply,
 Flood Control, River and Coastal Protection
 Fund of 2006**
\$0.00 to the **Other**

HABITAT CONSERVATION FUND

Blue Creek, Humboldt/Del Norte County

Allocated	\$1,500,000.00
Expended	<u>-1,500,000.00</u>
Balance for Recovery	\$0.00

Castle Wetland Hydrology Enhancement, Merced County

Allocated	\$85,000.00
Expended	<u>-84,896.12</u>
Balance for Recovery	\$103.88

Cosumnes River Ecological Reserve, Access Easement Exchange,
 Sacramento County

Allocated	\$2,500.00
Expended	<u>-0.00</u>
Balance for Recovery	\$2,500.00

Daugherty Hill Wildlife Area, Howard Hill Unit, Easement Exchange, Yuba
 County

Allocated	\$10,000.00
Expended	<u>-1,362.00</u>
Balance for Recovery	\$8,638.00

East Sacramento County Blue Oak Legacy Area, Expansion 3 (Graves),
Sacramento County

Allocated	\$810,000.00
Expended	<u>-805,060.00</u>
Balance for Recovery	\$4,940.00

Gray Lodge Wildlife Areas Wetland Enhancement, Butte County

Allocated	\$700,000.00
Expended	<u>-675,981.86</u>
Balance for Recovery	\$24,018.14

Grizzly Island Wildlife Area, Crescent Unit Water Conveyance, Solano County

Allocated	\$350,000.00
Expended	<u>-339,620.81</u>
Balance for Recovery	\$10,379.19

Imperial Wildlife Area Wetland Restoration, Imperial County

Allocated	\$1,000,000.00
Expended	<u>-986,753.83</u>
Balance for Recovery	\$13,246.17

Lower Owens River Basin Saltcedar Control, Phase II, Inyo County

Allocated	\$385,000.00
Expended	<u>-385,000.00</u>
Balance for Recovery	\$0.00

Metcalf Meadow, Recovery Land Acquisition Grant (2013), San Bernardino
County

Allocated	\$570,000.00
Expended	<u>-570,000.00</u>
Balance for Recovery	\$0.00

North Grasslands Wildlife Area Wetland Restoration, Merced County

Allocated	\$327,000.00
Expended	<u>-327,000.00</u>
Balance for Recovery	\$0.00

Pismo Creek Fish Passage Improvement, San Luis Obispo County

Allocated	\$563,000.00
Expended	<u>-0.00</u>
Balance for Recovery	\$563,000.00

Puma Canyon, Expansion 5 (Saylor), San Bernardino County

Allocated	\$44,000.00
Expended	<u>-34,000.00</u>
Balance for Recovery	\$10,000.00

Sacramento River National Wildlife Refuge, Codora Unit, Riparian Restoration, Glenn County

Allocated	\$972,490.00
Expended	<u>-967,013.57</u>
Balance for Recovery	\$5,476.43

Sacramento River National Wildlife Refuge, La BARRANCA Unit, Riparian Restoration, Phase II, Tehama County

Allocated	\$632,000.00
Expended	<u>-620,545.33</u>
Balance for Recovery	\$11,454.67

San Diego County Multi Species Conservation Plan (Bonfils), San Diego County

Allocated	\$187,500.00
Expended	<u>-166,136.00</u>
Balance for Recovery	\$21,364.00

San Diego River, (Walker), San Diego County

Allocated	\$94,000.00
Expended	<u>-84,000.00</u>
Balance for Recovery	\$10,000.00

Santa Cruz Island Riparian Restoration, Santa Barbara County

Allocated	\$300,000.00
Expended	<u>-299,630.50</u>
Balance for Recovery	\$369.50

Western Riverside MSHCP (2013) - North Peak El Toro, Riverside County

Allocated	\$95,000.00
Expended	<u>-92,967.00</u>
Balance for Recovery	\$2,033.00

Total Habitat Conservation Fund **\$687,522.98**

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

Grasslands Regional Park Habitat Restoration, Yolo County

Allocated	\$542,663.00
Expended	<u>-456,436.04</u>
Balance for Recovery	\$86,226.96

Martinelli Ranch Conservation Easement, Marin County

Allocated	\$1,510,000.00
Expended	<u>-1,502,460.00</u>
Balance for Recovery	\$7,540.00

Putah Creek Fishing Access Improvements, Yolo County

Allocated	\$562,606.00
Expended	<u>-521,762.77</u>
Balance for Recovery	\$40,843.23

San Joaquin River Parkway, Spano River Ranch, Habitat Enhancement,
Planning and Design, Fresno County

Allocated	\$207,000.00
Expended	<u>-99,872.62</u>
Balance for Recovery	\$107,127.38

Total California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund \$241,737.57

**WATER SECURITY, CLEAN DRINKING WATER, COASTAL AND BEACH
PROTECTION FUND OF 2002**

Hearst Ranch Conservation Area, San Luis Obispo County

Allocated	\$28,500,000.00
Expended	<u>-28,500,000.00</u>
Balance for Recovery	\$0.00

Hearst Ranch Conservation Area (NHPTC Project), San Luis Obispo County

Allocated	\$6,000,000.00
Expended	<u>-3,246,761.60</u>
Balance for Recovery	\$2,753,238.40

Total Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 \$2,753,238.40

SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION FUND OF 2006

Blue Creek, Humboldt/Del Norte County

Allocated	\$3,535,000.00
Expended	<u>-3,533,705.00</u>
Balance for Recovery	\$1,295.00

Central Coast Farm Restoration, Santa Cruz/San Benito County

Allocated	\$165,000.00
Expended	<u>-165,000.00</u>
Balance for Recovery	\$0.00

East Contra Costa County NCCP/HCP (Roddy Ranch), Contra Costa County

Allocated	\$4,846,875.00
Expended	<u>-4,844,796.00</u>
Balance for Recovery	\$2,079.00

East Contra Costa County NCCP/HCP (Viera/Perley), Contra Costa County

Allocated	\$882,500.00
Expended	<u>-879,905.00</u>
Balance for Recovery	\$2,595.00

Hastings Natural History Reservation, Facilities Upgrade I, Monterey County

Allocated	\$550,732.00
Expended	<u>-550,731.60</u>
Balance for Recovery	\$0.40

James San Jacinto Mountains Reserve Renovation, Riverside County

Allocated	\$248,000.00
Expended	<u>-248,000.00</u>
Balance for Recovery	\$0.00

Liberty Island, Yolo/Solano County

Allocated	\$10,000.00
Expended	<u>-4,995.50</u>
Balance for Recovery	\$5,004.50

Merced River Riparian Habitat Restoration, Merced County

Allocated	\$317,000.00
Expended	<u>-187,745.51</u>
Balance for Recovery	\$129,254.49

Southern California Coastal Wetland Change Analysis, Various Counties

Allocated	\$70,000.00
Expended	<u>-70,000.00</u>
Balance for Recovery	\$0.00

Total Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 **\$140,228.39**

OTHER

Allensworth Ecological Reserve, Expansions 50-56, Tulare County

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

At the November 20, 2014 meeting of the Wildlife Conservation Board, the Board approved the acquisition of 7 separate parcels of land totaling 13± acres by the Department of Fish and Wildlife for the protection of habitat supporting the San Joaquin kit fox and other rare species found within the Allensworth Ecological Reserve and to enhance habitat linkages and connectivity. Work is now completed on all expansions. This entry is to officially close Expansions 50-56.

Allensworth Ecological Reserve, Expansion 58, Tulare County

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

At the May 21, 2015 meeting of the Wildlife Conservation Board, the Board approved the acquisition of 3 separate parcels of land totaling 4± acres by the Department of Fish and Wildlife for the protection of habitat supporting the San Joaquin kit fox and other rare species found within the Allensworth Ecological Reserve and to enhance habitat linkages and connectivity. Work is now completed this expansion. This entry is to officially close Expansion 58.

Total Other **\$0.00**

As one of the consent items heard at the beginning of the meeting, it was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve the Recovery of Funds. Recovery totals include \$687,522.98 to the

Habitat Conservation Fund; \$241,737.57 to the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund; \$2,753,238.40 to the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002, and 140,228.39 to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

- *7. Mouth of Cottonwood Creek Expansion (Manner) \$350,000.00
Shasta County

This proposal was to consider the acquisition in fee of approximately 13 acres of land by the California Department of Fish and Wildlife (CDFW) as an addition to the Mouth of Cottonwood Creek Wildlife Area (MCCWA) to provide improved access.

LOCATION and SURROUNDING USES

The property (Property) is located adjacent to CDFW's MCCWA in the community of Cottonwood in southern Shasta County. The Property is easily accessible from Interstate 5 via Balls Ferry Road. The site has frontage along Adobe Road and on Oakbriar Lane, a private gravel driveway that runs along the western edge of the Property and also serves several residences to the south.

The surrounding neighborhood is comprised primarily of rural residential ranchette-style single family dwellings with the additional acreage set aside for horses and livestock grazing. The Property and its immediate neighborhood are located within CDFW's Battle Creek Riparian (BCR) Conceptual Area Protection Plan (CAPP). Properties within the BCR CAPP are situated within the Sacramento River basin near the confluence of Battle Creek and the Sacramento River in Shasta and Tehama counties. The Property is positioned in an area just north of Cottonwood Creek and west of the Sacramento River. Cottonwood Creek is considered an important stream as part of a complex and highly valuable riparian ecosystem that occurs along the Sacramento River and its associated tributaries.

PROJECT DESCRIPTION

The Property is comprised of a single rectangular parcel improved with a single family dwelling and shop building used to house tools and farm equipment. The Property is zoned as Limited Agriculture (A-1), with a Mobile Home District (T) designation. The A-1 zoning designation is for purposes of preserving agricultural lands at a size capable of supporting part-time agricultural operations. The zoning also allows a variety of uses that include the construction of a single-family residence; agricultural use; sale of agricultural products grown on site; small wineries; and a second single-family residence subject to provisions. The Property is currently used for livestock grazing.

The general terrain and topography of the Property is gently sloping, rural grassland enclosed with perimeter fencing. There are mature oaks scattered throughout the Property with greater density in the upland area near the road. The lower portion of the Property consists of a natural swale that receives water regularly throughout the year due to excess flows and runoff from the local water district. This swale supports a variety of wetland and riparian species including willow, tule, blackberry, elderberry and wild grape. This highly diverse area provides valuable habitat for numerous wildlife species that include black-tailed deer, mountain lion, muskrat, gray fox, and brush rabbit; it also supports the

federally endangered valley elderberry longhorn beetle.

The Property represents an opportune acquisition by CDFW not only because of its habitat values and location adjacent to MCCWA, but also for its location next to a public road. For years CDFW has sought improved public access to the MCCWA. Current access to and through the western portion of MCCWA is by means of a narrow lane with no designated parking area. In order to access this portion of the Wildlife Area, public users must park a considerable distance along Adobe Road to access recreational opportunities. If the acquisition is approved by the WCB, the Property will accommodate a parking area which would provide superior access to the MCCWA. The Property also has the potential for future habitat restoration and enhancement opportunities if CDFW wishes to do so.

The Property also offers expansive views that are sought after by prospective buyers. As with other properties within the BCR CAPP, much of the riparian habitat in the Sacramento River system has been lost to various land uses, particularly agriculture. CDFW's goal for this area is to preserve, protect, and enhance as much of the remaining riparian and wetland areas in the upper Sacramento River as is possible and to provide appropriate public use. This goal can best be accomplished through acquisition of properties like the subject property that will enable CDFW to expand the MCCWA and protect a relatively large, continuous block of habitat in the area for wildlife and provide opportunities for potential future wildlife oriented recreation opportunities.

WCB Program

The proposed grant for this project is being considered under the Wildlife Conservation Board's (WCB) Land Acquisition Program (Program). The Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Code Section 1300, et seq.), which authorizes WCB to acquire real property or rights in real property on behalf of CDFW, grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property, and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with the acquisition of properties. Under the Program the WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife oriented recreation opportunities. These activities are carried out in conjunction with CDFW, which evaluates the biological values of property through development of a Land Acquisition Evaluation (LAE)/Conceptual Area Protection Plan (CAPP). The LAE/CAPP is then submitted to CDFW's Regional Operations Committee (ROC) for review and, if approved, later transmitted to the WCB with a recommendation to fund.

The project meets the following WCB's strategic Plan goals:

A.1 – Fund projects and landscapes that provide resilience for native wildlife and plant species in the face of climate change.

The Property is located in the BCR CAPP, which is designated by CDFW as an important riparian area. Properties identified within this CAPP possess extensive fish and wildlife habitat values because of its riparian ecosystems. The area contains both mature riparian and riparian scrub habitats that allow wildlife species to move in response to climate change. The proposed acquisition of the Property will serve to expand CDFW's block of protected properties in furtherance of this purpose.

A.4 – Invest in priority conservation projects recommended under CDFW's land acquisition evaluation process or within other conservation plans supported by CDFW.

The project is situated within CDFW's BCR CAPP. CDFW has completed a comprehensive and detailed study of the area. The BCR CAPP report states that: "habitat acquisition is being taken in this area because of the unusually high fish and wildlife values resulting from riparian areas adjacent to diverse wetland habitats, land ownership patterns including public lands, existing State wildlife areas and the proximity to the rapidly urbanizing Redding-Cottonwood area." CDFW is investing its energy in acquiring properties within the CAPP, such as the subject property, for this purpose along with potential future opportunities to expand and develop wildlife oriented public use in the area.

C.1 – Support a wide range of recreational activities in conjunction with other land uses and without degrading environmental resources.

The Project will accommodate a parking area which would provide superior access to the MCCWA.

MANAGEMENT OBJECTIVES AND NEEDS

The Property will be maintained and managed by CDFW's Northern Region as an addition to the MCCWA under its existing budget. The project coincides with CDFW's management objective for the BCR CAPP, which is to preserve riparian and wetland habitats; and to develop both consumptive (e.g., hunting and fishing) and non-consumptive interpretive use programs. Users would be exposed to various kinds of riparian habitats and associated wildlife including viewing salmon spawning and a tour of the fish hatchery. A future parking area at the Property would assist in providing greater access to the MCCWA's recreational opportunities.

TERMS

The property has been appraised as having a fair market value of \$320,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The property owner has agreed to sell the property for its approved appraised fair market value. WCB Staff will complete a due diligence review of all title documents, preliminary title reports, prepare documents for purchase and sale, and prepare escrow instructions and

instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. Once approved by the WCB the transaction must also be reviewed and approved by DGS.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Approved Fair Market Value	\$320,000.00
Wildlife Conservation Board	\$320,000.00
TOTAL Purchase Price	\$320,000.00
Other project related administrative costs	\$30,000.00
Total WCB Allocation	\$350,000.00

It is estimated that an additional \$30,000.00 will be needed to cover project related administrative costs, including environmental site assessment, appraisal, DGS appraisal and transaction reviews, and escrow and title insurance costs.

WCB FUNDING SOURCE

The purposes of this project are consistent with the proposed funding source that allows for the development of public access facilities for hunting, fishing and other wildlife compatible recreational activities. [California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a)]

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The Project is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for fish and wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and existing natural conditions, including plant or animal habitats, and Section 15304, Class 4(d), for minor alterations in land, water, and vegetation on existing officially designated management areas or fish production facilities which result in improvement of habitat for fish and wildlife resources or greater fish production. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$350,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a) for the acquisition and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; allocate \$350,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a) for the acquisition and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

- *8. Epperson Place Ranch Conservation Easement \$0.00
Colusa County

This project was withdrawn from consideration.

- *9. Keegan Ranch Conservation Easement \$0.00
Colusa County

This project was withdrawn from consideration.

10. Yolo County HCP/NCCP Development, Phase III \$462,500.00
Yolo County

This proposal was to consider the allocation for a grant to Yolo Habitat Conservancy (YHC) to finalize an Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for a Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) covering the entire County of Yolo.

LOCATION

The proposed HCP/NCCP covers all of Yolo County, an area totaling slightly more than 652,000 acres.

PROJECT DESCRIPTION

The HCP/NCCP program was developed by the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) to provide a unified effort by the USFWS, CDFW, and numerous private and public partners to take a broad-based ecosystem approach to planning for the protection and perpetuation of biological diversity. An HCP/NCCP identifies and provides for the regional or area-wide protection of plants, animals, and their habitats, while allowing compatible and appropriate economic activity. The primary objective of the HCP/NCCP program is to conserve natural communities at the ecosystem level while accommodating compatible land use. The program seeks to anticipate and prevent the controversies and gridlock caused by species' listings by focusing on the long-term stability of wildlife and plant communities and including key interests in the process.

The YHC is preparing the Yolo Natural Heritage Program (NHP), comprised of the countywide HCP/NCCP and a local conservation strategy. The draft Yolo HCP/NCCP is a countywide habitat conservation plan proposing to cover 12 endangered and threatened species and 15 natural communities. The Yolo HCP/NCCP will provide for the conservation of these species in Yolo County, as well as request 50-year incidental take authorization issued under state and

federal endangered species laws by CDFW USFWS. Separately, YHC is also developing the Yolo Local Conservation Plan to help conserve species and natural communities not covered by the Yolo HCP/NCCP. Together, these two plans will establish a framework to protect, enhance, and restore natural resources across Yolo County while allowing for continued rural and urban development in the region.

What sets the Yolo NHP planning effort apart from others is that it is not driven by developer interests or significant amounts of planned urban development, but rather by a desire to protect, preserve, and integrate the agricultural landscape with habitat protection and regional conservation strategies.

In 2012, WCB approved a grant to YHC for completion of a first draft of the HCP/NCCP covering the entire County of Yolo. The initial project funded the completion of GIS mapping layers and the administrative draft HCP/NCCP, as well as circulation to CDFW and USFWS. In 2014, WCB approved a grant to assist with the implementation of phase two of this project, which funded completion of a second draft of the HCP/NCCP and development of the administrative draft of an EIR/EIS for that plan. The YHC has nearly completed phase two, with the administrative draft of the EIR/EIS expected to be released to CDFW and USFWS in February 2016.

The YHC has developed a plan to complete the Yolo HCP/NCCP through a mix of State, local and federal funding. Local member agencies have committed \$100,000 toward the completion of the plan in addition to the nearly \$165,000 already contributed. The YHC has received one USFWS Section 6 grant and is committed to applying for an additional USFWS Section 6 grant to complete the project. The YHC has been in contact with USFWS leadership in Sacramento, who have expressed support for the funding plan.

The proposed WCB grant, with assistance from the existing 2013 Section 6 grant and the local member agency contributions, will specifically pay for the following tasks:

- Completion of the Administrative Draft EIS/EIR (February 2016)
- Completion of the Public Review Draft HCP/NCCP (August 2016)
- Completion of the Public Review Draft EIS/EIR (August 2016)
- Completion of the Final HCP/NCCP (January 2017)

WCB PROGRAM SUPPORT

The project is consistent with the priorities outlined in the WCB Strategic Plan, pursuant to Goal B.1: WCB will invest in projects that help provide resilience in the face of climate change, enhance water resources for fish and wildlife and enhance habitats on working lands through the following strategies:

- Establish reserves for the conservation of covered species within the Yolo HCP/NCCP geographic area and linkages to adjacent habitat inside and

outside Yolo County.

- Incorporate a range of environmental gradients and high habitat diversity into the reserve system to compensate for shifting species distributions in response to changing circumstances (e.g., in response to climate change).
- Protect and maintain habitat areas that are large enough to support sustainable populations of covered species.
- Support wildlife friendly activities on working landscapes through protection of agricultural lands that support at-risk species such as Swainson's hawks and tri-colored blackbirds.

MANAGEMENT OBJECTIVES AND NEEDS

Upon adoption of the HCP/NCCP and issuance of the regulatory permits, the NHP will transition to implementation, moving to land protection and habitat restoration pursuant to the adopted plan. The YHC or a successor agency will undertake the subsequent duties of long-term management, implementation, monitoring, and compliance over the proposed 50-year term of the NHP. It is anticipated that funding for implementation will come from project fees and implementation grants.

PROJECT FUNDING

The proposed funding breakdown for the project, as proposed, is as follows:

Wildlife Conservation Board (2012)	\$600,000.00
Wildlife Conservation Board (2014)	\$700,000.00
Wildlife Conservation Board (2015)	\$462,500.00
Member Agencies Contribution	\$264,900.00
FWS Section 6 Grant (2014)	\$350,720.00
FWS Section 6 grant (2016)(proposed)	<u>\$613,000.00</u>
TOTAL:	\$2,991,120.00

The YHC proposes the following WCB grant and matching funds to complete the Yolo HCP/NCCP:

- September 2015 – \$462,500 WCB
- July 2016 –\$613,000 FWS Section 6 grant (proposed)
- 2015-16 Fiscal Year -- \$100,000 Member Agency contribution (committed)

Project costs for the WCB portion of this final phase will be for completing a second administrative draft of the Yolo HCP/NCCP, circulation of that draft to CDFW and FWS, development and circulation of a public review draft of that plan and the development of an administrative draft of an EIR/EIS. Upon receipt of the FWS funding, the EIR/EIS will be completed and the Yolo HCP/NCCP will be finalized.

FUNDING SOURCE

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

(Proposition 84), Public Resources Code Section 75055(c)(SB8), which allows grants that implement or assist in the establishment of natural community conservation plans for areas in and around the Sacramento-San Joaquin Delta and is consistent with the objectives of this project.

CEQA AND CDFW REVIEW/ RECOMMENDATION

CDFW has reviewed this project and recommends it for funding by the WCB. The project is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15262), as it involves only feasibility and planning studies for possible future actions. Subject to approval of this proposal by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$462,500.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c); authorize staff and the California Department of Fish and Wildlife to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

Chairman Bonham asked for this item to be pulled from the Consent Calendar has he had a couple of questions on the project, but did not need staff to provide a full presentation on the item.

Chairman Bonham asked if the timeline for the project was realistic and will the grantee complete the project. Petrea Marchand, from the Yolo Habitat Conservancy answered and said yes, they have met all of their deadlines since she took over the project and they anticipate completing the project in mid-2017. She did add there is one potential impediment to completing it on time and that is acquiring a section 6 federal grant in order to complete the planning process. If the federal grant is not approved by December 2016, they are looking at a delay of four months.

Chairman Bonham asked if there were any further questions and there were none.

It was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; allocate \$462,500.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c); authorize staff and the California Department of Fish and Wildlife to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

- *11. McCune and Cronin Habitat Enhancement \$375,000.00
Solano County

This proposal was to consider the allocation for a grant to the Solano Resource Conservation District (SRCD) for a cooperative project with two private landowners, the U.S. Natural Resources Conservation Service (NRCS), U.S. Fish and Wildlife Service, and the Center for Land-based Learning to enhance 21± acres of riparian habitat on two properties, one located approximately five miles north of Rio Vista, and the second approximately four miles southeast of Winters, in Solano County.

LOCATION AND SURROUNDING USES

McCune Creek Site: The property is located approximately 10 miles north of Vacaville. The property is over 300 acres, and uses consist of row crops and rural residential uses. The property centers around the confluence of McCune Creek and Dry Arroyo, which were reshaped decades ago to accommodate agricultural activities. Prior to the creation of small ranches along Dry Arroyo, this area was grazed with cattle. Land use is predominantly agricultural at the confluence of the two creeks, and is planted in sunflowers and alfalfa in the project area. McCune Creek originates in the coast range, meandering to the Central Valley near Vacaville, where it meets intensive agriculture. It eventually drains to the San Francisco Bay-Delta.

Cronin Ranch: The Cronin family ranch includes 2,224 acres in Solano County, located northwest of the city of Rio Vista along Liberty Island Road. The property is located in the Cache Slough drainage, half a mile south of Lindsey Slough near its confluence with Cache Slough. The ranch was historically and is currently operated as irrigated pasture for cattle and for production of alfalfa, rye and clover as feed crops. The landowner is in the process of converting about 375 acres from crop production to irrigated pasture for cattle. Like most of the ranch and agricultural lands in this area, the Cronin Ranch is closely integrated into the larger Delta ecosystem. Irrigation water is supplied from Lindsey Slough, entering the ranch via a pump at the northwest corner. Drainage water returns to Cache Slough, exiting the ranch at a pumping station in the northeast corner and then traveling northward via a large drainage channel along an Army Corps of Engineers levee. The owners are interested in making infrastructure and management changes that will benefit water quality and increase wildlife habitat across the ranch within their irrigated pasturelands. Additionally, the Grantee is making similar changes to a neighboring property which will provide a cumulative wildlife benefit.

PROJECT DESCRIPTION

McCune Creek: Dry Arroyo and McCune Creek have little to no riparian cover and are flanked by intensive row cropland or rural housing development in the project area. The streambanks of Dry Arroyo are only sporadically covered with vegetation other than non-native annual weeds. The soil is quite sandy and prone to erosion. There are a number of streambank sloughs and sites where

choked vegetation has caused sediment to drop out in the channel. The project will provide relief from occasional flooding, and will create additional wildlife habitat. While most of the project site is within the 100-yr floodplain and is therefore expected to experience periodic flooding, even minor storm events cause major flooding to the area and to Halley road near Dry Arroyo. The lack of a riparian corridor means there is very little to hold the soil in place, no complex network of roots for water to infiltrate, and nowhere for wildlife to reside or forage.

Work in Dry Arroyo will significantly increase channel capacity, stabilize banks, and minimize soil erosion, creating relief from periodic flooding which occurs there. Sediment will be removed, and historic erosion will be repaired by shaping the banks, planting willows, and installing coconut fiber mats and logs for erosion control. A 10-foot wide waterside bench will be constructed to increase channel capacity and provide native grass planted zone. Work will also include planting live willow poles, cottonwoods and mulefat, densely planted native rhizomatous grass and sedge plugs, rock vanes and live brush mattresses. The banks of McCune Creek will be both seeded and plugged with rhizomatous native grasses and sedges along the entire length of the creek to stabilize the soil and out-compete weeds. This new riparian corridor will improve stormwater infiltration, stabilize the soil, and provide habitat for wildlife.

Additional local flood benefits will be created by the installation of a new tailwater return pond installed by the landowner. Irrigation tailwater from the project area will be drained to the pond, avoiding McCune Creek. Storm water from the agricultural fields in the project area will also be detained before entering McCune Creek via the tailwater return system, lessening the impact of runoff on McCune and the Halley Road crossing.

A total of 1,000 native trees and shrubs will be installed along both banks of Dry Arroyo. Nearly three quarters of a mile of riparian corridor will be installed. Ten acres of native grass understory along both Dry Arroyo and McCune Creek will be planted. Hedgerows will be installed near Dry Arroyo, McCune Creek and around the tailwater return pond. The project will create a total of 14 acres of contiguous native habitat in an area that currently has almost none. Approximately 25% of the trees/shrubs installed will be propagated from local stock, ensuring that appropriate species are installed with an improved chance of success. These plantings will include a diverse assemblage of native herbaceous and woody species that can provide a range of structure types and food sources to meet the habitat needs of a variety of wildlife.

Cronin Ranch: The Cronin Ranch property consists of approximately 1,400 acres managed as irrigated pasture for livestock, and 800 acres planted in alfalfa, rye and clover as feed crops. These fields and pastures are bordered by an extensive network of small waterways that deliver irrigation water or drain irrigation runoff and winter rains. Some of these waterways are manmade irrigation ditches, while others represent historic waterways modified to meet the needs of agricultural operations. Although they are currently managed to meet the ranch's operational

needs, these waterways represent the greatest existing habitat values on the property. Wildlife species utilize these waterways as a water source and for the limited patches of native vegetative cover that occur in locations where cattle do not have access.

Much of the Delta's historical ecosystem has been converted to agricultural use through ditching, draining, and levee construction. The complex network of waterways that laced through this ecosystem has largely been lost, along with the associated riparian vegetation communities. The waterways that exist on agricultural lands provide the best remaining surrogate for these historic habitats; however current management practices limit their value to wildlife and negatively affect water quality. On Cronin Ranch, the livestock operator depends on many of these channels as a livestock water source. Where the livestock have access to the channels as a drinking water source, cattle trampling along the ditch banks can cause erosion and sediment entry into the water. Regular maintenance activities also include mowing or brush cutting along channels to remove vegetation that can impede flow, as well as herbicide applications to weeds. As a result of these management activities and livestock uses, many of the ranch's waterways lack the vegetative cover needed to benefit wildlife, and inputs of animal wastes and potential herbicide runoff negatively affect water quality onsite and in the nearby Delta as these drainage waters enter Lindsey and Cache Sloughs.

Across the Delta, revegetation of agricultural channels has the potential to improve water quality by reducing sediment runoff and filtering sediment, nutrients, and pesticides from nearby fields, while also providing habitat and potential movement corridors for wildlife. The proposed Cronin Ranch project will contribute towards this solution, by installing fencing to exclude livestock along 2.1 miles of currently unfenced ditches and installing five off-stream watering facilities. These fences will either permanently exclude cattle or allow only occasional, short term access. The new infrastructure will provide water quality benefits and allow native vegetation to re-establish naturally, thus creating nearly contiguous wildlife habitat across the ranch and improving connectivity. Future maintenance would consist of occasional, selective mechanical removal of encroaching vegetation, to allow continued flow through these water delivery channels, but would allow herbaceous cover to remain to minimize disturbance to wildlife.

The proposed project will also enhance and restore 4.5 acres of riparian vegetation and improve habitat connectivity along a half mile stretch of drainage channel in the southeast portion of the property. This stretch of channel follows the historical stream course. The southern bank of this channel represents one of the few remaining patches of native vegetation on the ranch. The northern bank, however, is bordered by a dirt access road and is bare in many places or vegetated only with weeds as a result of current vegetation control practices.

WCB PROGRAM

The proposed project will be funded through the Ecological Restoration on Agricultural Lands Program and meets the Program's goal of assisting landowners in developing sustainable wildlife-friendly practices on agricultural property that can co-exist with ongoing operations.

The project is consistent with the following priorities outlined in the WCB Strategic Plan:

- Goal B.1 – Invest in projects and landscape areas that help provide resilience in the face of climate change, enhance water resources for fish and wildlife and enhance habitats on working lands:
 - These projects will restore over 20 acres of riparian and slough habitat, and restore habitat connectivity and improve water quality. This will increase habitat diversity and canopy, and provide additional habitat and connectivity for wildlife, especially avian species.
 - The Cronin Ranch project area drains into the Cache Slough complex, an area supporting several at-risk species.
 - Native plants will displace weeds from the site, further contributing to intact riparian habitat which will support native wildlife.
 - Both projects provide habitats on working landscapes and will be used as examples to nearby landowners who may wish to improve habitats on their properties.
- Goal B.3: Expand project monitoring and evaluation of restoration activities to assess long-term project success, moving beyond compliance monitoring.
 - Photo monitoring will be used for the Grant period to ensure successful habitat restoration. SCRCD will also conduct California Rapid Assessment Monitoring (CRAM), an assessment method for evaluating, initiated by the EPA and used by many agencies and organizations to evaluate wetland and riparian health, before and after the creekside project to determine changes to ecological diversity and bank stability.
- Goal B.5 Provide opportunities for greater public involvement in restoration projects.
 - Projects will have participation from the Student and Landowner Education and Watershed Stewardship (SLEWS) program, which provides high school students with a place-based watershed education curriculum through classroom lessons.

MANAGEMENT OBJECTIVES AND NEEDS

During the three-year period of implementation, SRCD will take the lead on all implementation and maintenance of the habitat enhancements and will provide direction and assistance to landowners for all management aspects of the project including water conveyance and pipelines. After the Grant period, maintenance responsibilities will shift to land managers, and will require less intensive vegetative management strategies such as timed mowing and spraying for weed control. While it is anticipated that supplemental irrigation will no longer be

necessary at the riparian restoration, hedgerow and pond planting sites beyond the end of the project implementation, all lines and timers will be left in place so that the managers can run irrigation if needed. With technical assistance from SRCD and the NRCS, the landowners will be provided the long-term expertise to nurture the restoration sites.

On Cronin Ranch, the land manager maintains miles of livestock fencing and implements a weed-control program across the entire ranch property and has committed the necessary resources and time towards the maintenance tasks necessary to ensure the long-term success and viability of the components of this project.

Monitoring will be conducted by SRCD to determine plant survivorship at each site. In addition, SRCD staff will execute a CRAM analysis on each of the creeks prior to the project beginning and at the close of the grant period. CRAM scores before and after project implementation will be used to evaluate ecological diversity, streambank stability, and a variety of other factors to determine project success.

If at any time during the 25-year life of the project, the SRCD does not assure that the project improvements are managed and maintained, the Grant Agreement requires that it refund to the State of California an amortized amount of funds based on the number of years left on the project life. NRCS contracts stipulate that practices are left in place and maintained for 15-20 years, depending on the practice, further ensuring that project investment is maintained into the future.

PROJECT FUNDING

The proposed funding for the project is as follows:

Project tasks	WCB	Partners*	Landowners	Total
Project management	47,166	32,218	0	79,384
Design and permitting	11,136	35,933	1,400	48,469
Earthwork	76,618	46,547	4,320	127,485
Planting, irrigation, maintenance	199,094	115,634	14,183	328,225
Fencing and water systems	21,441	81,360	45,885	148,687
Contingency	19,545	0	0	19,545
Grand total	\$375,000.00	\$311,692.15	\$65,788.35	\$752,480.50

*Funding partners:

Natural Resources Conservation Service, U.S. Fish and Wildlife Service, Solano County Water Agency, Students and Landowner Education Watershed Stewardship (SLEWS)

FUNDING SOURCE

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

(Proposition 84), Public Resources Code Section 75055(d)(4), which allows for projects to assist farmers in integrating agricultural activities with ecosystem restoration and wildlife protection, and is consistent with the objectives of this project.

CEQA AND DFW REVIEW/ RECOMMENDATION

The California Department of Fish and Wildlife has reviewed this proposal and recommends it for funding by the WCB. The Solano Resource Conservation District, as lead agency, has prepared a Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA). Staff has considered the MND and prepared proposed, written findings documenting WCB's compliance with CEQA. Subject to Board approval of the project, staff will file a Notice of Determination with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$375,000.00 from Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(d)(4); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

Mr. Donnelly said he received letters of support from Randy Mager, Sr. Environmental Scientist, DWR; Scott Wilson, Regional Manager, CDFW; Wendy Rash, District Conservationist, USDA; David Okita, General Manager, Solano County Water Agency; Mary Kimball, Executive Director, Center for Land-Based Learning and Ronald Koehne, President, Arroyo Trails Homeowners Association.

As one of the consent items heard at the beginning of the meeting, it was moved by Board Member Jack Baylis that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$375,000.00 from Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(d)(4); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

- *12. Maxwell Conservation Easement Transfer \$0.00
Fresno County

This proposal was to consider the acceptance of transfer of a conservation easement over 15± acres of land, held for mitigation purposes by the Sierra Foothill Conservancy, to the California Department of Fish and Wildlife (CDFW) for the continued protection of habitat and to prevent any use of the Property that will significantly impair or interfere with the conservation values of the Property.

LOCATION AND SURROUNDING USES

The Conservation Easement (Easement) is part of the Old Ranch Park housing tract development (Development) which was developed in 1997 and is located south of State Route 168 in the city of Auberry, Fresno County. The Development is located between 1,650 and 1,760 feet above sea level in a location that has experienced a long history of livestock grazing.

PROJECT DESCRIPTION

The Easement transverses through the 152-acres of the Development and encumbers a total of 11 parcels. The County of Fresno required the developer, N.R. Development, LLC (Developer), to mitigate for impacts to local fish and wildlife pursuant to the California Environmental Quality Act (CEQA) and a County of Fresno Mitigation Measure Agreement. The Developer recorded the Easement on May 15, 1997 in favor of The Sierra Foothill Conservancy. Recital E of the Easement states that CDFW intended to accept a transfer of the Easement “within one year” of the recording of the Easement. No transfer of the Easement to CDFW occurred. In January 2013, CDFW Region 4 requested that WCB assist in transfer of the Easement to CDFW.

Big Sandy Creek flows across the southern and southwestern portion of the Development. This is an intermittent stream that periodically sustains high winter and spring flows and typically contains only scattered pools in the summer and fall. Additionally, a small ephemeral drainage is located in the northeastern portion of the Development. This drainage flows in a southerly direction and empties into Big Sandy Creek. The Easement follows the drainage of both flows within the Development and incorporates a 100-foot wide buffer area from the high water mark on both sides of Big Sandy Creek and a 50-foot wide buffer area from the high water mark on both sides of the unnamed stream.

The Development contains many blue oak/live oak woodlands. Riparian habitat is present along the Sandy Creek corridor and includes valley oak. Three state-listed or sensitive plant species are known to potentially occur in the region including the Tree Anemone, a state threatened shrub with a very limited range in Fresno County. Additionally, several sensitive animal species are also known to potentially occur in the area including the California Species of Concern Foothill yellow-legged frog, Northwestern Pond Turtle, and the federally threatened Valley Elderberry Longhorn Beetle.

the CDFW to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

- *13. San Joaquin River Parkway, Spano River Ranch, \$550,000.00
Habitat Enhancement Project
Fresno County

This proposal was to consider the allocation for a grant to the San Joaquin River Parkway and Conservation Trust for a cooperative project with the San Joaquin River Conservancy (SJRC) to restore and enhance 51± acres of upland, riparian, and wetland habitats on the SJRC's Spano River Ranch property, located one mile downstream of the State Route 41 bridge within the City of Fresno in the County of Fresno.

LOCATION

The San Joaquin River Parkway (Parkway) is defined by California law as approximately 5,900 acres on both sides of a twenty-two mile long reach of the San Joaquin River between Friant Dam in the east and State Route 99 to the west, in Fresno and Madera Counties. The San Joaquin River Conservancy (SJRC) was created in 1992 to preserve and enhance the San Joaquin River's extraordinary biological diversity, protect its valued cultural and natural resources, and provide educational and recreational opportunities to the local communities. The SJRC's mission includes both public access and habitat restoration within the Parkway.

Spano River Ranch is located at the northern edge of the City of Fresno at the approximate mid-point of the linear foot print of the San Joaquin River Parkway and within the historic floodplain of the San Joaquin River. The proposed project site is 51± acres of the Spano River Ranch and encircles H Pond, named for its shape. Spano River Ranch is bordered to the north and west by the river and a mosaic of active and abandoned gravel quarries. Along this portion of the river, the floodplain is confined by river bluffs that are higher in elevation than the river. At the project site, the floodplain is only about one mile wide, from bluff to bluff across the river, leaving little room for large-scale river meander. Agricultural operations characterize the bluffs to the north and the south is zoned for and developed as residential housing. Most native riparian vegetation is confined to remnant stands along the river channel.

PROJECT DESCRIPTION

Approximately 6% of riparian forest communities remain in the San Joaquin Valley. Over the past 150± years, the San Joaquin River and its tributaries have been impacted by intense human activities and land uses, which have altered the flow of water and channel characteristics to the extent that natural processes can no longer properly maintain natural vegetation communities that once occurred along the San Joaquin River. The types of habitats once commonly associated with naturally flowing river and creek systems in the San Joaquin Valley included a mosaic of riparian scrub, forest, and associated upland habitats.

The primary goals of the proposed project are to enhance existing and restore upland, riparian, and wetland habitats in the upper reaches of the San Joaquin

River corridor. Additionally, the project will connect patches of riparian habitat throughout the Parkway. In the future, once the vegetation has matured, the project also will enhance visitors' experiences by providing improved wildlife habitat for nature viewing and environmental education opportunities.

Prior to its acquisition by the WCB, Spano River Ranch was private property for more than a century. During this time, it was used for grazing livestock, leveled to grow crops, and underwent extensive earth moving disturbance for sand and gravel mining. As a result of mining, the H Pond site topography has been vastly altered, with the pond itself a product of gravel removal.

The WCB acquired the Spano River Ranch for the California Department of Fish and Wildlife (CDFW) in 2003 which then transferred it to the jurisdiction of the SJRC in 2004. The SJRC Board and WCB approved the Spano River Ranch Habitat Enhancement Planning and Design Project in May 2012, to study the site and develop project plans. During the Planning and Design Project, soil structure, water table, weed populations, existing native vegetation, and past and current land uses were evaluated, and plans were developed for the plant palette and irrigation system.

In its current managed state, the San Joaquin River rarely exceeds its banks or exhibits lateral movement in areas adjacent to the project site, leaving little chance for recharge of historic oxbows, side channels, and artificial water bodies such as H Pond that mimic oxbows and sloughs. In this static condition, the river is unable to create natural conditions that favor recruitment of vegetation associated with healthy riparian systems. Therefore, very few native trees and shrubs have grown up around H Pond naturally. Currently, small thickets of native vegetation occur on site and include valley oak, Fremont cottonwood, black willow, elderberry, and emergent wetland vegetation. However, the site is dominated by a mixture of invasive weeds, primarily yellow star thistle. Without active efforts of enhancement or restoration in areas across the project site, native plants are unlikely to colonize and spread.

The project would begin in Fall/Winter of 2015 with the collection of native plant material for propagation. In 2016, the Trust plans to plant mixed riparian woodland (17 acres), upland scrub (33 acres), buttonbush willow (0.3 acre), exposed soil scrub dominated by coyote brush, mulefat, and quail bush (0.5 acre), and a non-woody herbaceous plant component throughout parts of the project site. Over 10,000 native trees, shrubs, and herbaceous propagules will be planted, with irrigation for approximately three years to establish self-sustaining habitat. The project implementation is expected to be completed by March 1, 2020.

The project is expected to provide several benefits to natural resources and improve the recreation experience. The project will establish self-sustaining native plant communities in an area of the Parkway where native habitat is sparse. Habitat enhancement and restoration adjacent to the San Joaquin River

will improve the connectivity of native habitat for a variety of wildlife, including but not limited to at-risk species including least Bell's vireo, yellow-billed cuckoo, yellow warbler, Swainson's hawk, and valley elderberry longhorn beetle. Additionally, the project will connect patches of riparian habitat throughout the Parkway. Once the vegetation has matured, the project also will provide a shaded respite along the Parkway and readily allow visitors to connect with nature as it once occurred in this area of California.

WCB PROGRAM

The proposed project will be funded through the California Riparian Habitat Conservation Program and meets the program's goal of increasing riparian habitat across California by implementing riparian habitat enhancement and restoration projects. In addition, funds were allocated to the WCB in the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75050(f), which provides for the acquisition, development, rehabilitation, restoration and protection of land and water resources located within the boundaries of the Parkway administered by the SJRC and is consistent with the objectives of this project.

MANAGEMENT OBJECTIVES AND NEEDS

The proposed project is consistent with the SJRC statutory mission (Public Resources Code Section 32533) and complies with the fundamental goals and policies of the San Joaquin River Parkway Master Plan. Once the project is complete, operations and maintenance of the new grant-funded facilities will be the responsibility of the SJRC.

PROJECT FUNDING

The proposed funding breakdown for the Spano River Ranch Habitat Enhancement Project is as follows:

Item Description	Total Cost
Site preparation.	\$25,000
Irrigation installation.	\$170,000
Plant installation (revegetation).	\$166,000
Irrigation and establishment of plants.	\$97,900
Subtotal	\$458,900
Project management	\$45,550
Contingency	\$45,550
TOTAL	\$550,000

FUNDING SOURCE

The purposes of this project are consistent with the authorized uses of the proposed funding source, the Safe Drinking Water, Water Quality and Supply,

Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75050(f), which provides for river parkway projects identified by the SJRC and is consistent with the objectives of this project.

CEQA REVIEW AND STATE RECOMMENDATION

The proposed project is included among the high priority projects recommended by the Interagency Project Development Committee (IPDC), whose role is to evaluate projects to be considered by the SJRC Board. The acting Central Region Manager with the California Department of Fish and Wildlife holds a position on the 15-member SJRC Board. The SJRC Board reviews and approves projects to ensure they are viable and consistent with the goals of the current SJRC Parkway Master Plan (2000) (Parkway Master Plan), prior to consideration by the WCB. The SJRC Board approved this project on June 17, 2015.

The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15304, Class 4, as a minor alteration to land, water and/or vegetation, which does not involve the removal of healthy, mature, scenic trees. Subject to approval of this proposal by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$550,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75050(f); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; allocate \$550,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75050(f); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

- *14. Southern Sierra Nevada Mountains, \$210,000.00
Cummings Ranch
Kern County

This proposal was to consider the allocation for a grant to The Nature Conservancy (TNC) for a cooperative project with the California Department of Corrections and Rehabilitation to acquire a conservation easement (Easement) over 1,019± acres of land for the protection of native oak woodlands and rolling grasslands to support habitat linkages and corridors between existing protected lands.

LOCATION and SURROUNDING USES

The property (Property) known as Cummings Ranch, is located in the northern foothills of the Tehachapi mountains north of State Route 58, approximately 25 miles southeast of Bakersfield and 11 miles northwest of the city center of Tehachapi. The Property has more than three miles of frontage along State Route 58.

The general terrain of the region consists of rolling hills of rangeland that historically supported small to large scale ranches devoted to cattle ranching and livestock grazing operations. More recently, subdivisions of 5 to 20 acre parcels have been developed to the east and southeast of the Property. Just south of the Property, across State Route 58, the populated communities of Hart Flat and Keene offer higher density rural home sites that have become popular for those seeking an alternative to the typical urban lifestyle.

The Property is recognized and considered a high priority for protection in the approved California Department of Fish and Wildlife (CDFW) Tehachapi Conceptual Area Protection Plan (CAAP). The CAPP area encompasses approximately 1.2 million acres and is bounded on the south by the Grapevine, located near the northern Los Angeles County line; on the north by the southern Sierra and Sequoia National Forest; on the west by the southern San Joaquin Valley; and on the east by the Sierra foothills and upper elevations of the Mojave Dessert. The CAPP includes 718,000 acres of currently unprotected properties that contain large tracts of intact grasslands, native oak woodlands, and foothill woodlands which support numerous wildlife and plant species. The protection of these properties supports the goal of creating an ecologically complete network of protected lands from the Sierra Nevada to the Tehachapi Mountains and the southern California Mountains, as well as to Tulare Basin riparian and wildlife corridors.

Adjacent to the southwest boundary of the Property is the 270,000 acre Tejon Ranch, protected in part by conservation easements partially funded by the Wildlife Conservation Board (WCB) in 2010. Situated just two miles north of the Property is the 9,600 acre Parker Ranch easement acquired by TNC with grant funds provided by WCB in 2007. These properties when combined with this project support the protection of Tehachapi CAPP linkages.

PROJECT DESCRIPTION

The Property is irregularly shaped with topography that varies from gently to steeply sloping terrain at elevations ranging from about 1,800 feet to 2,900 feet. The Property currently supports cattle ranching and livestock grazing which conforms to the zoning of extensive agricultural use. Typical ranch improvements on the Property include perimeter fencing and corrals. Water sources include two stock ponds, two wells, and four natural springs, two of which are connected to a water system traversing the Property to serve numerous water troughs. There are also three streams that traverse the Property of which only one, known as Clear Creek, flows year round.

The Property supports a variety of habitats characterized by extensive rolling grasslands and oak woodlands bisected by riparian woodlands. Blue oak woodlands dominate the landscape and are commonly found with mixed stands of gray pine, California buckeye, and interior live oak with variable understory ranging from grass dominated to dense thickets of oak gooseberry. Along the banks of Clear Creek, riparian woodland supporting willows, sycamores and interior live oaks fill out the remainder of the Property.

Commonly observed species benefiting from the oak woodlands habitat include western bluebirds, acorn woodpeckers, California quail, phainopepla, Nuttall's woodpecker, western fence lizards, western whiptails, deer, mountain lions, coyotes and California ground squirrels. California condors have also been observed over the area, along with red tail hawks, red shouldered hawks, and turkey vultures.

These species benefit from the linkage the Property creates with the adjacent protected Tejon Ranch. This Property protects and expands a foraging corridor that provides these species the opportunity to adapt to climate change and migrate from the lower elevations of large grasslands to a higher elevation of more diverse vegetation.

Under the terms of the Easement, rural residential subdivisions and non-compatible agricultural uses will be prohibited. Cattle ranching and cattle grazing will continue to be allowed but managed and monitored to ensure the conservation values of the Property are not compromised.

WCB PROGRAM

The proposed grant is being considered under the WCB's Land Acquisition Program. The Land Acquisition Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, *et seq.*) authorizing the WCB to acquire real property or rights in real property on behalf of the CDFW, grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. Under the program, the WCB

provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife-oriented recreation opportunities. These activities are carried out in conjunction with the CDFW, which evaluates the biological values of property through development of a Land Acquisition Evaluation (LAE)/CAPP. The LAE/CAPP is then submitted to CDFW's Regional Operations Committee for review and, if approved, later transmitted to the WCB with a recommendation to fund.

This Project is guided by the WCB Strategic Plan and supports the following outlined goals:

Goal A.1 - Fund Projects and Landscapes that provide resilience for native wildlife and plant species in the face of climate change.

The project creates a habitat linkage and protects a corridor that provides transitional habitat for several native species to adapt to climate change by moving between the lower elevation Tejon Ranch grasslands that shift to higher elevation habitat consisting of more diverse vegetation.

Goal A.4 - Invest in priority conservation projects recommended under CDFW's land acquisition or within other conservation plans supported by CDFW.

The Property has been identified and evaluated in an approved CAPP as a priority for protection. It also has been included in the CDFW commissioned, California Essential Habitat Connectivity Project, which supports the protection of a functional network of connected wild lands for California's diverse natural communities in the face of human development and climate change.

MANAGEMENT OBJECTIVES AND NEEDS

Prior to finalizing the acquisition of the Easement, TNC will complete a baseline report and management plan for approval by the WCB. TNC will provide long term management of the land to ensure the terms of the Easement are not violated. Since this is an acquisition of a conservation easement over a private ranch it is anticipated that there will be no public use of the property. TNC currently holds approximately 100 conservation easements in California and hundreds more across the United States. Within 15 miles of this Property TNC owns over 32,000± acres of protected lands, providing expertise and knowledge of how to manage resources within the Tehachapi Range.

TERMS

The Easement has been appraised as having a fair market value of \$850,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The property owner has agreed to sell the Easement for a discount price of \$520,000.00. The terms and conditions of the proposed WCB grant to TNC provide that staff of the WCB must review and approve all title documents, preliminary title reports, documents for purchase and

sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms, the WCB can seek specific performance of the grant or require the grantee to transfer the Easement to WCB or another qualified holder.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$200,000.00
California Department of Corrections and Rehabilitation	\$220,000.00
Private Donation	<u>\$100,000.00</u>
TOTAL Purchase Price	\$520,000.00
Other project related administrative costs	10,000.00
Total WCB Allocation	\$210,000.00

It is estimated that an additional \$10,000.00 will be needed to cover project related administrative costs, including DGS appraisal review.

WCB FUNDING SOURCE

The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition of habitat, including native oak woodlands, to protect deer and mountain lions. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a)]

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for fish and wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and existing natural conditions, including plant or animal habitats. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$210,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a) for the grant and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Mr. Donnelly informed the Board that he received a letter of support from Executive Director Dan Silver, from the Endangered Habitats League.

As one of the consent items heard at the beginning of the meeting, it was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; allocate \$210,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a) for the grant and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

- *15. Puma Canyon, Expansion 6 \$66,000.00
San Bernardino County

This proposal was to consider the allocation for a grant to Transition Habitat Conservancy (THC) to acquire approximately 15 acres of land to conserve and protect lower montane chaparral and woodland habitat for the benefit of deer, mountain lion and other wildlife species.

LOCATION AND SURROUNDING USES

The property (Property) is located within Puma Canyon, approximately five miles south of the community of Pinon Hills, south of State Route 138, in San Bernardino County. Surrounding land uses are primarily rural/suburban home sites. Puma Canyon provides a habitat link between the southern slopes of the San Gabriel Mountains (that lie within the San Bernardino National Forest), stretching north and connecting with the southwest region of the Mojave Desert. The canyon ranges in elevation from 4,470 to 5,658 feet and contains a unique blend of vegetative communities that only occur at the transition zone between the Mojave Desert and San Gabriel Mountain ecoregions. The general terrain in the area is high desert, with large washes and arroyos separated by small undulating hills and ridges that give way to steeper terrain as the Puma Canyon extends up into the San Gabriel Mountains. Pinyon pines, juniper and Joshua tree dominate the landscape and provide important habitat to many desert wildlife species.

The Property falls within the California Department of Fish and Wildlife's (CDFW) Puma Canyon Conceptual Area Protection Plan (CAPP). The main objectives of this CAPP are to conserve and enhance biodiversity, and protect threatened vegetative communities along with other rare and important plants and animals.

Over the last two years, the WCB approved projects to protect nearly 260± acres of land that is now part of the Puma Canyon Ecological Reserve.

PROJECT DESCRIPTION

The Property is covered with natural vegetation consisting of desert shrubs, pinyon pines, junipers, and Joshua trees. The Property has a series of alternating ridges and canyons running north to south, and the ridge tops afford good views of Victor Valley to the north and east. The Property provides important habitat for several species such as mountain lion, deer, bobcat, Cooper's hawk, golden eagles, and loggerhead shrikes, as well as special status species such as the arroyo toad, California red-legged frog, coastal horned lizard, and the southwestern willow flycatcher.

WCB PROGRAM

The proposed grant for this project is being considered under the WCB's Land Acquisition Program (Program). The Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Code Section 1300, et seq.), which authorizes WCB to acquire

real property or rights in real property on behalf of CDFW, grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property, and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with the acquisition of properties. Under the Program the WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife oriented recreation opportunities. These activities are carried out in conjunction with CDFW, which evaluates the biological values of property through development of a Land Acquisition Evaluation (LAE)/Conceptual Area Protection Plan (CAPP). The LAE/CAPP is then submitted to CDFW's Regional Operations Committee for review and, if approved, later transmitted to the WCB with a recommendation to fund.

Consistent with Goals A-1 and A-4 (environmental protection and conservation) of WCB's Strategic Plan, the acquisition would continue to allow migration and movement of species and provide for habitat connectivity between identified habitat areas.

- Goal A.1 - Fund Projects and Landscapes that provide resilience for native wildlife and plant species in the face of climate change.
- Goal A.4 - Invest in priority conservation projects recommended under CDFW's land acquisition or within other conservation plans supported by CDFW.

MANAGEMENT OBJECTIVES AND NEEDS

The Property will be owned and managed by THC. THC staff and volunteers will provide stewardship and monitoring. THC expects to raise over \$1,000,000 in other funding in the next three years from foundations, corporations, State and federal grants, memberships and bequests for the management of Puma Canyon. THC will also consider the potential for future public uses such as self-guided nature trails, hiking, horseback riding, nature viewing, and outdoor educational programs for local schools.

TERMS

The Property has been appraised as having a fair market value of \$56,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The terms and conditions of the grant between WCB and THC provide that staff of the WCB must review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms, the WCB can require the grantee to encumber the Property with a conservation easement in favor of the State or another entity approved by the State and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$56,000.00
Total Purchase Price	\$56,000.00
Other project related administrative costs	\$10,000.00
Total WCB Allocation	\$66,000.00

It is estimated that an additional \$10,000.00 will be needed to cover project-related administrative costs, including DGS appraisal review.

FUNDING SOURCE

The purposes of this project are consistent with the authorized uses of the proposed funding source, the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a), which allows for the acquisition and protection of habitat and to protect deer and mountain lions.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and habitat. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the WCB approve this project as proposed; allocate \$66,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a) for the grant funding and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff to proceed substantially as planned.

Mr. Donnelly informed the Board that he received a letter of support from Executive Director Dan Silver, from the Endangered Habitats League.

Jill Bays from the Transition Habitat Conservancy spoke and said they were able to install six miles of hiking trails, an outdoor amphitheater and a picnic area. She thanked the Board for their consideration of this project.

As one of the consent items heard at the beginning of the meeting, it was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; allocate \$66,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a) for the grant funding and to cover internal project-related expenses;

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

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

- *16. Shay Meadows Conservation Area \$85,575.00
Expansions 2 and 3
San Bernardino County

This proposal was to consider the allocation of two Wildlife Conservation Board (WCB) grants to San Bernardino Mountains Land Trust (SBMLT) as well as the acceptance of a U.S. Fish and Wildlife Service (USFWS) Recovery Land Acquisition grant and the approval to subgrant these federal funds to SBMLT to acquire two separate properties totaling 8 acres in size, for the protection of habitat for the state endangered and fully protected, unarmored threespine stickleback fish (stickleback) and other threatened, endangered and sensitive species that may occur on the parcels.

LOCATION AND SURROUNDING USES

The properties (Property) are located near the community of Big Bear City, east of the incorporated City of Big Bear Lake in Shay Meadows and fall within the California Department of Fish and Wildlife (CDFW) Upper Shay Meadows Ecological Reserve Land Acquisition Evaluation (LAE). The first site, referred to as the "Whitcher" property consists of 5 acres and is located east of Woodland Drive. The second site, called the "Smith" property consists of 3 acres and is located west of Woodland Drive.

Surrounding land uses include eight adjacent acres owned by the state and under the jurisdiction of CDFW (known as the Shay Meadows Conservation Area), two and one-half acres owned by the Big Bear Community Services District (CSD) for the protection of Shay Pond and the surrounding Shay Meadows; residential properties with arenas, stables, barns, corrals and pastures; and United States Forest Service land. Located at approximately 6,700 feet, the Property includes gentle slopes and level, low-lying meadow. Water flows intermittently across the Property toward Shay Creek and Shay Pond.

PROJECT DESCRIPTION

The Property consists of rare wet meadow habitat that protects endangered species and provides a corridor between the state-owned Shay Meadows Conservation Area property to the east and north, the two and one-half acres owned by the CSD, and the 680,000 acre San Bernardino National Forest. The Property is rectangular shaped and generally level. An additional six parcels totaling 9 acres have been identified as candidates for possible future acquisition, to further protect and buffer the stickleback habitat.

The Shay Meadows area provides one of the two known habitats for this population of stickleback. The area is at risk of encroachment by development and sedimentation, which is leading to degraded water quality and reduced habitat values that could result in the extirpation of this population. Preservation of the Property would help protect water quality and maintain natural meadow functions. This area also contains habitat for other state and federally listed species such as the bird footed checkerbloom, slender petaled thelypodium, San Bernardino blue grass, California dandelion, Southern mountain buckwheat,

southern rubber boa and two-stripe garter snake. The proposed acquisition would allow SBMLT to work with CDFW to monitor and manage the fish, plants and wildlife populations.

CDFW has recommended the purchase of the Property to protect important native habitat and linkage. CDFW and SBMLT anticipate coordinating to monitor and manage the Property. The SBMLT, CDFW, CSD and U. S. Forest Service plan to cooperate to manage the water resources across their collective properties for habitat benefits. The proposed acquisition will complement lands already acquired with Section 6 funds by expanding the boundaries of conserved meadow habitat.

WCB PROGRAM

The proposed grant is being considered under the WCB's Land Acquisition Program (Program). The Program is administered pursuant to the Board's original enabling legislation, the "Wildlife Conservation Law of 1947" (Fish and Game Section 1300, *et seq.*), which authorizes the WCB to acquire real property or rights in real property on behalf of CDFW, grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property, and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. Under the Program WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife-oriented recreation opportunities. The acquisition has been reviewed and approved by CDFW which has substantiated the biological values of the Property and recommended it for funding. The USFWS grant proposed for acceptance for this project has also been reviewed and approved by CDFW as a participant in the USFWS Land Acquisition Grant selection and review process, effectively leveraging WCB's funding as stipulated in our strategic plan under Goal E.1.

This project is guided by the WCB Strategic Plan and supports the following Strategic Plan goals:

- A.2- Fund projects that conserve, protect, or enhance water resources for fish and wildlife.

The habitat resources of the Property have been evaluated in the LAE approved by CDFW. The Property will provide habitat connectivity to surrounding protected properties and help protect Shay Pond.

- A.3- Fund projects that promote the recovery of listed species.

The primary purpose for acquisition of the Property will be to conserve unprotected habitat for the State and Federally listed Endangered unarmored threespine stickleback.

Acquisition of the Property will reduce habitat fragmentation and help implement the recovery of the listed species found on or near the Property.

MANAGEMENT OBJECTIVES AND NEEDS

The Property will be owned and managed by SBMLT who will provide resource stewardship and monitoring. The Property is natural open space, and will be maintained as such.

TERMS

The Property has been appraised as having a fair market value of \$282,300.00. Specifically the Whitcher property has an appraised fair market value of \$166,600.00 and the Smith property has an appraised fair market value of \$115,700.00. The appraisals have been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS) and the USFWS. The Property owners have each agreed to sell their property for its approved appraised fair market value. The USFWS funds require a non-federal match that would be provided by the proposed WCB grants to SBMLT. The terms and conditions of the proposed WCB grants and the USFWS subgrants to SBMLT provide that staff of the WCB must review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for each acquisition. In the event of a breach of the grant terms, the WCB can require SBMLT to encumber the Property with a conservation easement and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

WCB Grant (Whitcher)	\$41,650.00
USFWS subgrant funds (Whitcher)	<u>\$124,950.00</u>
Total Purchase Price	\$166,600.00
WCB Grant (Smith)	\$28,925.00
USFWS subgrant funds (Smith)	<u>\$86,775.00</u>
Total Purchase Price	\$115,700.00
Other project related administrative costs	\$15,000.00
Total WCB Allocation	\$85,575.00

It is estimated that an additional \$ 15,000.00 will be needed to cover project-related expenses, including appraisals and DGS appraisal review costs.

FUNDING SOURCE

The purposes of this project are consistent with the proposed funding source, the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) which allows for the acquisition and protection of habitats that are

critical to the sustainability of threatened and endangered species.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and habitat. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of Habitat Conservation Plan Land Acquisition grant funds from the USFWS in the amount of \$211,725.00 and the subgrant of these federal funds to San Bernardino Mountains Land Trust; allocate \$85,575.00 from Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) for the grants and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Mr. Donnelly informed the Board that he received a letter of support from Executive Director Dan Silver, from the Endangered Habitats League.

As one of the consent items heard at the beginning of the meeting, it was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of Habitat Conservation Plan Land Acquisition grant funds from the USFWS in the amount of \$211,725.00 and the subgrant of these federal funds to San Bernardino Mountains Land Trust; allocate \$85,575.00 from Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) for the grants and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

- *17. SR-91 Wildlife Underpass Design \$0.00
Riverside County

This project was withdrawn from consideration.

- *18. Western Riverside Multiple Species Habitat \$128,200.00
Conservation Plan (2012) – Dyer/Wynn,
Riverside County

This proposal was to consider the acceptance of a U.S. Fish and Wildlife Service (USFWS) Habitat Conservation Plan Land Acquisition grant and the approval to subgrant these federal funds to the Western Riverside County Regional Conservation Authority (Authority), as well as to consider a Wildlife Conservation Board (WCB) grant to the Authority, to acquire 20± acres of land. The subgrant and grant funds will be used to protect habitat that supports threatened and endangered species and increase regional wildlife habitat corridors and linkages located within the Western Riverside County Multiple Species Habitat Conservation Plan area. (WRC MSHCP)

LOCATION AND SURROUNDING USES

The property (Property) is located in the northeast quadrant of the City of Lake Elsinore, east of the Interstate 15 corridor and south of State Route 74. The site is between the Meadowbrook community to the north and an existing residential subdivision development to the south. More specifically, the Property is located just southwest of Greenwald Avenue.

The immediate vicinity of the Property is characterized by undeveloped raw land covered with a combination of flat, gently to moderately sloping rugged hills that rise upwards to the east from Interstate 15, and upwards to the north from Railroad Canyon Road and the San Jacinto River. While this area is largely vacant at present, newer residential and commercial developments that belong to the La Strada and Tuscany Hills North ownerships have approved tentative tracts. The tentative tracts have specific in-process plans for future housing in the immediate area of the Property. Tuscany Hills North currently bounds the Property on three sides and has an approved Development Agreement for 807 dwelling units.

The Lake Elsinore area of Riverside County falls within the WRC MSHCP Plan Area, which encompasses approximately 1.2 million acres of land providing habitat for over 146 wildlife species, several of which are both state and federally listed as threatened or endangered. The WRC MSHCP was established under the California Department of Fish and Wildlife's (CDFW) Natural Community Conservation Planning (NCCP) program under the State's Natural Community Conservation Planning Act of 1991 (Fish and Game Code Section 2800, *et seq.*).

The NCCP program is a cooperative effort that includes both private and public

partners and takes a broad-based ecosystem approach to planning for the protection and perpetuation of biological diversity. An NCCP identifies and provides for the regional or area wide protection of plants, animals and their habitats, while allowing compatible and appropriate economic activity. Under the WRC MSHCP the goal of the Authority is to assemble a reserve of 500,000 acres of conserved properties identified to sustain and protect important wildlife ecosystem processes and corridors throughout western Riverside County. To date, 49,168 acres have been added to the reserve.

PROJECT DESCRIPTION

The Property is unimproved and consists of a rectangular shaped parcel of land situated in an R-1, Single Family Residential Zone. The R-1 designation is intended to accommodate low density projects comprised of single-family residences developed in an urban environment with available public services and infrastructure.

The Property is characterized by a semi-gently sloped terrain with natural undisturbed slope elevations ranging between 1,596 feet above m.s.l. (mean sea level) to 1,561 feet above m.s.l. The northeast portion of the site is also traversed by a blue-line stream. The Property is covered with blocks of coastal sage scrub and chaparral. This plant community provides habitat essential to resident wildlife. In recent years, coastal scrub Habitat in Western Riverside County has been destroyed and fragmented, thereby causing a degradation of ecological processes. In addition to protecting coastal sage scrub habitat, the proposed acquisition will protect multiple federal and state listed species within the WRC MSHCP habitat area, including the federally endangered quino checkerspot butterfly, Munz's onion, southwestern willow flycatcher and the thread-leaved brodiaea.

WCB PROGRAM

The proposed grant and subgrant are being considered under the WCB's Land Acquisition Program (Program). The Program is administered pursuant to the Board's original enabling legislation, the "Wildlife Conservation Law of 1947" (Fish and Game Section 1300, *et seq.*), which authorizes WCB to acquire real property or rights in real property on behalf of CDFW; grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property; and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisition of properties. Under the Program, WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife-oriented recreation opportunities.

The Property has been reviewed and approved by CDFW under its NCCP program, substantiating the biological values of the Property and recommending it for funding. The USFWS grant proposed for acceptance for this project has also been reviewed and approved by CDFW as a participant in the USFWS Land Acquisition Grant selection and review process.

The project meets WCB's strategic Plan goals:

A.1 – Fund projects and landscapes that provide resilience for native wildlife and plant species in the face of climate change.

One of the goals of the WRC MSHCP is to preserve existing habitat connections by expanding a network of protected linkages. Connectivity in the Western Core Linkage habitat area is essential to maintaining the genetic viability of listed/sensitive species being conserved under the plan. Wildlife linkages also provide ecosystem responses to climate change by incorporating elevation gradients that allow species and vegetation communities to shift upward in elevation.

A.3 – Fund projects that support the implementation of Natural Community Conservation Plans, Habitat Conservation Plans and recovery of listed species.

The project meets WCB's Strategic Plan by supporting the implementation of Natural Community Conservation Plans, Habitat Conservation Plans and the recovery of listed species. The WRC MSHCP complements WCB's Strategic Plan through its goal to acquire properties for the purpose of wildlife habitat and landscape preservation. The Authority has successfully worked on the expansion of protected wildlife habitat linkages and corridors to ensure the success and recovery of threatened and endangered wildlife species, and for the protection of natural landscapes within the Plan Area.

A.4 – Invest in priority conservation projects recommended under CDFW's land acquisition evaluation process or within other conservation plans supported by CDFW.

CDFW, together with other public and private parties, was instrumental in the creation of the WRC MSHCP through its NCCP program. Under the NCCP program, all parties recognized the importance of western Riverside County's conservation values. The conservation values recognized by all include the mixture of habitats located across diverse landscapes with numerous ecosystems and wildlife species found nowhere else in the world. This fact, coupled with the extensive growth and urbanization of the area has resulted in the decline of these habitat communities. Since 2006, WCB and the USFWS Section 6 grant program have supported and participated in funding several acquisitions in the WRC MSHCP area.

MANAGEMENT OBJECTIVES AND NEEDS

The Authority will manage the Property as part of the WRC MSHCP reserve system, which serves to provide permanent habitat protection for populations of federal and state-listed endangered and threatened species that occupy the reserve and to increase regional wildlife habitat cores and linkages that will

connect existing habitat reserve areas throughout western Riverside County. As part of its obligation under the WRC MSHCP, the Authority retains a Reserve Manager to ensure that management actions are consistent with the plan. Management costs for parcels acquired under the WRC MSHCP will be provided by the Authority's operating funds.

TERMS

The Property has been appraised as having a fair market value of \$404,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS) and USFWS. The Property owner has agreed to sell the Property for the approved appraised fair market value. The USFWS grant requires a non-federal match in the amount of \$121,200.00 that is proposed to be provided by a grant from the WCB. The terms and conditions of the proposed WCB grant and subgrant of USFWS funds to the Authority provide that staff of the WCB must review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms, the WCB can require the grantee to encumber the Property with a conservation easement in favor of the State or another entity approved by the State and seek reimbursement of funds.

PROJECT FUNDING

The funding breakdown for the project is as follows:

Wildlife Conservation Board	\$121,200.00
WCB – subgrant of USFWS funds	<u>\$282,800.00</u>
TOTAL Purchase Price	\$404,000.00
Other project related administrative costs	\$7,000.00
Total WCB Allocation	\$128,200.00

It is estimated that \$7,000.00 will be needed to cover project related administrative costs, including the DGS appraisal review. The Authority, as project proponent, will fund all other project-related administrative costs for the acquisition, including but not limited to the environmental site assessment, appraisal, survey, escrow, and title insurance costs.

FUNDING SOURCE

The purposes of this project are consistent with the authorized uses of the proposed funding source, the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c), which allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species.

ENVIRONMENTAL COMPLIANCE

The project has been reviewed pursuant to the California Environmental Quality

Act (CEQA) and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and existing natural conditions, including plant or animal habitats. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; accept the Habitat Conservation Plan Land Acquisition grant funds from the U.S. Fish and Wildlife Service in the amount of \$282,800.00 and approve the subgrant of these federal funds to the Authority; allocate \$128,200.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) for the WCB grant and to cover internal project-related expenses; and authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Mr. Donnelly informed the Board that he received letters of support from Senator Jeff Stone, 28th Senate District, and Executive Director Dan Silver, from the Endangered Habitats League.

As one of the consent items heard at the beginning of the meeting, it was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; accept the Habitat Conservation Plan Land Acquisition grant funds from the U.S. Fish and Wildlife Service in the amount of \$282,800.00 and approve the subgrant of these federal funds to the Authority; allocate \$128,200.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) for the WCB grant and to cover internal project-related expenses; and authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

- *19. Western Riverside Multiple Species Habitat Conservation Plan (2012) - McCormick, Riverside County \$68,000.00

This proposal was to consider the acceptance of a U.S. Fish and Wildlife Service (USFWS) Habitat Conservation Plan Land Acquisition grant and the approval to subgrant these federal funds to the Western Riverside County Regional Conservation Authority (Authority). This proposal will also consider a Wildlife Conservation Board (WCB) grant to the Authority, to acquire 5± acres of land in western Riverside County located within the Western Riverside County Multiple Species Habitat Conservation Plan (WRC MSHCP).

LOCATION AND SURROUNDING USES

The property (Property) is located in the City of Murrieta in southwest Riverside County. More specifically, the Property is located on the west side of Crawford Canyon Road, south of Los Alamos Road in Murrieta.

The Murrieta area of Riverside County falls within the WRC MSHCP Plan Area. The Plan Area encompasses approximately 1.2 million acres of land providing habitat for over 146 wildlife species, several of which are both state and federally listed as threatened or endangered. The WRC MSHCP was established under the California Department of Fish and Wildlife's (CDFW) Natural Community Conservation Planning (NCCP) program under the State's Natural Community Conservation Planning Act of 1991 (Fish and Game Code Section 2800, *et seq.*).

The NCCP program is a cooperative effort that includes both private and public partners and takes a broad-based ecosystem approach to planning for the protection and perpetuation of biological diversity. An NCCP identifies and provides for the regional or area wide protection of plants, animals and their habitats, while allowing compatible and appropriate economic activity. Under the WRC MSHCP the goal of the Authority is to assemble a reserve of 500,000 acres of conserved properties identified in the WRC MSHCP to sustain and protect important wildlife ecosystem processes and corridors throughout western Riverside County. To date, 49,168 acres have been added to the reserve.

PROJECT DESCRIPTION

The Property consists of an irregularly shaped parcel of land located in a Rural Residential (RR) zoning area in Murrieta. The RR zoning designation potentially allows residential development at a density of one single-family dwelling unit per two and one-half acres. The Property is unimproved and has legal access from Crawford Canyon Road, a dedicated public right of way. The Property also has frontage on Los Alamos Road along its northwesterly property line, however, due to the topography and exposed rock croppings, physical access is only viable from Crawford Canyon Road.

The site is rolling to rough with an elevation of 1,356 feet near its northeast corner and rises to 1,424 feet near the northwest corner. As typical of properties located

in the WRC MSHCP's Western Core Linkage (WCL) habitat area, vegetation on the Property consists of scattered blocks of coastal sage scrub and chaparral. The coastal sage scrub plant community is essential to resident wildlife. In recent years, coastal scrub habitat in Western Riverside County has been destroyed and fragmented, thereby causing a degradation of ecological processes. In addition to protecting coastal sage scrub habitat, the proposed acquisition will protect multiple federal and state listed species within the WCL WRC MSHCP habitat area, which includes the federally endangered quino checkerspot butterfly, Munz's onion, southwestern willow flycatcher and the thread-leaved brodiaea.

WCB PROGRAM

The proposed grant and subgrant are being considered under the WCB's Land Acquisition Program (Program). The Program is administered pursuant to the Board's original enabling legislation, the "Wildlife Conservation Law of 1947" (Fish and Game Section 1300, *et seq.*), which authorizes WCB to acquire real property or rights in real property on behalf of CDFW; grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property; and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisition of properties. Under the Program, WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife-oriented recreation opportunities.

The Property has been reviewed and approved by CDFW under its NCCP program, substantiating the biological values of the Property and recommending it for funding. The USFWS grant proposed for acceptance for this project has also been reviewed and approved by CDFW as a participant in the USFWS Land Acquisition Grant selection and review process.

The project meets WCB's strategic Plan goals:

A.1 – Fund projects and landscapes that provide resilience for native wildlife and plant species in the face of climate change.

One of the goals of the WRC MSHCP is to preserve existing habitat connections by expanding a network of protected linkages. Connectivity in the WCL habitat area is essential to maintaining the genetic viability of listed/sensitive species being conserved under the plan. Wildlife linkages also provide ecosystem responses to climate change by incorporating elevation gradients that allow species and vegetation communities to shift upward in elevation.

A.3 – Fund projects that support the implementation of Natural Community Conservation Plans, Habitat Conservation Plans and recovery of listed species.

The project meets WCB's Strategic Plan by supporting the implementation of Natural Community Conservation Plans, Habitat Conservation Plans and the recovery of listed species. The WRC MSHCP complements WCB's Strategic

Plan through its goal to acquire properties for the purpose of wildlife habitat and landscape preservation. The Authority has successfully worked on the expansion of protected wildlife habitat linkages and corridors to ensure the success and recovery of threatened and endangered wildlife species, and for the protection of natural landscapes within the Plan Area.

A.4 – Invest in priority conservation projects recommended under CDFW’s land acquisition evaluation process or within other conservation plans supported by CDFW.

CDFW, together with other public and private parties, was instrumental in the creation of the WRC MSHCP through its NCCP program. Under the NCCP program, all parties recognized the importance of western Riverside County’s conservation values. The conservation values recognized by all include the mixture of habitats located across diverse landscapes with numerous ecosystems and wildlife species found nowhere else in the world. This fact, coupled with the extensive growth and urbanization of the area has resulted in the decline of these habitat communities. Since 2006, WCB and the USFWS Section 6 grant program have supported and participated in funding several acquisitions in the WRC MSHCP area.

MANAGEMENT OBJECTIVES AND NEEDS

The Authority will manage the Property as part of the WRC MSHCP reserve system, which serves to provide permanent habitat protection for populations of federal and state-listed endangered and threatened species that occupy the reserve and to increase regional wildlife habitat cores and linkages that will connect existing habitat reserve areas throughout western Riverside County. As part of its obligation under the WRC MSHCP, the Authority retains a Reserve Manager to ensure that management actions are consistent with the plan. Management costs for parcels acquired under the WRC MSHCP will be provided by the Authority’s operating funds.

TERMS

The Property has been appraised as having a fair market value of \$210,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS) and USFWS. The Property owner has agreed to sell the Property for the approved appraised fair market value of \$210,000.00. The USFWS grant requires a non-federal match in the amount of \$63,000.00 that is proposed to be provided by a grant from WCB. The terms and conditions of the proposed WCB grant and subgrant of USFWS funds to the Authority provide that staff of the WCB must review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms, WCB can require the grantee to encumber the Property with a conservation easement in favor of the State or another entity approved by the State and seek reimbursement of funds.

PROJECT FUNDING

The funding breakdown for the project is as follows:

Wildlife Conservation Board	\$63,000.00
WCB – subgrant of USFWS funds	<u>\$147,000.00</u>
TOTAL Purchase Price	\$210,000.00
Other project related administrative costs	\$5,000.00
Total WCB Allocation	\$68,000.00

It is estimated that \$5,000.00 will be needed to cover project related administrative costs, including the DGS appraisal review. The Authority, as project proponent, will fund all other project-related administrative costs for the acquisition, including but not limited to the environmental site assessment, appraisal, survey, escrow, and title insurance costs.

FUNDING SOURCE

The purposes of this project are consistent with the authorized uses of the proposed funding source, the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c), which allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species; and to implement the Habitat Conservation Program.

ENVIRONMENTAL COMPLIANCE

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and existing natural conditions, including plant or animal habitats. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; authorize the acceptance of the Habitat Conservation Plan Land Acquisition grant funds from the U.S. Fish and Wildlife Service in the amount of \$147,000.00 and approve the subgrant of these federal funds to the Authority; allocate \$68,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) for the WCB grant and to cover internal project-related expenses; and authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Mr. Donnelly informed the Board that he received letters of support from Senator Jeff Stone, 28th Senate District, and Executive Director Dan Silver, from the

Endangered Habitats League.

As one of the consent items heard at the beginning of the meeting, it was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; authorize the acceptance of the Habitat Conservation Plan Land Acquisition grant funds from the U.S. Fish and Wildlife Service in the amount of \$147,000.00 and approve the subgrant of these federal funds to the Authority; allocate \$68,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) for the WCB grant and to cover internal project-related expenses; and authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

**Passed Unanimously.
Bonham - Yes
Baylis – Yes
Finn - Yes**

- *20. Hollenbeck Canyon Wildlife Area Expansion 5 \$390,551.00
San Diego County

This proposal was to consider the acquisition in fee of 391± acres of land for the California Department of Fish and Wildlife (CDFW) as an expansion to the Hollenbeck Canyon Wildlife Area (HCWA). This is a cooperative project with the San Diego Association of Governments (SANDAG) which will protect core wildlife linkages and key populations of the endangered quino checkerspot butterfly.

LOCATION AND SURROUNDING USES

The property (Property) is located in the community of Jamul, about 20 – 25 miles east of downtown San Diego. The Property shares boundaries with HCWA to the south, east, and west. The 6,100± acre HCWA shares boundaries with other important state, federal, and county owned and managed conserved public lands to the east, west, and south and is an important wildlife corridor between Otay Mountain and the Jamul Mountains.

The proposed acquisition focuses on land that will greatly enhance the existing San Diego Multiple Species Conservation Program (MSCP), a comprehensive, long-term habitat conservation plan addressing the needs of multiple species and the preservation of natural vegetation communities in San Diego County. It addresses the potential impacts of urban growth, natural habitat loss, and species endangerment, and creates a plan to mitigate for the potential loss of covered species and their habitat due to the direct impacts of future development of both public and private lands within the MSCP plan area.

This acquisition will secure key regional wildlife linkages and preserve core resource areas of habitat. Core resource areas are defined as areas having a high concentration of sensitive biological resources which, if lost, could not be replaced or mitigated elsewhere.

Much of the surrounding land is residential subdivisions, with larger estate developments and intermittent commercial development along the major thoroughfares. Protecting this strategically located Property will avoid further development and encroachment that would result in a fragmented landscape and preclude connectivity between already protected areas.

PROJECT DESCRIPTION

If approved, this acquisition will preserve and protect core wildlife linkages and existing habitat utilized by several endangered species. One of the most prominent species is the federally endangered quino checkerspot butterfly. The butterfly can occupy a variety of habitat types — including grasslands, coastal sage scrub, chamise chaparral, red shank chaparral, juniper woodland, and semi-desert scrub — that support native species of plantain, the butterfly's primary larval host plant. The HCWA as well as the Property support habitat suitable for the butterfly's lifecycle. Acquisition of the Property is essential to provide necessary protection for the habitat and butterfly populations.

In addition to the quino checkerspot butterfly, the property supports habitat for the San Diego sunflower, Hermes copper butterfly, San Diego coast horned lizard, northern red-diamond rattlesnake, California gnatcatcher, and the arroyo toad. Conserving the Property will help protect and support these sensitive species and their habitats as well as enhance important wildlife corridors and linkages between the protected areas noted above and as recognized in the San Diego County MSCP. Protection of property in this area is important for wildlife movement and genetic continuity.

WCB PROGRAM

The proposed acquisition by CDFW is being considered under the WCB's Land Acquisition Program (Program). The Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, *et seq.*) authorizing the WCB to acquire real property or rights in real property on behalf of the CDFW. Under the Program, the WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide suitable wildlife-oriented recreation opportunities. The project has been reviewed and approved by the CDFW under its Natural Community Conservation Plan program, substantiating the biological values of the property and recommending it for funding.

This project is guided by the WCB Strategic Plan and supports the following Strategic Plan goals:

Goal A.1 Fund projects and Landscapes that provide resilience for native wildlife and plant species in the face of climate change.

The Property contains habitat and wildlife corridors for threatened and endangered species. Linkages and corridors will be protected and maintained between major core habitat areas to allow for range shifts and migration of species to utilize suitable habitat as necessitated by climate change or temporary loss of habitat due to catastrophic fires or drought.

Goal A.3 Fund projects that support the implementation of Natural Community Conservation Plans, Habitat Conservation Plans and recovery of listed species.

The Property is within the MSCP area and will help meet the goals of the MSCP. Also, the project has been reviewed and approved by the CDFW under its NCCP program, substantiating the biological values of the property and recommending it for funding.

Goal A.4 Invest in priority conservation projects recommended under CDFW's land acquisition evaluation process or within other conservation plans supported by CDFW.

The Property is listed in the CDFW Hollenbeck Canyon Expansion Area Conceptual Area Protection Plan as a priority acquisition due to its proximity to the existing HCWA. The Property was also recommended for funding under the CDFW NCCP program and is within the San Diego MSCP area.

Goal C.1 Support a wide range of recreational activities in conjunction with other land uses and without degrading environmental resources.

Recreational opportunities in the HCWA include hunting, hiking, bird watching, and photography. The additional 391 acres will add even more outdoor opportunities.

MANAGEMENT OBJECTIVES AND RESPONSIBILITIES

The Property will be managed as part of the HCWA. CDFW expects minimal, if any, additional expenses as a result of this acquisition. Possible future public use opportunities that may be considered include hunting, hiking, photography and bird watching.

TERMS

The Property has been appraised as having a fair market value of \$1,564,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The appraisal was also approved by the California Department of Transportation as a condition of the SANDAG funding contribution. The owner has agreed to sell the Property for the approved appraised fair market value.

The CDFW applied for, and was awarded, a grant from SANDAG, through their *TransNet* Environmental Mitigation Program to assist with the acquisition of the Property and which also will provide funds for management. The SANDAG funds require that CDFW record a conservation easement in favor of SANDAG over the property at the time of closing. WCB will perform all necessary due diligence to acquire the property, including review and approval of all title documents and preliminary title reports. WCB will also prepare all acquisition documents including the Property Acquisition Agreement, Grant Deed and escrow instructions. Once approved by the Board, the transaction will also be subject to review and approval by DGS.

PROJECT FUNDING

The proposed funding breakdown for this project is as follows:

Wildlife Conservation Board	\$360,551.00
SANDAG funds	<u>\$1,203,449.00</u>
TOTAL PURCHASE PRICE	\$1,564,000.00
Other project related administrative costs	\$30,000.00
Total WCB Allocation	\$390,551.00

It is estimated that project-related administrative costs will include DGS appraisal, environmental and transaction review, escrow fees and title insurance costs.

FUNDING SOURCE

The purpose of this project is consistent with the proposed funding source, the Habitat Conservation Fund, Section 2786(b/c) which allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species and which allows for the acquisition of habitat on which unique species or natural communities naturally exist.

ENVIRONMENTAL COMPLIANCE

The acquisition has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and existing natural conditions, including plant or animal habitats. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the WCB approve the project as proposed; allocate \$390,551.00 from the Habitat Conservation Fund, Section 2786 (b/c) for the acquisition and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and CDFW to proceed substantially as planned.

Mr. Donnelly informed the Board that he received letters of support from Executive Director Dan Silver, from the Endangered Habitats League and from CDFW Regional Manager Ed Pert.

As one of the consent items heard at the beginning of the meeting, it was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve the project as proposed; allocate \$390,551.00 from the Habitat Conservation Fund, Section 2786 (b/c) for the acquisition and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and CDFW to proceed substantially as planned.

**Passed Unanimously.
Bonham - Yes
Baylis – Yes
Finn - Yes**

- *21. Lucky 5 Ranch, Phase II \$510,000.00
San Diego County

This proposal was to consider the allocation for a grant to Anza-Borrego Foundation (ABF) for a cooperative project with the San Diego Association of Governments (SANDAG), The Nature Conservancy (TNC) and the Resources Legacy Fund (RLF) to acquire 1,129± acres of land for the protection of habitat that supports endangered species, promotes the preservation of habitat linkages and corridors between existing protected lands, and offers the potential to provide future wildlife oriented public use opportunities.

LOCATION and SURROUNDING USES

The property (Property), known as Lucky 5 Ranch, is located within an unincorporated area in rural eastern San Diego County in the community of Cuyamaca. Cuyamaca is located approximately nine miles to the south of the historical mountain town of Julian, and forty miles northeast of the City of San Diego. Primary access to the area is by way of the Sunrise Highway, also known as County Highway S1, a north/south scenic highway that runs parallel with eastern boundary of the Property. Sunrise Highway provides vehicular access to both local residents and tourists to this mountainous region.

The Property is situated in the Laguna Mountain range just outside the northern boundaries of the Cleveland National Forest within the San Diego East County Multiple Species Conservation Plan. The majority of the surrounding area is comprised of undeveloped public lands interspersed with private properties that support agricultural and cattle operations. The Anza-Borrego Desert State Park adjoins the eastern property line, while the Cuyamaca Rancho State Park abuts the western and southern property lines. The Property and the adjacent Anza-Borrego Desert State Park contain the uppermost limits of the Sweetwater River Watershed which is comprised of small tributaries that flow through the Property, and then continue on through Cuyamaca Rancho State Park then to the Pacific Ocean at the Sweetwater Estuary. The headwaters of this watershed are located on the crest of the Peninsular Range, roughly along the Sunrise Highway, just east of Property. Protection of this upper watershed is vital to maintaining the water quality and environmental integrity of the entire Sweetwater drainage system.

In 2001, the Wildlife Conservation Board (WCB) provided a Grant to the ABF to acquire a 2,675± acre portion of the original Lucky 5 Ranch (Phase I) creating habitat connectivity between the desert floor at Anza-Borrego State Park and the montane regions of the Cuyamaca Rancho State Park. The land acquired in Phase I was eventually transferred to the Department of Parks and Recreation (DPR) for incorporation into the Anza-Borrego Desert State Park. Together, these state parks protect 611,000± acres of land that supports a variety of wildlife and public recreational opportunities. The Phase I land is currently open to the public and managed for low impact recreation that includes a system of hiking and equestrian trails. In conjunction with the acquisition of this Property, RLF will

support the acquisition by the ABF of a conservation easement over a 432± acre adjacent parcel also belonging to the Lucky 5 Ranch. This Property and the conservation easement will complete the protection of the original 4,237 acre Lucky 5 Ranch, and compliment the extension of habitat connectivity with the boundaries of the Anza-Borrego Desert State Park to the east and the Cuyamaca Rancho State Park to the west and southwest.

PROJECT DESCRIPTION

The Property is comprised of one unimproved legal parcel. The parcel is irregularly shaped on terrain that varies from steep, rugged mountainous land to gently sloping meadowland. The Property elevation beginning at the meadowlands is about 4,700 feet above sea level to over 5,300 feet at the top of a small mountain peak on the northwest side. The mountainous slopes are dominated by chaparral habitat that includes mountain mahogany, ceanothus, chamise, manzanita, chaparral yucca, and white sage. The open areas of meadow habitat contain more diverse plant assemblages that are characterized by thickets of elderberry, live oak, deer grass, coffee berry, and laurel-leaf sumac. The Property is also crossed by multiple small tributaries that either flow south into nearby Harper Creek or to the west into the Sweetwater River.

The diverse habitat supports a variety of wildlife that frequent the Property. Southern mule deer inhabit the Property, as do mountain lion, bobcat, American badger, gray fox, coyote, long-tailed weasel, golden eagle, wild turkey, mountain quail, and California quail. Most importantly, a state and federally endangered California condor, one of the rarest bird species, has been documented over the Property. The individual condor was part a captive breeding program and was released in April 2007 in Baja California. Also, the federally endangered San Bernardino bluegrass and the San Diego mountain king snake, a species of concern, are also known to occur on-site.

The Property straddles the crest line of the peninsular mountains providing plant and animal populations a corridor to migrate up and down the slope on the peninsular range, which allows wildlife to adapt to the changing temperatures and rainfall patterns. The connectivity provided by the Property between the coastal foothills, montane highlands, and eastern desert slopes is critical to the long-term welfare of the area's wildlife and plant population. This Property provides additional elevational diversity, and connects coastal foothill influence with desert slope, giving plant and animal populations a wide array of habitat potential to move into and reside.

WCB PROGRAM

The proposed grant is being considered under the WCB's Land Acquisition Program. The Land Acquisition Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, *et seq.*), authorizing the WCB to acquire real property or rights in real property on behalf of the California Department of Fish and Wildlife (CDFW), grant funds to other governmental entities or nonprofit organizations to

acquire real property or rights in real property and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. Under the program, the WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife-oriented recreation opportunities. These activities are carried out in conjunction with the CDFW, which evaluates the biological values of property through development of a Land Acquisition Evaluation/Conceptual Area Protection Plan (LAE/CAPP). The LAE/CAPP is then submitted to CDFW's Regional Operations Committee for review and, if approved, later transmitted to the WCB with a recommendation to fund.

This Project is guided by the WCB Strategic Plan and supports the following outlined goals:

Goal A.1 - Fund Projects and Landscapes that provide resilience for native wildlife and plant species in the face of climate change.

Goal A.4 - Invest in priority conservation projects recommended under CDFW's land acquisition evaluation process or within other conservation plans supported by CDFW.

The habitat resources of the Property have been evaluated in a LAE application approved by CDFW. The CDFW determined the Property is a high priority for protection due to the linkage it creates with both the Anza-Borrego Desert State Park and Cuyamaca Rancho State Park. The linkage provides a protected corridor for wildlife to utilize in search of food and places to inhabit when adapting to changes in climate.

Goal C.1 - Support a wide range of recreational activities in conjunction with other land uses and without degrading environmental resources.

The Property expands existing recreational opportunities that include hiking, bird watching, equestrian recreation and mountain biking. These recreational activities are limited to areas determined to have nominal impact on the habitat resources of the Property.

E.1 - Maximize expenditures of remaining bond funds and identify opportunities to leverage existing funds as effectively as possible.

The Property is proposed to be acquired with WCB funds leveraged by the funding partnerships with the SANDAG, TNC, and the RLF. Also, the ABF negotiated a purchase price that is below the approved Department of General Services (DGS) fair market value of the Property.

MANAGEMENT OBJECTIVES AND NEEDS

ABF with assistance from the DPR will manage the Property consistent with the

adjacent Anza-Borrego Desert State Park General Plan. The General Plan provides policy for protection, resource management, public use and law enforcement activities. The management objective is to protect in perpetuity the Property's conservation values, while allowing for low impact recreational activities. Proposed public use on the Property will include hiking, birding, equestrian recreation, and mountain biking. ABF is currently contemplating the potential transfer of the Property to the DPR. Completion of the transfer would require WCB and State Public Works Board approvals, along with DPR assuming the terms and conditions of the WCB grant agreement.

TERMS

The property has been appraised as having a fair market value of \$3,275,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the DGS. The property owner has agreed to sell the property for a discount price of \$2,800,000.00. The terms and conditions of the proposed WCB grant to the ABF provide that staff of the WCB must review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms the WCB can require the grantee to encumber the property with a conservation easement in favor of the State or another entity approved by the State and seek reimbursement of funds

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$500,000.00
The Nature Conservancy	\$1,000,000.00
SANDAG	\$1,000,000.00
Resources Legacy Fund	<u>\$300,000.00</u>
TOTAL Purchase Price	\$2,800,000.00
Other project related administrative costs	\$10,000.00
Total WCB Allocation	\$510,000.00

It is estimated that an additional \$10,000.00 will be needed to cover project related administrative costs, including the DGS appraisal review.

WCB FUNDING SOURCE

The purposes of this project are consistent with the proposed funding source that allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species. [Habitat Conservation Fund (Proposition 117), Section 2786(b/c)].

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed for compliance with the California Environmental

Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and existing natural conditions, including plant or animal habitats. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the WCB approve this project as proposed; allocate \$510,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) for the WCB grant and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Mr. Donnelly informed the Board that he received a letter of support from Executive Director Dan Silver, from the Endangered Habitats League.

As one of the consent items heard at the beginning of the meeting, it was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; allocate \$510,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) for the WCB grant and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

- *22. Sycuan Peak Ecological Reserve, Expansion 5 \$77,650.00
San Diego County

This proposal was to consider the acceptance of a U.S. Fish and Wildlife Service (USFWS) Habitat Conservation Plan Land Acquisition grant and the acquisition in fee of 77± acres of land for the California Department of Fish and Wildlife (CDFW). This is a cooperative project with the U.S. Fish and Wildlife Service for the protection of core areas of habitat to support threatened and endangered species and to secure key regional wildlife linkages all consistent with the San Diego Multiple Species Conservation Plan (MSCP), a joint Habitat Conservation Plan (HCP) and Natural Community Conservation Plan (NCCP).

LOCATION AND SURROUNDING USES

The proposed acquisition focuses on land that will augment the San Diego MSCP, a comprehensive long-term habitat conservation plan addressing the needs of multiple species and the preservation of natural vegetation communities in San Diego County. The MSCP addresses the potential impacts of urban growth, natural habitat loss, and species endangerment and creates a plan to mitigate for the potential loss of covered species and their habitat due to the direct impacts of future development of both public and private lands within the MSCP area.

The proposed acquisition will secure key regional wildlife linkages and preserve core resource areas of habitat. Core resource areas are defined as areas of high concentration of sensitive biological resources which, if lost, could not be replaced or mitigated elsewhere.

The property (Property) is located east of the city of El Cajon and north of Jamul, in San Diego County, near the 2,300 acre CDFW Sycuan Peak Ecological Reserve (Reserve). The Sweetwater River flows through the northern portion of the Reserve before it eventually feeds into the Sweetwater Reservoir southwest of the Reserve. The Loveland Reservoir, located in the Cleveland National Forest, is located northeast of the Reserve.

Other protected lands in the vicinity of the Property include CDFW's Crestridge Ecological Reserve to the north and Hollenbeck Canyon Wildlife Area and Rancho Jamul Ecological Reserve to the south.

Also in the vicinity of the Property are residential subdivisions, with larger estate developments and intermittent commercial development along the major thoroughfares. Protecting this strategically located Property will avoid further development encroachment that would result in a fragmented landscape and preclude connectivity between already protected areas.

PROJECT DESCRIPTION

The Property contains a variety of landscapes and habitats, including coastal sage scrub habitat for the Coastal California gnatcatcher (gnatcatcher) as well as

habitat suitable for the Quino checkerspot butterfly and the arroyo toad. MSCP target species found or expected on the site include mountain lion, orange-throated whiptail, San Diego horned lizard and Cooper's hawk.

The Property is unique, in that the naturally occurring ecological processes necessary to maintain a fully functioning ecosystem are still intact. Conservation of this Property will not only preserve this ecosystem but will also increase the linkages among nearby public lands that are managed by the County of San Diego, CDFW, USFWS and Endangered Habitats Conservancy.

The proposed acquisition will contribute to the San Diego MSCP's ability to address the effects of climate change by conserving additional core and linkage habitat and will enhance the supported species' opportunities to utilize suitable habitat and/or expand their ranges as necessitated by climate change.

WCB PROGRAM

The proposed acquisition by CDFW and acceptance of the USFWS Grant for this project are being considered under WCB's Land Acquisition Program (Program). The Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, *et seq.*) authorizing WCB to acquire real property or rights in real property on behalf of CDFW and accept federal grant funds to facilitate acquisitions of properties. Under the Program WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide suitable wildlife-oriented recreation opportunities. The project has been reviewed and approved by CDFW under its NCCP program, substantiating the biological values of the Property and recommending it for funding. The USFWS grant proposed for acceptance for this project has also been reviewed and approved by CDFW as a participant in the USFWS Land Acquisition grant selection and review process.

This project is guided by the WCB Strategic Plan and supports the following Strategic Plan goals:

Goal A.1 Fund projects and Landscapes that provide resilience for native wildlife and plant species in the face of climate change.

The Property contains habitat and wildlife corridors for threatened and endangered species. In addition to the gnatcatcher, the Quino checkerspot butterfly and the arroyo toad, the Property supports habitat for the following six federally listed species: thread-leaved brodiaea, southwestern willow flycatcher, least Bell's vireo, San Diego thorn-mint, San Diego ambrosia, and Encinitas baccharis. Linkages and corridors will be protected and maintained between major core habitat areas to allow for range shifts and migration of species to utilize suitable habitat as necessitated by climate change or temporary loss of habitat due to catastrophic fires or drought.

Goal A.3 Fund projects that support the implementation of Natural Community

Conservation Plans, Habitat Conservation Plans and recovery of listed species.

The MSCP covers 85 species, including 26 listed species and 459 unlisted species. At build out, the MSCP will cover approximately 172,000 acres. The Property is within the MSCP area and will help meet the goals of the MSCP. Also, the project has been reviewed and approved by the CDFW under its NCCP program, substantiating the biological values of the Property and recommending it for funding.

Goal A.4 Invest in priority conservation projects recommended under CDFW's land acquisition evaluation process or within other conservation plans supported by CDFW.

The USFWS grant proposed for this project has been reviewed and approved by CDFW as a participant in the USFWS Land Acquisition grant selection and review process.

MANAGEMENT OBJECTIVES AND RESPONSIBILITIES

The Property will be managed as part of the Sycuan Peak Ecological Reserve. CDFW expects minimal, if any, additional expenses as a result of this acquisition.

Possible future public use opportunities that may be considered include hiking, photography and bird watching.

TERMS

The Property has been appraised as having a fair market value of \$150,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS) and USFWS. The owner has agreed to sell the Property for the approved appraised fair market value. The USFWS funds require a non-federal match that will be provided by the Habitat Conservation Fund from WCB. WCB will perform all necessary due diligence to acquire the Property, including review and approval of all title documents and preliminary title reports. WCB will also prepare all acquisition documents including the Property Acquisition Agreement, Grant Deed and escrow instructions. This acquisition is exempt from DGS transaction review. Once approved by WCB, all funds will be ordered and disbursed directly into the escrow account established for this transaction.

PROJECT FUNDING

The proposed funding breakdown for this project is as follows:

Wildlife Conservation Board (non-federal match)	\$52,650.00
USFWS Section 6 funds	<u>\$97,350.00</u>
TOTAL PURCHASE PRICE	\$150,000.00
Other project related administrative costs	\$25,000.00

Total WCB Allocation

\$77,650.00

It is estimated that project-related administrative costs will include DGS appraisal and environmental review, escrow and title insurance costs.

FUNDING SOURCE

The purpose of this project is consistent with the proposed funding source, the Habitat Conservation Fund, Section 2786(b/c) which allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species and which allows for the acquisition of habitat on which unique species or natural communities naturally exist .

ENVIRONMENTAL COMPLIANCE

The acquisition has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and existing natural conditions, including plant or animal habitats. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the WCB approve the project as proposed; allocate \$77,650.00 from the Habitat Conservation Fund, Section 2786 (b/c) for the acquisition and to cover internal project-related expenses; accept the USFWS Habitat Conservation Plan Land Acquisition grant in the amount of \$97,350.00; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Mr. Donnelly said he received a letter of support from Executive Director Dan Silver, from the Endangered Habitats League.

As one of the consent items heard at the beginning of the meeting, it was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve the project as proposed; allocate \$77,650.00 from the Habitat Conservation Fund, Section 2786 (b/c) for the acquisition and to cover internal project-related expenses; accept the USFWS Habitat Conservation Plan Land Acquisition grant in the amount of \$97,350.00; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

23. Pine Creek Linkages (Rose Ranch) \$1,547,000.00
Tehama County

This proposal was to consider the allocation for a grant to the Northern California Regional Land Trust (NCRLT) for a cooperative project with the Natural Resources Conservation Service to acquire a conservation easement over 5,545± acres to provide protection for deer, mountain lion, and oak woodland habitats.

Mr. Kurt Weber presented the project to the Board.

LOCATION AND SURROUNDING USES

The subject property (Property) known as the Rose Ranch is located within the Upper Pine Creek Watershed, approximately 10 miles north of Chico, near Cohasset, in southern Tehama County.

To the south of the Property is the Chico Municipal Airport and southeast is the Bidwell Park and Recreation Area. At its northernmost point, the Upper Pine Creek Watershed nears the southern edge of the Lassen National Forest.

Some surrounding land uses are primarily ranchette, semi-urban development and small vineyard conversions, while the majority of the area is undeveloped. Elevations within the Property range from 400 feet along creek drainages in the western portion of the Property to 3,800 feet along ridges and bluffs in the east.

The Property falls within the California Department of Fish and Wildlife's (CDFW) Upper Pine Creek Watershed Conceptual Area Protection Plan (CAPP). The Upper Pine Creek Watershed plays an important role in maintaining regional landscape connectivity. The main objectives of this CAPP are to conserve and enhance biodiversity, protect threatened vegetative communities along with other rare and important plants and animals, and maintain habitat linkages that help protect elevation gradients that allow species to adapt to climate change.

PROJECT DESCRIPTION

The Property provides critical winter range for approximately one-third of California's largest migratory deer herd, the East Tehama Deer Herd, linking important migration corridors and providing prime habitat for mountain lion, black bear, and other wide ranging predators.

The Property is currently a working cattle ranch with exceptional wildlife values. It provides a critical habitat link between the Upper Pine Creek Watershed and the southern Cascade foothills. Over 53 miles of perennial streams are located within the Upper Pine Creek Watershed, these include: Rock Creek (11.6 miles), Pine Creek (10.6 miles), Campbell Creek (7.9 miles), Zimmershed Creek (7.1 miles), Anderson Fork (4.6 miles), North-, South, and Middle-Fork Singer Creeks (7.6 miles), and three unnamed tributaries (3.8 miles). Additionally, over 110 miles of intermittent streams flows through the Upper Pine Creek Watershed.

Because of the steep canyons within the project region, water temperatures within several of its creeks remain relatively cool throughout the year and provide refuge for wild trout and foothill yellow-legged frogs. Mapped and unmapped perennial and intermittent springs are also scattered throughout the Property and provide an important resource for wildlife. Perennial streams within the Property also provide high quality habitat for native fish, including wild trout. Additionally, the Project area provides extensive nesting habitat for numerous migrant birds and raptors, including prairie falcon, peregrine falcon and golden eagle. An unfragmented, well-connected landscape exists, with low road density insulated from major human activity for wide-ranging large mammals, such as the mountain lion, black bear, bobcat, coyote, and Sacramento Valley red fox.

Under the terms of the proposed conservation easement, the Property owner will retain the right to one 10 acre home site area and two 2 acre retreat cabin areas. In addition the Property owner will also retain the right to maintain current improvements on the Property, including the installation of two future ranch roads to connect other existing ranch roads already serving the Property. How and where these sites and roads will be situated is constrained under the terms of the conservation easement to limit any impacts to the Property's resource values. All other development rights will be permanently extinguished by the conservation easement.

WCB PROGRAM

The proposed grant for this project is being made under the Wildlife Conservation Board's (WCB) Land Acquisition Program (Program). The Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Code Section 1300, et seq.) authorizing the WCB to acquire real property or rights in real property on behalf of CDFW, grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with the acquisitions of properties. Under the Program the WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife oriented recreation opportunities. These activities are carried out in conjunction with CDFW, which evaluates the biological values of property through development of a Land Acquisition Evaluation (LAE/CAPP). The LAE/CAPP is then submitted to CDFW's Regional Operations Committee for review and, if approved, later transmitted to the WCB with a recommendation to fund.

This Project is guided by the WCB Strategic Plan and supports the following Strategic Plan Goals:

A-1 Fund Projects and Landscapes that provide resilience for native wildlife and plant species in the face of climate change.

The project conserves natural forest and riparian habitat that support healthy fish, wildlife and plant populations and ecosystem functions in a changing climate. Furthermore, the project protects connectivity areas between critical habitats to allow the movement of species in response to climate change.

A-4 Invest in priority conservation projects recommended by CDFW.

The acquisition of this conservation easement is at the recommendation of CDFW and the surrounding area contains resources for sensitive habitat.

B.1 Invest in projects and landscape areas that help provide resilience in the face of climate change, enhance water resources for fish and wildlife and enhance habitats on working lands.

The Property provides elevation changes and a corridor that helps support migration and movement of species. In addition, there are numerous streams which provide beneficial riparian components for various fish and amphibians.

MANAGEMENT OBJECTIVES AND NEEDS

NCRLT will hold the conservation easement and monitor the Property for compliance with its terms and conditions. A baseline report will be completed by the NCRLT and is subject to approval by WCB. The conservation easement does not convey a general right of access to the public but allows access to both NCRLT and WCB for monitoring purposes.

PROJECT FUNDING

The Property owner has agreed to sell the conservation easement to NCRLT for \$2,082,000.00. The conservation easement has been appraised and the appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The terms and conditions of the proposed grant provide that WCB staff must review and approve all title documents, preliminary reports, documents connected with the purchase and sale including escrow instructions and instruments of conveyance, as well as the baseline report and monitoring protocol, prior to disbursement of funds into an escrow account established for the transaction. In the event of breach of the grant terms, the WCB can seek specific performance or require the grantee to transfer the conservation easement to WCB or another qualifying entity approved by WCB.

FUNDING SOURCE

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$1,537,000.00
Natural Resources Conservation Service	<u>\$545,000.00</u>
Total Purchase Price	\$2,082,000.00

Other project related administrative costs	\$10,000.00
Total WCB Allocation	\$1,547,000.00

It is estimated that an additional \$10,000.00 will be needed to cover project-related administrative costs, including DGS appraisal review.

FUNDING SOURCE

The purposes of this project are consistent with the authorized uses of the proposed funding source, the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a), which allows for the acquisition and protection of habitat and to protect deer and mountain lions.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and habitat. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the WCB approve this project as proposed; allocate \$1,547,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a) for the grant funding and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and CDFW to proceed substantially as planned.

Chairman Bonham asked if WCB staff are involved in the recording of the easement. Mr. Weber said WCB staff involvement is a condition of the grant agreement and it has to be done prior to the closing of the project. He added it is part of the escrow conditions.

John Hunt from the Northern California Regional Land Trust spoke in support of the project and said this is a very cost effective acquisition. He thanked the Board for their time and consideration of this project.

It was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; allocate \$1,547,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a) for the grant funding and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and CDFW to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes
Baylis – Yes
Finn - Yes

24. Upper Butte Basin Wildlife Area, Expansion 7 \$2,640,000.00
Butte County

This proposal is to consider the acquisition of approximately 255 acres of land for the California Department of Fish and Wildlife (CDFW), for the protection of wetland habitat and as an expansion to the Upper Butte Basin Wildlife Area (UBBWA). The property (Property) provides habitat for waterfowl, shorebirds and riparian songbirds and will contribute to the management objectives of the UBBWA.

Mr. John Walsh presented the project to the Board.

LOCATION AND SURROUNDING USES

The Property is located approximately five miles west of the City of Biggs, in Butte County. The site is next to Cherokee Canal, and fronts the southerly side of Schohr Ranch Road, a gravel roadway that provides administrative access to the property from Afton-Biggs Road. The CDFW UBBWA, which the Property will be a part of, is open to the public and allows for waterfowl hunting and other outdoor wildlife related uses. The surrounding lands consist mostly of agricultural uses, and hunting clubs.

PROJECT DESCRIPTION

The UBBWA contains a mosaic of diverse and moist soil habitat that provides quality vegetation for wintering waterfowl, wading birds, and shorebirds. The UBBWA provides nesting areas and brood ponds for breeding waterfowl and other resident wetland related wildlife, and riparian habitat and benefits mallards, gadwall, American green-winged teal, cinnamon teal, northern pintail, northern shoveler, American wigeon, riparian songbirds, white faced ibis and the long-billed curlew. In addition, the Property has great value for other wildlife including giant garter snake, wild turkey, and various raptor species.

The Property is currently encumbered by a conservation easement held by CDFW that was purchased in 2001 over a larger area consisting of 476± acres. In 2010, 221± acres of underlying fee was purchased. This acquisition consists of the remaining 255± acres.

The Property's location next to the Cherokee Canal, and its facilities for water conveyance and appropriation, makes the remaining Property valuable to CDFW. The Property offers the potential to become an integral part of the overall water management on the UBBWA. For these reasons, CDFW requested that staff of the Wildlife Conservation Board (WCB) negotiate a Right of First Refusal as part of the original conservation easement project. The land owner notified the CDFW of his intent to sell the remaining Property, and the CDFW has recommended that WCB pursue the underlying fee acquisition.

The Property will be managed as part of the closed zone of the wildlife area. Should it become feasible for an increase in access, it would be used for limited youth or family hunting opportunities. With it being in the closed zone, it will

provide additional protected space for wintering migratory birds, including waterfowl and bald eagles. The property will also provide additional opportunities for giant garter snake and other resident wildlife, such as black tailed deer and California Quail.

In addition to waterfowl and other wildlife diversity found on site, this particular Property is significant for ownership by the CDFW because of the aforementioned water infrastructure located within its boundaries. The acquisition of this Property is an important link for the Little Dry Creek Unit of the Upper Butte Basin Wildlife Area to supply water to the eastern half of the area. The Property connects to the Richvale Irrigation District system at two locations, and has a deep well for supplemental water. Having these additional water sources will allow additional management options by providing a source when other delivery points are unavailable. The diversion and eventual flow into the UBBWA is by way of gravity flow ditch, thus reducing pumping and maintenance costs CDFW would otherwise incur. If the Property were sold to another landowner, the CDFW may not have the ability to access or improve the Property's infrastructure to meet current and /or future water needs therefore reducing overall habitat and species management to the UBBWA.

WCB PROGRAM

The project is being considered under the Wildlife Conservation Board's (WCB) Land Acquisition Program (Program). The Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Code Section 1300, et seq.), which authorizes WCB to acquire real property or rights in real property on behalf of CDFW, grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property, and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with the acquisition of properties. Under the Program WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife oriented recreation opportunities. These activities are carried out in conjunction with CDFW, which evaluates the biological values of property through development of a Land Acquisition Evaluation (LAE)/Conceptual Area Protection Plan (CAPP). The LAE/CAPP is then submitted to CDFW's Regional Operations Committee for review and, if approved, later transmitted to the WCB with a recommendation to fund.

Consistent with Goals A-1 and A-4 (environmental protection and conservation) of WCB's Strategic Plan,

A-2 Fund projects and landscape areas that conserve, protect, or enhance water resources for fish and wildlife.

The Property is adjacent to the Cherokee Canal, which will offer the potential to become an integral part of the overall water management on the UBBWA. The acquisition of this Property is an important link for the Little Dry Creek Unit of the

Upper Butte Basin Wildlife Area to supply water to the eastern half of the area.
Goal A.4 - Invest in priority conservation projects recommended by CDFW.

The acquisition is at the recommendation of CDFW and the surrounding area contains resources for sensitive habitat.

MANAGEMENT OBJECTIVES AND NEEDS

CDFW will manage these additional 255 acres as part of the Little Dry Creek Unit of the UBBWA, as a mixture of seasonal wetlands, semi-permanent wetlands, upland and riparian habitats. The Property has been previously restored to managed marsh, and little will need to be done to incorporate it into the overall management of the wildlife area.

The Property will be managed with existing CDFW staff working on the UBBWA. The Property contains a residence which will be occupied by a staff member to provide for a 24 hour presence.

TERMS

The Property has been appraised as having a fair market value of \$2,620,000.00. The appraisal has been reviewed WCB staff and reviewed and approved by the Department of General Services (DGS). The property owner has agreed to sell the Property for \$2,620,000.00.

The terms and conditions of the proposed acquisition provide that staff of the WCB staff will review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. The property is encumbered by a Land Conservation Contract under the Williamson Act, and appropriate notification has been provided to the Department of Conservation.

PROJECT FUNDING

The WCB will be funding the entire purchase price of \$2,620,000.00.

Wildlife Conservation Board	\$2,620,000.00
Other project related administrative costs	\$20,000.00
Total WCB Allocation	\$2,640,000.00

It is estimated that an additional \$20,000.00 will be needed to cover project-related expenses, including appraisal, environmental site assessment and DGS review costs.

FUNDING SOURCE

The proposed funding source for this project is the Habitat Conservation Fund, (Proposition 117), Section 2786(d)(1E) Inland Wetland Conservation Program, which allows for the protection of wetland habitat within the Central Valley and is consistent with the objectives of this project. The project is also funded through

the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) (Proposition 1E), which allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species to protect or enhance a flood protection corridor or bypass.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and habitat, Class 4, consisting of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal healthy, mature, scenic trees. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$2,258,524.00 from the Habitat Conservation Fund (Proposition 117), Section 2786(d) (1E) Inland Wetland Conservation Program and \$381,476.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) (Proposition 1E), to cover the cost of acquisition and internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and CDFW to proceed substantially as planned.

Mr. Walsh said he received an email from an adjacent land owner, Susan Shore, who supports the project but did have some concerns. She said there should not be future public access. Staff responded saying it is currently proposed to remain closed and would require a CEQA process in order to open it to public access. She was also concerned about tree trimming along the access road. Mr. Walsh said the trees can be trimmed during the upcoming fall months, but cannot be trimmed during the migratory bird season which occurs between April 15th and August 15th, unless there is an immediate safety or operating concerns.

Mr. Walsh introduced Tim Hermansen from CDFW and the property owner Lauren Ward.

Ms. Finn asked what are the benefits of acquiring a fee title that the easement does not provide. Mr. Hermansen said that by acquiring a fee title we can gain access to water for the whole 3500 acres.

Chairman Bonham asked if there were any further public comments or questions and there were none.

It was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; allocate \$2,258,524.00 from the Habitat Conservation Fund (Proposition 117), Section 2786(d) (1E) Inland Wetland Conservation Program and \$381,476.00 from the Habitat

Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) (Proposition 1E), to cover the cost of acquisition and internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and CDFW to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

25. Brush Creek Conservation Easement (Miller Trust), \$1,676,000.00
Mendocino County

This proposal was to consider the allocation of a grant to the Mendocino Land Trust (MLT) to acquire a conservation easement (Easement) over 2,018 ± acres of land for the conservation and protection of managed forest lands and forest reserve areas that include Douglas fir, old growth redwood, riparian corridors, coastal watersheds, and riverine habitats supporting salmonids and other rare wildlife species.

Ms. Liz Yokoyama presented the project to the board.

LOCATION and SURROUNDING USES

The property (Property) is located in rural southwestern Mendocino County, roughly twelve miles west of the community of Booneville, in the upper watershed area of Brush Creek, a coastal stream that flows out to the Pacific Ocean near Point Arena. The Property is easily accessible from Highway 101 via Highway 128 then over to Mountain View Road.

The Property lies adjacent to 24,000 acres of working forestland that has been permanently conserved by The Conservation Fund, an environmental non-profit organization, and also borders a 40-acre tract of old growth redwood and Douglas-fir owned by the Bureau of Land Management. Another 40 acres of property under the jurisdiction of the State Lands Commission lies adjacent to the Property and contains Douglas fir and old growth redwood. If the proposed Easement is approved, the combined result of these properties would be the establishment of a block of protected lands totaling 26,098 acres (40.7 square miles in size).

PROJECT DESCRIPTION

The Property is zoned as both a Timber Preserve and as Forest Land with a 160-acre minimum parcel size. The zoning designations allow agricultural, forestry, and recreational usages.

The Property is irregularly shaped and is unimproved except for a network of interior ranch/timber roads located throughout the Property. The topography is characterized as rolling to steeply sloping hills containing dense timber growth and riparian streams. The site offers vantage points that provide views of the surrounding coastal hills, and distant views of the Pacific Ocean. Brush Creek and its south fork run through the heart of the Property, which serves as active spawning habitat for steelhead and historical habitat for coho salmon.

The Easement encompasses 4.8 miles of salmonid creeks and includes three distinct areas of management for the forested lands – a Riparian Protection Area, Late Seral Protection Area, and a Forest Management Area. The Riparian Protection Area encompasses a 100-foot riparian protective corridor on both sides of the salmonid creeks. The protection of the riparian corridor will include

restrictions on harvest that exceed the normal requirements contained in the Forest Practice rules developed by CAL FIRE for management of working forests.

The Late Seral Protection Areas are predominantly unmanaged natural forest habitat containing residential old growth redwood and Douglas fir. These areas will be managed to allow forest stands to grow and develop into late seral forest conditions without direct influence from commercial timber harvesting. No use or activity in this area will be permitted that would result in the material impairment of this area. The benefits attributed to the existence of the Riparian Protection and the Late Seral Protection Areas include the maintenance of cool stream temperatures, stabilization of channel structures and protection of habitat areas for the federally threatened steelhead and Coho salmon, federally endangered Tidewater goby and foothill yellow-legged frog, and the federally endangered northern spotted owl. Because Brush Creek serves as habitat for the tidewater goby, the Property has also been identified in the U.S. Fish and Wildlife Service (USFWS) Final Recovery Plan for the tidewater goby.

The Property also provides habitat for a Point Arena mountain beaver colony, one of the twenty-seven colonies known to exist in Mendocino County, all of which are located within only 24 square miles. The Point Arena mountain beaver is listed as a federally endangered species and this particular colony has been identified as being one of the most easterly located colonies along the coast.

The remaining Forest Management Area within the Easement will be managed as a working forest committed to forest management practices that would emphasize un-even aged, selective harvesting by means of an approved Timber Management Plan. The Easement would prohibit any future subdivision of the area. Under the terms of the Easement, the Property will remain as an ecologically and economically sustainable commercial forest that serves as habitat for forest plants and animals, while allowing controlled selective harvesting of timber to provide economic return to the landowner.

California Department of Fish and Wildlife (CDFW) regional staff have played an active role in drafting the terms and conditions of the proposed Easement. CDFW staff, WCB, and the MLT have combined their efforts to establish “best practice” conservation measures that will be applied to the Easement to ensure the sustainability of the Property’s conservation values.

WCB PROGRAM

The proposed grant for this project is being considered under the WCB’s Forest Conservation Program (Program). Grant proposals are evaluated and selected for funding by WCB staff based on established criteria approved by the Board on November 17, 2007, utilizing a peer review process including the CDFW involving biological and forestry expertise. The Program seeks to promote the ecological integrity and economic stability of California’s diverse native forests through conserving, preserving and restoring productive managed forest lands, forest reserve areas, redwood forests and other forest types, including the conservation

of water resources and natural habitats for native fish and wildlife and plants found on these lands. One of the primary objectives of the Program is the protection and conservation of working forests and productive managed forest lands. Selected projects promote the restoration and/or maintenance of the ecological integrity and economic stability of the property in the context of the surrounding landscape and regional economy.

The project meets the following Strategic Plan Goals:

A.1 – Fund projects and landscapes that provide resilience for native wildlife and plant species in the face of climate change.

The project conserves natural forest and riparian habitat that support healthy fish, wildlife and plant populations and ecosystem functions in a changing climate. Furthermore, the project protects connectivity areas between critical habitats to allow the movement of species in response to climate change.

A.5 – Improve transparency and efficiency of WCB and CDFW project evaluation and recommendations to approve or deny applications.

The project was submitted under WCB's Forest Conservation Program. To qualify and be approved under the Program, the application must be reviewed and assessed by a review panel comprised of qualified biologists and foresters. The review panel consists of members representing CAL FIRE, CDFW, and the WCB. All aspects of the project are evaluated by the panel to determine whether the project meets all Program requirements. This project has met all requirements under the Program. Any concerns uncovered during the evaluation have been addressed by landowner and/or have been incorporated in the terms of the Easement.

MANAGEMENT OBJECTIVES AND NEEDS

The proposed Easement will be held and managed by the MLT according to the terms of the Easement and WCB Grant Agreement. MLT will monitor the Property annually, and enforce the terms of the Easement with the use of a Baseline Conditions Report and Monitoring Protocol approved by WCB. To assist with the management and monitoring costs of the Easement, the Property owner will contribute a stewardship endowment of \$112,036.00 to the MLT.

The Easement Deed includes provisions to enhance water resources on the Property and allows the continuance of non-industrial working forest practices on selected areas within the Easement. Any future enhancement and/or maintenance of the Property's water resources will require the services of a hydrologist and wildlife biologist, as well as oversight and approval by MLT. Moreover, any plans associated with timber harvesting will require the completion of a Timber Management Plan that must be approved by MLT and CAL FIRE, and must also comply with all applicable California and federal forestry laws, practices, guidelines, and regulations. Also, somewhat unique to the Easement is

the property owner has agreed to allow the MLT to conduct property tours to observe forest stewardship practices.

TERMS

The Easement has been appraised as having a fair market value (FMV) of \$2,220,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services. The Property owner has agreed to sell the Easement for \$1,665,000.00, less than its approved appraised fair market value. The terms and conditions of the proposed WCB grant to the MLT provide that staff of the WCB must review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms, the WCB can seek specific performance of the grant or require the grantee to transfer the conservation easement to WCB or another qualified holder.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Approved Fair Market Value	\$2,220,000.00
Wildlife Conservation Board	\$1,665,000.00
TOTAL Purchase Price	\$1,665,000.00
Other project related administrative costs	\$11,000.00
Total WCB Allocation	\$1,676,000.00

It is estimated that an additional \$11,000.00 will be needed to cover project related administrative costs, including DGS appraisal costs. MLT has and will fund all other project-related administrative costs for the Easement, including but not limited to the appraisal, escrow and title insurance costs.

WCB FUNDING SOURCE

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(a), which allows for forest conservation and protection projects in order to promote the ecological integrity and economic stability of California's diverse native forests through forest conservation, preservation and restoration of productive managed forest lands, forest reserve areas, redwood forests and other forest types, including the conservation of water resources and natural habitats for native fish, wildlife and plants found on these lands for the grant.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed pursuant to the California Environmental Quality

Act (CEQA) and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for fish and wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and existing natural conditions, including plant or animal habitats. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$1,676,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(a), for the grant to the MLT and to cover project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Mr. Donnelly said he received letters of support from Assembly Member Wesley Chesbro, CA State Assembly; Richard Burns, Field Office Manager, BLM; Lisa Bolton, North Coast Coho Project Coordinator, Trout Unlimited, and Anna Boothe, President, Preserve Our Pier Supporters.

Ms. Yokoyama introduced property owners Steve & Yvonne Miller, Ann Cole, Executive Director of the Mendocino Land Trust, Roger Sternberg, Forestry Land Conservation Consulting Services, Dan Cooper, Attorney for the Miller and Eric Haney from CDFW.

Chairman Bonham found it unique that the property owner has agreed to allow the land trust to conduct property tours to observe forest stewardship practices.

There were no further questions or comments.

It was moved by Board Member Karen Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$1,676,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(a), for the grant to the MLT and to cover project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

26. Ten Mile River - Parker Ranch, \$3,470,000.00
Forest Conservation Program
Mendocino County

This proposal was to consider the allocation for a grant to The Nature Conservancy (TNC) for a cooperative project with the State Coastal Conservancy (SCC) to acquire a conservation easement (Easement) on 2,554± acres of native forest habitats, including redwood, Douglas-fir, and grand fir in the upland zones, and mature red alder forests within the riparian zone along the Ten Mile River.

Mr. Kurt Weber described the project and its location to the Board

LOCATION and SURROUNDING USES

The property (Property), known as the Parker Ranch, is located along the Ten Mile River in northern Mendocino County, at the confluence of the South and Middle forks of the Ten Mile River, approximately seven and one-half miles north of the town of Fort Bragg and directly north-east of MacKerricher State Park. Elevations of the Property range from sea level to around 1,400 feet.

Conservation of the Ten Mile River watershed has been the subject of significant inter-organizational coordination, planning, and protection as one of the most important fisheries watersheds along the northern coast of California. The watershed and its estuarine wetlands have been prioritized for protection in planning efforts led by the Mendocino Land Trust, The Conservation Fund, and the United States Environmental Protection Agency. The Conservation Fund has recently purchased the adjacent Smith-Vest Ranch with assistance from the SCC, and plans to protect it long-term via a conservation easement. Additionally, the Wildlife Conservation Board (WCB) and SCC funded the conservation easement of the Perry-Smith Ranch, an 872± acre property adjacent to the Parker Ranch.

TNC plans to hold and monitor the Easement and coordinate any future science and planning activity related to the management of the Property. TNC also intends to collaborate with the Hawthorne Timber Company to coordinate watershed-wide monitoring activities and to pursue joint restoration projects when appropriate. Taken together, these projects will permanently protect the coastal portion of the Ten Mile River watershed that is the most threatened by development. This zone serves as the critical linkage and transition zone between the Pacific Ocean and MacKerricher State Park to the west, and the upper watershed and salmonid spawning grounds and expansive forests to the east.

The Ten Mile River and its associated estuary have been specifically mentioned as high priorities in several recovery plans for threatened and endangered species, including the State and Federal Central California Coast Coho Salmon, Evolutionary Significant Unit, Recovery Plan (Draft, 2008) and the Recovery Plan for the Tidewater Goby (USFWS, 2005). Just offshore, under the jurisdiction of California Department of Fish and Wildlife's (CDFW) Marine Region, are the Marine Protected Areas known as the Ten Mile Beach State Marine Conservation

Area, and the Ten Mile Estuary Marine Conservation Area. The watershed contains one of the healthiest remaining populations of Central California Coast Coho salmon in Mendocino County and the estuary harbors one of the largest populations of tidewater goby in northern California. In addition, Chinook salmon and steelhead trout also spawn and rear in the watershed. One important factor of the Ten Mile River watershed is that the entire watershed is essentially intact with no significant fish barriers. Protecting the Ten Mile River watershed represents one of the best remaining opportunities to preserve and maintain an entire intact fisheries habitat and watershed along the northern California coast.

PROJECT DESCRIPTION

The Property is irregularly shaped and consists of seven assessor parcels totaling 2,554± acres. The Property, Ten Mile River and other smaller streams on the property are threatened by degradation through intensive logging, or possible conversion to other non-forest or habitat supporting uses. The proposed Easement acquisition will address these threats through permanent protection and stewardship by TNC. The Property consists of coastal forest including low-elevation riparian forests dominated by red alder and upland forests comprised of grand fir, redwood, and Douglas-fir. The Property also includes grassland and scrub zones that contain rare coastal prairie and northern coastal scrub habitats, as well as coastal wetlands, most of which are of regionally declining wetland types.

The Property has been used for timber production and grazing for over a century. There is also an active aggregate mine and wash plant. Also included are residences and outbuildings for the Parker families. The forest zones of the Property have been managed using selection-based silvicultural techniques since the mid-1980s. The forest is beginning to reflect multiple age classes and natural structure after having been harvested intensively in the early and mid-1900s. Long-term grazing in the grasslands and floodplains of the Property has removed much of the riparian vegetation, but the current landowners have implemented fencing and revegetation projects that have begun to remedy some of these historical impacts. The aggregate mine is operated under permits issued by CDFW and other government agencies, strictly controlling the operation, water flows, and water quality.

The Easement will help conserve a number of protected forest habitat types such as grand fir and red alder forests that are found on the Property and the species they support such as rare Northern spotted owl. Protection of this Property will contribute to the region's economic stability by ensuring that the area remains a working forest into the future. These objectives are aligned with the principles of WCB's Forest Conservation Program as the project will maintain the structural and ecological integrity of a portion of native California forest habitat as well as ensure that the forest will remain working into the future and contribute to the landowners' and region's economic viability. If this project is not completed, the likely consequence will be future development and possible conversion of the area's valuable forest habitat.

The Easement will also help conserve the ecological integrity of the low elevation forest and riverine habitat in the Ten Mile River watershed, providing habitat for a number of important and rare fish species including the Central California Coast Coho salmon, Chinook salmon, steelhead trout and tidewater goby. Forest zones on the Parker Ranch provide nesting habitat for threatened northern spotted owls. Other conservation targets to be protected via the project include North Coast riparian forest and scrub, southern torrent salamanders, tailed frogs, red tree vole, mountain lions and wet/montane meadows. There is also a possibility Roosevelt elk may occasionally utilize the watershed and so benefit from the protection of the Property.

Ten special status plant species and one special status lichen species occur on the Property or in the immediate vicinity. Of these, the leafy-stemmed miterwort and Lyngbye's sedge are most likely to be associated with wetland habitats and benefit from wetland protection on the Property.

WCB PROGRAM

The proposed grant for this project is being considered under the WCB's Forest Conservation Program (Program). Grant proposals are evaluated and selected for funding by WCB staff based on established criteria approved by the Board on November 17, 2007, and utilizing a peer review process involving biological and forestry expertise, including the CDFW. The Program seeks to promote the ecological integrity and economic stability of California's diverse native forests through conserving, preserving and restoring productive managed forest lands, forest reserve areas, redwood forests and other forest types, including the conservation of water resources and natural habitats for native fish and wildlife and plants found on these lands. One of the primary objectives of the Program is the protection and conservation of working forests and productive managed forest lands. Selected projects promote the restoration and/or maintenance of the ecological integrity and economic stability of the property in the context of the surrounding landscape and regional economy.

STRATEGIC PLAN GOALS

The project meets the following Strategic Plan Goals:

A.1 – Fund projects and landscapes that provide resilience for native wildlife and plant species in the face of climate change.

The project conserves natural forest and riparian habitat that support healthy fish, wildlife and plant populations and ecosystem functions in a changing climate. Furthermore, the project protects connectivity areas between critical habitats to allow the movement of species in response to climate change.

A.5 – Improve transparency and efficiency of WCB and CDFW project evaluation and recommendations to approve or deny applications.

The project was submitted under WCB's Forest Conservation Program. To

qualify and be approved under the Program, the application must be reviewed and assessed by a review panel comprised of qualified biologists and foresters. The review panel is consists of members representing the California Department of Forestry and Fire Protection (CalFire), CDFW and WCB. All aspects of the project are evaluated by the panel to determine whether the project meets all Program requirements. This project has met all requirements under the Program. Any concerns uncovered during the evaluation have been addressed by the landowner and/or have been incorporated in the terms of the Easement.

MANAGEMENT OBJECTIVES AND NEEDS

TNC will be responsible for monitoring and managing the Easement according to the terms of the “Deed of Conservation Easement” with the Property owners. Allowable uses include one existing single family residence within specified residential zones; and expansion of the existing structure by up to 50% of the existing building footprint; grazing of livestock in accordance with a plan prepared by the landowners and approved by the Easement holder; and harvesting, removal of timber, and other forest management activities in accordance with the Timber Management Plan developed for the Property. The sustained timber harvesting will provide revenues to assist in the management of the Property. Prior to disbursement of funds a baseline report of the Property’s resource values will have been completed by TNC and approved by the WCB. The baseline report will be the basis from which TNC will conduct future monitoring for compliance with the terms of the Easement. The Easement does not convey a general right of access to the public but allows docent led visits of up to ten per year as well as access to both TNC and WCB for monitoring purposes.

TERMS

The Property owners have agreed to sell the Easement to TNC for \$5,895,000.00, its appraised fair market value as approved by the Department of General Services (DGS). DGS reviewed the appraisal as well as the appraisal review provided by an independent reviewer and timber valuation provided by a registered professional forester (RPF). Under terms of the grant, WCB staff is responsible for review of all acquisition-related documents prior to disbursement of grant funds. In the event of a breach of the grant terms, the WCB can seek specific performance of the grant or require the grantee to transfer the Easement to WCB or another qualified holder.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$3,450,000.00
State Coastal Conservancy	\$960,000.00
The Nature Conservancy	<u>\$1,485,000.00</u>
TOTAL Purchase Price	5,895,000.00
Other project related administrative costs	\$20,000.00

Total WCB Allocation

\$3,470,000.00

It is estimated that an additional \$20,000.00 will be needed to cover project-related administrative costs, including DGS appraisal review and independent timber appraisal review. The grantee will fund all other appraisal, escrow and title insurance costs.

WCB FUNDING SOURCE

The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for forest conservation and protection projects in order to promote the ecological integrity and economic stability of California's diverse native forests through forest conservation, preservation and restoration of productive managed forest lands, forest reserve areas, redwood forests and other forest types, including the conservation of water resources and natural habitats for native fish, wildlife and plants found on these lands. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(a)].

ENVIRONMENTAL COMPLIANCE

The acquisition has been reviewed pursuant to the California Environmental Quality Act (CEQA) and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of lands for fish and wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in lands to preserve open space and habitat. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the WCB approve this project as proposed; allocate \$3,470,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(a) for the grant and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Mr. Weber introduced Eric Haney from CDFW, Daniel Porter from The Nature Conservancy and Linwood Gill from Parker Ranch.

Ms. Finn asked if the State Coastal Conservancy had approved their portion of the funding. Mr. Porter confirmed the funding has been approved.

Chairman Bonham asked if there were any further questions or comments and there were none.

It was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; allocate \$3,470,000.00 from the

Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(a) for the grant and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

27. Feather River Wildlife Area, \$620,000.00
Riparian Habitat Restoration
Abbott Lake Unit, Augmentation
Sutter County

This proposal was to consider the allocation for an augmentation to an existing grant to River Partners for a partnership project with the California Department of Fish and Wildlife (CDFW) to restore approximately 150± acres of riparian habitat and enhance 270± acres of remnant riparian forest habitat on the Abbott Lake Unit of the Feather River Wildlife Area, located approximately seven miles south of Yuba City on the west bank of the Feather River in Sutter County.

Ms. Elizabeth Hubert presented the project to the Board.

LOCATION AND SURROUNDING USES

The 439-acre Abbott Lake Unit (Unit) is part of the CDFW's 2,522 acre Feather River Wildlife Area (Wildlife Area), located along the Feather River approximately nine miles south of Yuba City and 0.3 miles north of the O'Connor Lakes Unit in Sutter County. The Abbott Lake property was acquired by the Board in 1985-86 from a local farming family. The site had been used for a variety of agricultural crops and ranching for approximately 50 years. Since becoming part of the Wildlife Area, the Unit has become a popular site for fishing, boating, and birdwatching, and offers opportunities for hunting waterfowl, upland game and deer.

Historically, the Unit supported Great Valley cottonwood riparian forest, mixed riparian forest, and permanent wetland habitats. Abbott Lake is a permanent, remnant oxbow lake and its level fluctuates with the Feather River's elevation.

Currently, 270 acres of remnant riparian forest lies southwest of the restoration site. This remnant forest includes mature Fremont cottonwoods, willows, black walnut, Oregon ash, box elder and buttonbrush. Shrubs include coyote brush, California rose, and Himalayan blackberry. Willows, elderberry and scattered cottonwoods have regenerated in small patches. The remaining habitat is both fragmented and degraded.

PROJECT DESCRIPTION

After decades of agricultural practices, the site has not recovered and much of it is still dominated with non-native weeds. To rectify this, in 2007, River Partners applied for a grant to WCB to restore the site to a mix of riparian and upland habitats. The project was approved in November of that year and River Partners developed a restoration plan, hired hydraulic engineers to model floodwater flows and elevations, and completed an application to the Central Valley Flood Protection Board (CVFPB), which was approved in February 2010. In March, Levee District 1 of Sutter County filed a lawsuit against CDFW and the CVFPB, claiming that the encroachment permit was invalid, because the California Environmental Quality Act (CEQA) filing was incorrect. The suit required all

parties to stop implementation work on the project. The parties settled the lawsuit and agreed that CDFW would withdraw the permit application, modify the design, and refile an updated CEQA document and encroachment permit application. CDFW filed a Notice of Determination for the revised Mitigated Negative Declaration (MND), and resubmitted the CVFPB encroachment permit application with updated analysis and design, which was accepted as complete in February 2014. It was approved with the support of Levee District 1, the Department of Water Resources (DWR), and the U.S. Army Corps of Engineers in August 2014. River Partners immediately began work at the site with weed control and irrigation installation. Nearly 20,000 woody plants were installed.

Much of the site planting has occurred, but maintenance of the newly installed plantings has just begun, which requires a minimum of three additional years to ensure plant establishment and success. The plant establishment costs will cover staff labor, irrigation system maintenance, weeding, spraying and mowing for this time period. Any dead or dying plants will be replaced and underperforming grass areas will be re-planted as necessary to achieve plant population targets. In addition, River Partners will conduct biological monitoring for plant success and wildlife response, including surveys for at-risk species including Swainson's hawk, western yellow-billed cuckoo and valley elderberry longhorn beetle, as well as other wildlife species, with particular emphasis on neo-tropical birds, waterfowl and upland game birds.

As a result of the delay from 2007, costs have increased, resulting in the need for a budget augmentation to complete the project. Costs for planning and design rose significantly as a result of providing support to CDFW in their revision of the CEQA documentation and resubmittal of the CVFPB permit. The projected plant establishment budget was increased from 2007, with 5% added for inflation for the intervening years. Including the additional funds, the cost per acre is comparable to costs for similar WCB riparian restoration projects.

The project remains essentially the same as the project identified in 2007, with some minor changes to the plant palette and design. The completed project will result in restoration of 150 acres of riparian habitat, and enhancement of 270 additional acres of existing riparian forest that has been degraded by invasive plant species. Plant establishment will consist of maintaining an irrigation system to support the new plantings, as well as mowing and spraying to control weeds. Biological monitoring will be performed to assess plant survival and avian species use.

The Riparian Restoration Plan for the Abbott Lake Unit, approved in 2013, is designed to be flood-neutral. The Plan evaluated past land use and historical site conditions, as well as soil properties. Two-dimensional hydraulic studies evaluated the effects of the planting design on flood flows. The restoration design consists of three plant communities: Valley foothill riparian woodland, riparian shrubland, and native California grassland. Native woody species will be installed in rows parallel to the river's flow, and the rows will be spaced at a distance

designed to enhance floodwater conveyance. Box elder, cottonwood, black willows, Oregon ash, and valley oaks will be installed in the riparian forest zone, with arroyo willow, coyote bush, and mule fat, along with native grasses and mugwort, in the shrub zones.

The planting design focuses on the requirements of target wildlife species, including California quail, Swainson's hawk, and the valley elderberry longhorn beetle. The enhanced habitat will provide refugia for yellow-billed cuckoo, willow flycatcher, Chinook salmon, and steelhead trout. The project will also benefit other wildlife species including neo-tropical migrant birds, and waterfowl.

WCB PROGRAM

The proposed project will be funded through the California Riparian Habitat Conservation Program and meets the program's goal of increasing riparian habitat across California by implementing riparian habitat restoration and enhancement projects.

The project is consistent with the following priorities outlined in the WCB Strategic Plan:

Goal B.1 – Invest in projects and landscape areas that help provide resilience in the face of climate change and enhance water resources for fish and wildlife:

- The project will restore over 150 acres of riparian habitat and enhance 270 acres of existing forest, providing diversity to support native wildlife, and benefiting the riparian and aquatic species in and adjacent to the Feather River.
- Restoring a fully functioning riparian forest with a diversity of species and canopies will provide resilience to climate change.
- Project design will enhance habitat and provide necessary connectivity for several at-risk species, including the western yellow-billed cuckoo, Swainson's hawk, willow flycatcher, valley elderberry longhorn beetle, and salmonids.

Goal B.3: Expand project monitoring and evaluation of restoration activities to assess long-term project success, moving beyond compliance monitoring.

- River Partners will conduct biological monitoring for wildlife response, including surveys for at-risk species including Swainson's hawk, western yellow-billed cuckoo and valley elderberry longhorn beetle, as well as other wildlife species, with particular emphasis on neo-tropical birds, waterfowl and upland game birds.

MANAGEMENT OBJECTIVES AND NEEDS

CDFW holds fee title to the property and will manage the property. River Partners will provide management recommendations in the final project report. The restored forest is expected to become self-sustaining by the end of the

project life and should require minimal maintenance; however, some long-term activities may include controlling invasive weeds along roads and maintenance of fire breaks.

DWR maintains authority over the Feather River riparian area as part of its flood management activities. As lead authority in this area, DWR may undertake maintenance activities that could potentially affect the restoration area. These activities could include (for example): maintaining roadways within the area and/or clearing obstructions to river flows as needed for public safety.

In some years, CDFW may want to manipulate water storage capacity within Abbott Lake. To change water elevations in wet years, CDFW field staff will have the option to open and close the water control valve at the south end of Abbott Lake as deemed necessary for optimizing habitat, supporting salmonids, and providing public safety.

PROJECT FUNDING

The proposed funding for the project is as follows:

Task	Existing Budget	2015 WCB Augmentation	Revised Total Budget
Management	\$ 64,890	\$ 31,080	\$ 95,970
Planning	182,670		\$ 182,670
Site preparation	131,083		\$ 131,083
Irrigation system	88,940		\$ 88,940
Plant installation	174,760		\$ 174,760
Plant establishment	49,920	471,174	\$ 522,013
Monitoring	18,157	57,453	\$ 74,691
Administration	71,040	60,293	\$ 131,333
TOTAL	\$ 781,460	\$ 620,000	\$ 1,401,460
Total Project Cost*			\$ 1,467,834

** Total Project Cost includes \$66,374 in-kind contribution from River Partners*

WCB funds will be used primarily for three years of plant establishment, after plant installation. Funds will cover staff time and materials for site and irrigation system maintenance, utility costs, replacing plants and protective tubing as necessary, and weed treatment and mowing. Funds are also designated for management and monitoring.

FUNDING SOURCE

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(b), which allows for the development, rehabilitation, restoration, acquisition and protection of habitat that promotes recovery of threatened and endangered species and protects significant natural landscapes and ecosystems and is consistent with the objectives of this

project.

CEQA AND DFW REVIEW/ RECOMMENDATION

CDFW, as Lead Agency, prepared a MND pursuant to the provisions of CEQA, which was completed in December 2013. Staff has considered the MND and prepared proposed, written findings documenting WCB's compliance with CEQA. Following the Board's approval of the project, staff will file a Notice of Determination with the State Clearinghouse. CDFW has reviewed this proposal and recommends it for funding by the WCB.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$620,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(b), authorize staff and the California Department of Fish and Wildlife to enter into appropriate agreements necessary to accomplish this project, and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

Ms. Hubert introduced David Neubert and Helen Swagerty from River Partners and Josh Bush from CDFW.

Ms. Finn asked if this was the same project that was approved back in 2007. Ms. Hubert said the project was delayed due to a lawsuit and lack of a permit. Ms. Finn then asked if the Board authorized changing the use of the proceeds. Ms. Hubert said money was reallocated from Maintenance to Design, as that work was required by the permitting agency and by the lawsuit. Ms. Finn asked if it was bond funds that were used for the project. Ms. Hubert said yes.

Mr. Donnelly said when this project was approved back in 2007, the funding was allocated for planning, design and construction. Also, small changes are allowed between the various line items. Current grants are now funded for planning and design. The grantees then return to the Board for construction and implementation funding.

Chairman Bonham added that the relevant parties to a current project have a better understanding of how to permit a project without provoking litigation.

Chairman Bonham asked if there were any further questions or comments on this project and there were none.

It was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; allocate \$620,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(b), authorize staff and the California Department of Fish and Wildlife to enter into appropriate agreements necessary to accomplish this project,

and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

28. Blue Ridge-Berryessa CAPP, Smittle Creek Napa County \$1,420,000.00

This proposal was to consider the allocation for a grant to the Napa County Regional Park and Open Space District (District) to acquire approximately 443± acres of land to conserve and protect existing regional wildlife linkages, including grasslands, blue-oak woodlands, chamise, manzanita, and ceanothus.

Mr. Brian Gibson presented the project to the Board.

LOCATION and SURROUNDING USES

The property (Property) is located within the Smittle Creek watershed in the Cedar Roughs area approximately eighteen miles northeast of the city of Napa, west of Berryessa-Knoxville Road.

Surrounding protected lands include Lake Berryessa Recreation Area immediately to the east of the Property, the 6,500 acre Cedar Roughs Wilderness Area (CRWA) to the west and the California Department of Fish and Wildlife's (CDFW) Cedar Roughs Wildlife Area approximately 4 miles north of the Property.

The Property ranks as a high priority within CDFW's Blue Ridge-Berryessa Conceptual Area Protection Plan (CAPP). The main objectives of the CAPP are to conserve and enhance migration corridors, restore habitat, and protect lands that will likely increase or enhance nature-based recreational opportunities. The conservation strategy also seeks to connect the over 303,000 acres of protected public lands within the CAPP.

PROJECT DESCRIPTION

The Property is part of a larger 587 acre private ownership. The remaining 144 acre parcel is an inholding within the CRWA and is being acquired by The Wilderness Land Trust at this time with the intent to transfer it to the Bureau of Land Management in the future.

The topography of the Property varies from gentle to steep slopes, ranging in elevation from 525 to 1,800 feet above sea level. There are some nearly flat to gently sloping areas along Smittle Creek including a few sites which possess commanding views of Lake Berryessa. Along with abundant spring water, these flat areas are attractive and developable as estate home sites.

The Property contains 13 different vegetation alliances, encompassing a variety of oaks, bays, grasses and chaparral shrubs, as categorized and mapped by the Information Center for the Environment at U.C. Davis. This incredible diversity is the result of a combination of the complex distribution of soils and microclimates. Of these, Napa County has identified six of these alliances as "sensitive" vegetation types, based on factors including local and/or statewide rarity and loss (historic as well as projected). These include serpentine and non-serpentine grasslands, blue oak woodlands, and various blends of leather oaks, chamise,

manzanita, and ceanothus. Although a natural resource survey has not been conducted, the Property is presumed to host a full complement of wildlife known to exist in the area including black bears, mountain lions, Cooper's hawk, golden eagles, bald eagles, tule elk, bobcat, and California black-tailed deer.

Overall, habitat on the subject parcels is in good condition. Historically the area has been grazed and hunted, but not tilled. European grasses are common in the open grassland areas, but other invasive species that are causing considerable concern elsewhere in Napa County do not appear to have taken a hold on the subject parcels.

The only current public access to the CRWA is via the 413 acre Cedar Roughs Wildlife Area which connects CRWA to Pope Canyon Road several miles north of the Property. While public access to the CRWA is allowed, visitors must currently cross Pope Creek in order to access the Wilderness Area and it is not always possible in the winter months. Acquisition of this Property is essential to providing what would be the only other public access to the CRWA and would create a singular, publicly owned connection between CRWA and the 30,000 acre Lake Berryessa Recreation area located adjacent to the Property. Public parking will be at the Smittle Creek Day Use and Picnic Area managed by the Bureau of Reclamation located across the Property on Berryessa- Knoxville Road.

WCB PROGRAM

The proposed grant is being considered under the WCB's Land Acquisition Program. The Land Acquisition Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, *et seq.*) authorizing the WCB to acquire real property or rights in real property on behalf of the CDFW, grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. Under the program, the WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife-oriented recreation opportunities. These activities are carried out in conjunction with the CDFW, which evaluates the biological values of property through development of a Land Acquisition Evaluation/CAPP (LAE/CAPP). The LAE/CAPP is then submitted to DFG's Regional Operations Committee for review and, if approved, later transmitted to the WCB with a recommendation to fund.

The project is consistent with the following priorities outlined in the WCB Strategic Plan:

Goal A.1 - Fund Projects and Landscapes that provide resilience for native wildlife and plant species in the face of climate change.

The project creates a habitat linkage and protects a corridor that provides transitional habitat for several native species to adapt to climate change by moving between the lower elevation at Lake Berryessa to higher elevation habitat consisting of more diverse vegetation.

A.4 – Invest in priority conservation projects recommended under CDFW’s land acquisition evaluation process or within other conservation plans supported by CDFW.

The project is situated within CDFW’s Blue Ridge-Berryessa CAPP. CDFW has completed a comprehensive and detailed study of the area. High priority parcels within the CAPP were selected because they support high value conservation targets and/or adjacent existing protected lands.

MANAGEMENT OBJECTIVES AND NEEDS

The Property will be owned and managed by the District. The District currently owns and manages just under 4,000 acres of open space in Napa County. Habitat and wildlife protection will be the primary objective of the management plan. To the extent it is compatible with this primary objective, the district will also manage the property for a wide range of non-motorized public recreation purposes, including hiking, horseback riding, mountain bicycling, hunting, nature study and other compatible nature-based activities.

TERMS

The Property has been appraised as having a fair market value of \$1,410,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The property owner has agreed to sell the property for the approved appraised fair market value. The terms and conditions of the proposed WCB grant to the District provide that staff of the WCB must review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms the WCB can require the grantee to encumber the property with a conservation easement in favor of the State or another entity approved by the State and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	<u>\$1,410,000.00</u>
Total Purchase Price	\$1,410,000.00
Other project related administrative costs	\$ 10,000.00
Total WCB Allocation	\$1,420,000.00

It is estimated that an additional \$10,000.00 will be needed to cover project

related administrative costs, including DGS appraisal review.

The Land Trust of Napa County and the District will fund environmental assessment, appraisal, escrow and title insurance costs.

WCB FUNDING SOURCE

The purposes of this project are consistent with the proposed funding sources, which allows for the protection and preservation of deer, mountain lion, and oak woodland habitat and existing regional wildlife linkages. [The Habitat Conservation Fund (Proposition 117), Fish and Game Code section 2786(a) and the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code section 5096.650(a)].

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and habitat. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$1,415,515.00 from Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a) and \$4,485.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code section 5096.650(a) for the grant and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Mr. Donnelly said he received letters of support from Assembly Member Mariko Yamada, 4st District, CA State Assembly; Congressman Mike Thompson, 5th District, Congress of the United States; Jeff Laird, Park Manager, Bureau of Reclamation; Doug Parker, Executive Director, Land Trust of Napa County; Aimee Rutledge, Program Manager, The Wilderness Land Trust; Nancy Tamarisk, Vice Chair, Napa Group, Sierra Club and Andrew Fulks, President, Tuleyome.

Mr. Gibson introduced John Woodbury, General Manager for Napa County Regional Park and Open Space District and Brian Shelton, CDFW Bay Delta Region.

Mr. Woodbury spoke in support of the project and thanked the staff for working so diligently on the project and offered to answer any questions on the project.

Chairman Bonham asked if there were any questions or further comments on the project and there were none.

It was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; allocate \$1,415,515.00 from Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a) and \$4,485.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code section 5096.650(a) for the grant and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

**Passed Unanimously.
Bonham - Yes
Baylis – Yes
Finn - Yes**

29. Summers Meadow \$1,345,000.00
Mono County

This proposal was to consider a cooperative project with the U.S.D.A. Natural Resources Conservation Service (NRCS) to acquire approximately 2,036 acres of habitat for the California Department of Fish and Wildlife (CDFW). The property includes wet meadow, chaparral and sagebrush scrub habitat areas supporting deer, mountain lion, greater sage grouse, and Sierra Nevada bighorn sheep.

Mr. John Walsh presented the project to the Board.

LOCATION AND SURROUNDING USES

The property (Property) is situated in Mono County on the lower eastern slopes of the Sierra Nevada Mountains, 8 miles southwest from the intersection of Green Creek Road and State Route 395 via a United States Forest Service road. The nearest communities are Bridgeport (6 miles north), Virginia Lakes Settlement (3 mi southwest), and Lee Vining (10 miles south). Other significant features in the vicinity of the Property include the Bodie Hills to the east, Mono Lake to the southeast and Bridgeport Valley to the north.

The Property is near the CDFW Green Creek Wildlife Area. This Property is surrounded by other public lands including the Humboldt-Toiyabe National Forest and the Bureau of Land Management (BLM) lands. East of the Property is the United States Department of Agriculture's Hoover Wilderness Area and the BLM Conway Summit Area of Critical Environmental Concern.

The Property is identified within CDFW's Upper Summers Meadow and Sinnamon Meadow Unit – Green Creek Wildlife Area Conceptual Area Protection Plan (CAPP). The CAPP describes the need to maintain habitat connectivity between public lands separated by large private parcels, such as the Property, that if developed could potentially fragment wildlife movement and dispersal corridors. The CAPP area comprises a total of 4,920 acres, including 683 acres of wetlands, 217 acres of aspen habitat, and 1.2 miles of riverine habitat.

PROJECT DESCRIPTION

The Property is summer pasture grazed by cattle as part of a larger ranch operation. Livestock grazing is an important component of the rural economy. Agricultural practices such as irrigation have been ongoing on the Property for more than a century and have resulted in extensive wetlands that, in addition to being productive pasture, also support a number of species of special concern that utilize the Property for water, foraging habitat, and connectivity between surrounding upland areas. The acquisition will ensure that future land uses do not impair the habitat values of the Property.

Habitat areas on the Property include wet and dry montane meadow, sagebrush, bitterbrush, aspen, lodgepole pine, and montane riparian habitats. Natural springs and wetlands are also found on the Property.

As the NRCS is a funding partner in this acquisition, their funding requires that they hold a conservation easement similar to the Wildlife Conservation Board's (WCB) Notice of Unrecorded Grant Agreement when WCB makes a grant. The combined goals of NRCS and WCB for the project is to assure that this large 2,036-acre private Property will be retained forever in its predominantly natural state as a natural, scenic, habitat and open-space resource, and to prevent any conversion or subdivision of the Property that could significantly diminish or impair these values. CDFW wildlife use objectives include preserving summer brood rearing habitat for the Bi-State distinct population segment of the greater sage-grouse (proposed as a federally-listed threatened species) and providing a buffer zone between habitat occupied by the endangered Sierra Nevada bighorn sheep and areas grazed by domestic sheep. The Property provides critical migration, holdover, and summer range habitat for the East Walker and Mono Lake mule deer herds as delineated through a radio telemetry study conducted by CDFW. The montane riparian habitats on the Property are of particular importance as they have exceptionally high wildlife values, providing water, thermal cover, migration corridors and diverse nesting and breeding opportunities for wildlife species, including mountain lions. Other species that will benefit from the protection of the Property are the Sierra Nevada yellow-legged frog, Pacific fisher, and Sierra Nevada red fox, all of which are species of special concern.

WCB PROGRAM

The proposed acquisition is being made under the WCB's Land Acquisition Program (Program). The Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Code Section 1300, et seq.) authorizing the WCB to acquire real property or rights in real property on behalf of CDFW, grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with the acquisitions of properties. Under the Program, the WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife oriented recreation opportunities. These activities are carried out in conjunction with CDFW, which evaluates the biological values of property through development of a Land Acquisition Evaluation/Conceptual Area Protection Plan (LAE/CAPP). The LAE/CAPP is then submitted to CDFW's Regional Operations Committee for review and, if approved, later transmitted to the WCB with a recommendation to fund.

This project is guided by the WCB Strategic Plan and supports the following Strategic Plan Goals:

- Goal A-1 Fund Projects and Landscapes that provide resilience for sensitive wildlife and plant species in the face of climate change.

The acquisition would continue to allow migration and movement of species and

provide for habitat connectivity between identified habitat areas.

- Goal A-4 Invest in priority conservation projects recommended under CDFW's land acquisition evaluation process or within other conservation plans supported by CDFW.

The Project is located within the CDFW's Upper Summers Meadow and Sinnamon Meadow Unit – Green Creek Wildlife Area Conceptual Area Protection Plan (CAPP).

MANAGEMENT OBJECTIVES AND NEEDS

CDFW estimates that operation and management costs for the Property will be minimal, not exceeding \$2,000.00 per fiscal year, with said costs to be allocated from existing lands and facility management budgets for the northern area of the Inland Deserts Region (Region 6). The primary management objective will be to conserve, protect, and enhance habitat for Sierra Nevada bighorn sheep, mule deer, and the greater sage grouse. Potential future management activities may include irrigation, stream bank stabilization, and aspen stand reforestation. Potential habitat enhancement projects could be undertaken through support from and in partnership with non-profit organizations such as the California Deer Association.

TERMS

The Property has been appraised as having a fair market value of \$2,980,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). NRCS will obtain a conservation easement on the Property as a requirement of its funding. WCB will then purchase the underlying fee at the DGS-approved appraised value \$1,320,000.00.

WCB must review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. Once approved by the Board, the transaction will also be subject to review and approval by DGS.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$1,320,000.00
USDA Natural Resource Conservation Service	\$1,468,025.00
Total Purchase Price	\$2,788,025.00
Other Project-Related Costs	\$25,000.00
TOTAL WCB ALLOCATION	\$1,345,000.00

It is estimated that an additional \$25,000.00 will be needed to cover project-related administrative costs, including DGS appraisal review.

FUNDING SOURCE

The purposes of this project are consistent with the authorized uses of the proposed funding source, the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c), which allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and existing natural conditions, including plant or animal habitats. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$1,345,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) to cover project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and CDFW to proceed substantially as planned.

Mr. Donnelly received a letter of support from William Dunkelberger from the U.S. Forest Service.

Mr. Walsh introduced Alisa Ellsworth and Aaron Johnson from CDFW.

Ms. Finn asked why is NRCS holding an easement on CDFW property and is that unusual. Mr. Donnelly said NRCS holds easements when they contribute funding to projects which will secure and protect their funding. CDFW will be the underlying fee holder of this acquisition. It will also ensure the CDFW will maintain the property in which the funding is provided.

There were no further questions or comments.

It was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; allocate \$1,345,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) to cover project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and CDFW to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

30. Santa Cruz Mountains Linkages, Coyote Ridge (NCCP), Santa Clara County \$2,710,000.00
and Tax Credit

This proposal was to consider the approval of a contribution and a \$8,607,500.00 tax credit pursuant to the Natural Heritage Preservation Tax Credit Program (NHPTCP) for United Technologies Corporation's (UTC) donation of property to the Santa Clara County Open Space Authority (SCCOSA) and the acceptance of a U.S. Fish and Wildlife Service (USFWS) Habitat Conservation Plan Land Acquisition grant for a cooperative project with SCCOSA, USFWS, the U. S. Bureau of Reclamation, Department of Parks and Recreation (DPR), the State Coastal Conservancy (SCC), the Resources Legacy Fund, and the Gordon and Betty Moore Foundation, to provide protection of habitat for threatened and endangered species, movement corridors and connectivity, and potential future wildlife-oriented public use opportunities.

Mr. John Walsh presented the project to the Board.

Also for consideration as part of the proposed project is the approval for the Wildlife Conservation Board (WCB) to use State bond funds and the USFWS grant funds to reimburse the General Fund for a portion of the lost revenue resulting from the award of tax credits as required under the NHPTCP. The balance of the lost revenue would be reimbursed by a grant of Proposition 84 state bond funds from SCC, private donations from the Resources Legacy Fund and the Gordon and the Gordon and Betty Moore Foundation, local government funding from SCCOSA, federal funding from the U.S. Bureau of Reclamation, and funding from the DPR's Federal Highway Administration Recreational Trails Program.

LOCATION AND SURROUNDING USES

The property (Property) proposed for donation comprises approximately 1,831+/- acres. It is located south of Metcalf Road, east of Highway 101, and approximately one mile southeast of the City of San Jose. Santa Clara County contains the level and fertile Santa Clara Valley which is bordered by the Diablo Range to the east, the Santa Cruz Mountains to the west, and the San Francisco Baylands to the northwest. The Property is characterized by gently rolling hills that climb from the Santa Clara Valley floor at an elevation of approximately 385 feet to an elevation of nearly 1,450 feet atop Coyote Ridge at the northern property boundary. The general landscape comprises west-facing slopes that define the northeast and northern property boundary. The northwest portion of the site includes two west-trending ravines, each containing seasonal watercourses.

The protection of the Property will extend a contiguous 325,000-acre complex of publicly and privately protected lands in the Diablo Range to the Santa Clara Valley. This protected area includes the 87,000-acre Henry W. Coe State Park and the 28,500-acre San Felipe Ranch which was placed under conservation

easement in 2008 and is located less than two miles east of the Property. Immediately south/southeast of the Property is 1,800 acres of protected lands managed by SCCOSA for habitat and open space values.

The Property lies within the California Department of Fish and Wildlife's (CDFW) Santa Cruz Mountain Linkages Conceptual Area Protection Plan (CAPP) which establishes criteria for prioritizing the acquisition of privately-owned parcels to increase or enhance habitat, migration corridors, and connectivity. Upon acquisition by SCCOSA, the Property will be enrolled in the Santa Clara Valley Habitat Plan (Habitat Plan), a combined Habitat Conservation Plan and Natural Community Conservation Plan (HCP/NCCP). Enrollment in the Habitat Plan will be accomplished by SCCOSA granting a conservation easement to the Santa Clara Valley Habitat Agency (SCVHA). WCB's use of its proposed funding source to reimburse the General Fund requires the Property be enrolled in the Habitat Plan; accordingly, if the proposal is approved, recording of this conservation easement will be a condition of close of escrow. Additionally, this project location has been identified by the SCCOSA's *Santa Clara Valley Greenprint* and the Bay Area Open Space Council's *Conservation Lands Network*, both of which are strategic plans, as an essential conservation focus area.

The USFWS has identified 28 species of plants and animals, including 14 federally listed species, which occur primarily or exclusively on serpentine soils in the San Francisco Bay Area. One of the largest concentrations of serpentine soils is found along the Coyote Ridge.

PROJECT DESCRIPTION

The Property is located in the Coyote Creek Watershed and supports several aquatic features, including three year-round streams that together are over 12 miles in length. The Property also contains springs, wetlands, and ponds. The western slope provides beneficial upstream habitat components for Coyote Creek, which is designated as critical habitat for the federally threatened steelhead trout.

The west-facing slopes of Coyote Ridge offer ideal conditions for high-elevation serpentine grassland and habitat that supports a host of endemic rare and endangered plants which in turn provide habitat and forage for the federally threatened Bay Checkerspot butterfly. The Property has been identified as the largest single tract of core habitat for the Bay Checkerspot butterfly in California and represents approximately one third of all HCP/NCCP targeted acreage for conservation. Furthermore, the Property provides habitat for the federally threatened California red-legged frog and state and federally threatened California tiger salamander. Additionally, flora on the Property includes the federally endangered Metcalf Canyon jewelflower and the Santa Clara Valley dudleya.

The Property is also essential to maintaining a critical landscape linkage

connecting the southern Santa Cruz Mountains and the southern Diablo Range Mountains. This linkage, across Coyote Valley and the Property, is a relatively narrow portion of the southern Santa Clara Valley where habitat in the two mountain ranges are in close proximity.

The Property will be available for future public use and provides an outstanding opportunity for recreation such as hiking and horseback riding on existing ranch roads and trails. An approximate 3.8 mile section of dirt road along Coyote Ridge is proposed to become a future segment of the Bay Area Ridge Trail.

WCB PROGRAM

The project is being considered under the WCB's Land Acquisition Program (Program). The Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Code Section 1300, *et seq.*) authorizing WCB to acquire real property or rights in real property on behalf of CDFW, grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property, and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. Under the Program, WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife-oriented recreation opportunities. The project has been reviewed and approved by CDFW under its Natural Community Conservation Plan program, substantiating the biological values of the Property and recommending it for funding. The USFWS grant proposed for this project has also been reviewed and approved by CDFW as a participant in the USFWS Land Acquisition grant selection and review process.

NATURAL HERITAGE PRESERVATION TAX CREDIT PROGRAM

The project is also being considered under the Natural Heritage Preservation Tax Credit Program, Public Resources Code Section 37000, *et seq.* Under the NHPTCP, upon approval by the Board a donor may contribute qualified property to a donee and receive a tax credit for 55 percent of the value of the property.

Contributions of properties under the NHPTCP must meet one or more of the criteria in Public Resources Code Section 37015, including the following:

The property will help meet the goals of a habitat conservation plan, multispecies conservation plan, natural community conservation plan or similar statutorily authorized plan;

The property will provide corridors or reserves for native plants and wildlife that will help improve the recovery possibilities of listed species;

The property will be used as a park or open space or will augment public access to or enjoyment of existing regional or local park, beach, or open-space facilities.

The donee must allow public access to the property to the extent that public access is consistent with the purposes for which the property is accepted. Before providing public access to the property, Public Resources Code Section 37023 requires the donee to develop a plan that minimizes the impact of public access on adjacent landowners.

Tax credits may be awarded under the NHPTCP only if the amount of all lost revenue resulting from the award of tax credits is reimbursed by transfer to the General Fund of moneys that are not from the General Fund, as provided in Public Resources Code Sections 37022 and 37034. Under Public Resources Code Section 37034, the Board may approve a donee's acceptance of a qualified donation on the condition the full amount of funds necessary to reimburse the General Fund are transferred to WCB within 60 days. Upon receipt of sufficient funds within the 60 day period, WCB will provide the donor and donee with a notice of final approval of the tax credit.

STRATEGIC PLAN

This Project is guided by the WCB Strategic Plan and supports the following Strategic Plan goals:

Goal A.1 Fund Projects and Landscapes that provide resilience for native wildlife and plant species in the face of climate change.

The Property provides a critical landscape linkage connecting the southern Santa Cruz Mountains and the southern Diablo Range Mountains across the Coyote Valley which runs through the Property. The Property provides great elevation changes which provide a corridor to support migration and movement of species adapting to climate change.

Goal A.2 Fund projects and landscape areas that conserve, protect, or enhance water resources for fish and wildlife.

The Property contains streams which provide beneficial upstream habitat components for steelhead trout and will be conserved by this project.

Goal A.3 Fund projects that support the implementation of HCP/NCCP and recovery of listed species.

After donation, a conservation easement will be recorded which will enroll the Property in the Santa Clara Valley Habitat Plan, a combined HCP/NCCP.

Goal A.4 Invest in priority conservation projects recommended under CDFW's land acquisition evaluation process or within other conservation plans supported by CDFW.

The Property lies within the CDFW's Santa Cruz Mountain Linkages CAPP which establishes criteria to prioritize and permanently conserve the acquisition of privately-owned parcels to increase or enhance habitat, migration corridors, and connectivity.

Goal C.1 Support a wide range of recreational activities in conjunction with other land uses and without degrading environmental resources.

The Property will provide future outdoor education, interpretation, and recreation opportunities. Existing ranch roads are suitable to be used to create a loop trail that affords opportunities for wildlife-oriented recreation uses including wildflower and wildlife viewing. It is anticipated that a portion of the Property will serve as a segment of the Bay Area Ridge Trail that can help connect the Joseph D. Grant and Anderson Lake County Parks. These activities will be conducted consistent with the NCCP and management plan adopted for the Property and will be done in a manner that does not degrade the sensitive habitat.

MANAGEMENT OBJECTIVES AND NEEDS

If the proposal is approved and the Property is donated, after acceptance of the donation SCCOSA will grant a conservation easement to Santa Clara Valley Habitat Agency (SCVHA). WCB and CDFW have each reviewed and approved the proposed conservation easement, which will protect the conservation values of the Property in perpetuity. Through granting of the approved conservation easement, the Property is eligible for and will be enrolled in the Habitat Plan. The Habitat Plan was a joint effort prepared by the County of Santa Clara, City of San Jose, City of Gilroy, City of Morgan Hill, Santa Clara Valley Water District, the Santa Clara Valley Transportation Authority, and approved by the USFWS under Section 10 of the Endangered Species Act of 1973 and the CDFW under the California Natural Community Conservation Planning Act, Fish and Game Code Section 2800, *et seq.* A property specific management plan will also be developed in cooperation with all parties, including the CDFW, to ensure that all resources and wildlife habitat are conserved and the allowed public access activities will not degrade or negatively impact the wildlife and habitat values identified in the Habitat Plan.

The SCVHA will actively monitor the Property at least annually to ensure that the conservation easement terms are being honored and provide a written report to WCB documenting each monitoring visit. The monitoring report will note any significant changes to the resources or any compliance issues. If corrective actions are identified by SCVHA, SCCOSA will be required to implement such actions, all of which will be noted in the monitoring report.

TERMS

The Property has been appraised as having a fair market value of \$15,650,000.00. The appraisal has been reviewed by WCB staff and reviewed

and approved by the Department of General Services (DGS) and USFWS. The Property owner and SCCOSA have filed an application under the NHPTCP under which the Property owner is seeking a 55% tax credit on the \$15,650,000.00 donated land value in the amount of \$8,607,500.00 as a donation of land under the NHPTCP. The NHPTCP application has been reviewed and approved by WCB staff.

Public Resources Code Section 37012(d) requires that before any donation can be considered by the Board, a public hearing must be held by the donee or recipient of the donation, in the county from which the donation is made. Accordingly, on July 9 2015, the SCCOSA held a public hearing in Santa Clara County to discuss the donation. The hearing was attended by WCB staff and members of the public. All comments were in support of the donation and there was no opposition expressed by meeting participants.

Pursuant to Public Resources Code Section 37034(b)(2), the WCB staff is recommending approval for the SCCOSA to acquire this property under the NHPTCP on the condition that funds necessary to reimburse the General Fund be transferred to WCB within 60 days following the Board's approval of the project. Once the Board receives funds necessary to reimburse the General Fund, WCB will send a final notice of approval of the tax credit to the donor and donee. Once all funds are received and the tax credit is approved by WCB, WCB will notify the Franchise Tax Board (FTB) of the availability of the approved tax credits. Until the Board notifies the FTB, tax credits are not available for use by the donor. Once approved, the donor maintains the ability to apply the credit over a 15 year period, or until the value of the credit is exhausted.

WCB staff will provide all required notifications under the NHPTCP once the Property has been transferred to Santa Clara County Open Space Authority and all other conditions of Board approval have been met.

If any unauthorized use is made of the Property, Public Resources Code Section 37021 requires the donee to seek to terminate the unauthorized use and restore the conservation benefits for which the Property was contributed. If the Board determines the unauthorized use has not been terminated and the conservation benefits fully restored within a reasonable period of time, the owner must pay the State the fair market value of the Property. The Board may also seek injunctive relief to prevent the unauthorized use or may assume ownership or management of the Property to assure that it is used in the manner originally authorized.

PROJECT FUNDING

The proposed funding breakdown of funds to be used to reimburse the General Fund for 55% of the approved fair market value of the Property, as required under the NHPTCP, is as follows:

Wildlife Conservation Board	\$2,700,000.00
WCB – USFWS Section 6 funds	\$2,000,000.00

Bureau of Reclamation	\$1,000,000.00
State Coastal Conservancy	\$1,000,000.00
Department of Parks and Recreation	\$400,000.00
Resources Legacy Fund	\$500,000.00
Gordon and Betty Moore Foundation	\$1,000,000.00
Santa Clara Open Space Authority	<u>\$7,500.00</u>
TOTAL	\$8,607,500.00
Other project related administrative costs	\$10,000.00
Total WCB Allocation	\$2,710,000.00

It is estimated that an additional \$10,000.00 will be needed to cover project related administrative costs, including DGS appraisal review.

WCB FUNDING SOURCE

The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition and protection of habitat that implements or assists in the establishment of NCCPs. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c)].

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The acquisition has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 13525, Class 25, as a transfer of an ownership interest in land to preserve open space and habitat. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Board determine that the proposed contribution of the Property and its acquisition by SCCOSA meets all applicable requirements of the NHPTCP; approve the contribution of the Property to SCCOSA under the NHPTCP; approve and authorize a tax credit in the amount of \$8,607,500.00 under the NHPTCP subject to such conditions identified and required by WCB staff ; determine that the acquisition of the Property would comply with the purpose of the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c) (Bond Funds); allocate \$2,710,000.00 from the Bond Funds for the tax credit to reimburse the General Fund as required by Public Resources Code section 37022 and to cover internal project-related expenses; accept the USFWS Habitat Conservation Plan Land Acquisition grant in the amount of \$2,000,000.00 and authorize the use of these funds to reimburse the General Fund as required by Public Resources Code Section 37022; authorize staff to enter into appropriate agreements necessary to accomplish this project;

and authorize staff and CDFW to proceed substantially as planned.

Mr. Walsh introduced Kevin Knowles, President of Conservation Land Group; Ed Sullivan from the Santa Clara Habitat Agency and Matt Freeman, Assistant General Manager, Open Space Authority.

Mr. Baylis asked if United Technologies had a manufacturing facility contiguous to this site. Mr. Donnelly said they checked into it and he does not believe so. Mr. Donnelly added that the soils may contain naturally occurring asbestos.

There were no further questions or comments.

It was moved by Board Member Jack Baylis that the Wildlife Conservation Board determine that the proposed contribution of the Property and its acquisition by SCCOSA meets all applicable requirements of the NHPTCP; approve the contribution of the Property to SCCOSA under the NHPTCP; approve and authorize a tax credit in the amount of \$8,607,500.00 under the NHPTCP subject to such conditions identified and required by WCB staff ; determine that the acquisition of the Property would comply with the purpose of the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c) (Bond Funds); allocate \$2,710,000.00 from the Bond Funds for the tax credit to reimburse the General Fund as required by Public Resources Code section 37022 and to cover internal project-related expenses; accept the USFWS Habitat Conservation Plan Land Acquisition grant in the amount of \$2,000,000.00 and authorize the use of these funds to reimburse the General Fund as required by Public Resources Code Section 37022; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and CDFW to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

31. San Joaquin River Parkway, \$850,000.00
San Joaquin Hatchery Public Access and Trail,
Augmentation II
Fresno County

This proposal was to consider the allocation for an augmentation to an existing grant to the California Department of Water Resources (DWR) to improve public fishing access and enhance riparian habitat on the San Joaquin River and to improve recreational access to the California Department of Fish and Wildlife's (CDFW) San Joaquin Fish Hatchery (Hatchery).

Ms. Heidi West presented the project to the Board.

LOCATION

The Parkway is defined in State law as approximately 5,900 acres on both sides of a 22 mile long reach of the San Joaquin River between Friant Dam in the east and State Route 99 to the west, in Fresno and Madera counties. The San Joaquin River Conservancy (SJRC) was created in 1992 to preserve and enhance the San Joaquin River's extraordinary biological diversity, protect its valued cultural and natural resources and provide educational and recreational opportunities to the local communities. The SJRC's mission includes both public access and habitat restoration within the Parkway.

The Hatchery is located within the San Joaquin River Parkway on the south bank of the San Joaquin River about one quarter mile downstream of the Road 206 bridge in the town of Friant in Fresno County, and approximately one mile west of Friant Dam and adjacent to Lost Lake Park within the Parkway. The Hatchery is situated on two± acres of State-owned land and is operated and managed by CDFW. The proposed project, including work associated with Augmentation II, is located on and adjacent to the Hatchery property.

PROJECT DESCRIPTION

The Hatchery is one of the most accessed and explored areas of the Parkway. It is open every day of the week and serves thousands of visitors, many of them school children, but provides inadequate public facilities. For example, vehicle access occurs via a narrow residential road and parking is limited and does not safely accommodate school buses and other large vehicles. Additionally, there are a limited number of pathways among facilities and no recreational trails. Access from the Hatchery to the river is limited.

CDFW coordinated with DWR and the SJRC to develop a plan to comprehensively improve public access. The SJRC Board approved the project as originally proposed on June 8, 2011, and WCB approved a grant to DWR for \$2,230,000 on September 13, 2011. The project was designed to improve vehicle and pedestrian access and safety, connect the San Joaquin Hatchery with Lost Lake Park, and enhance CDFW's interpretive information regarding the significant resource value of the San Joaquin River. All public access

improvements are to be constructed to American with Disabilities Act (ADA) standards.

The original 2011 scope of work planned for implementation beginning in October 2012 included design and engineering, project management, construction, and installation of the following project elements:

- Parkway trailhead entrance at the northwest corner of Friant and Flemming Roads with a trail to provide strategic viewing of the Hatchery. This segment of the multiple-purpose Parkway trail will connect Lost Lake Park to Friant Road at a central intersection in the community and lead to the river to provide nature viewing and fishing opportunities.
- Public parking lot with an entrance off of Friant Road, the main vehicle route serving the area.
- Outdoor classroom with amphitheater-style seating, complete with solar lighting.
- Rest areas, drinking water fountains, and bike racks.
- Interpretive signs along the trail, river, and Hatchery grounds.
- Landscaping with native plants around the parking lot, the trailhead entrance, and outdoor classroom.
- Installation of the necessary utilities to serve the new facilities.

In 2014, DWR formally requested a grant augmentation of \$300,000 (Augmentation I) to complete the Design and Engineering project phase, including preconstruction planning, design, final plans and specifications ready for inclusion in the bid package, as well as to increase funding for the Construction phase. DWR requested Augmentation I due to unanticipated costs and time associated with the re-design of facilities to direct storm water away from Friant Road as required by the County of Fresno, increased costs associated with environmental review and compliance, increased coordination with CDFW to avoid impacts to other Hatchery projects not covered under this grant, and rising construction costs. Due to the delays described above, DWR projected that the 4-6 month construction period, originally set to begin in 2012, would commence during the spring or fall of 2015. The SJRC Board approved Augmentation I on June 18, 2014, and WCB approved funding at its August 28, 2014 meeting.

Since August 2014 when Augmentation I was approved, design, environmental review, and all required project engineering reviews and permits for project elements have been obtained, including State Architect approval of the final plans and specifications. However, the DWR Office of Engineering, which finalizes and releases DWR bid packages for the bidding process, completed a standard cost check before release of the bid package in spring 2015, and determined that required changes from the State Architect resulted in costs higher than the previously final estimated construction and DWR project management budgets.

DWR's detailed request for Augmentation II describes the unanticipated high level of coordination between the DWR Division of Engineering and the State Architect

to address required changes to the project design. The expanded requirements and additional work have significantly impacted the budgeted funds for State Operations and Construction and include the following:

- California Building Code (CBC). A CBC code change took effect requiring more efficient electrical systems and lighting, which resulted in a significant increase in redesign and materials costs for the parking lot.
- Fire Code and Permit. Relocation of an existing fire hydrant required additional design changes and formal approval from the local Fire Marshal before a permit could be issued.
- Pedestrian footbridge. Concrete abutments for the pedestrian footbridge crossing a small secondary channel of the San Joaquin River were enlarged to avoid sensitive habitat in and around the channel.
- Americans with Disabilities Act (ADA). Multiple State Architect reviews resulted in required design changes to address recent litigation related to ADA access. ADA upgrades were incorporated into the design of pathways, steps, and the parking lot including the bus drop-off point. Railing and curbs also were added or re-designed. Pathways and the parking lot were upgraded to ensure proper drainage. An ADA compliant sidewalk was added to the site plan between the parking lot and Friant Road. More signage for ADA accessibility will be installed in the parking lot and along the trail. Additionally, existing entry ramps to buildings and drinking fountains, door handles, and signage modifications were required throughout the hatchery (even outside the project footprint) to provide full visitor access to all the facility's public amenities.

To cover these additional costs, DWR requested a second grant augmentation of \$850,000 from SJRC, which was approved by the SJRC Board on June 17, 2015. To ensure that all requirements are incorporated and the project is constructed within the time limits of environmental constraints, DWR also requested an extension to the grant agreement to August 31, 2017.

WCB PROGRAM

The proposed augmentation will be funded through the WCB Public Access Program and meets the program's goal of providing public access for hunting, fishing, or other wildlife-oriented recreation statewide. The proposed augmentation will be made with funds allocated to WCB in the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75050(f), which provides for the acquisition, development, rehabilitation, restoration and protection of land and water resources located within the boundaries of the Conservancy and is consistent with the objectives of this project.

MANAGEMENT OBJECTIVES AND NEEDS

The project's planned facilities will comply with the Lost Lake Regional Park Master Plan, Fresno County General Plan, the mission of the CDFW, and the San Joaquin River Parkway Master Plan. Once the project is complete, operations

and maintenance of the new grant-funded facilities will be the responsibility of the CDFW.

PROJECT FUNDING

The proposed funding breakdown for the project and Augmentation II is as follows:

Item	Task Description	Original Grant	Augmentation I	Augmentation II	Total
1	Design and Engineering	\$235,100	\$0	\$0	\$235,100
2	Construction	\$1,587,000	\$72,000	\$541,000	\$2,200,000
3	State Operations	\$407,900	\$228,000	\$309,000	\$944,900.00
	TOTAL	\$2,230,000.00	\$300,000.00	\$850,000	\$3,380,000.00

Project costs under Augmentation II will be for Construction (i.e., new facility construction, inclusion of ADA upgrades, and equipment and landscaping installation) and State Operations (completion of the bid process, project management, and oversight), engineering drawings and specifications, contract management and construction oversight. DWR expects that it will complete the project by August 31, 2017.

FUNDING SOURCE

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75050(f), which provides for the construction of river parkway projects identified by the SJRC and is consistent with the objectives of this project.

CEQA REVIEW AND STATE RECOMMENDATION

The proposed project is included among the high priority projects recommended by the Interagency Project Development Committee (IPDC), whose role is to evaluate projects to be considered by the SJRC Board. The SJRC Board approved the project as originally proposed on June 8, 2011, and WCB approved grant funding on September 13, 2011. The SJRC Board approved Augmentation I on June 18, 2014, and WCB approved funding at its August 28, 2014 meeting.

The SJRC Board approved Augmentation II on June 17, 2015.

As lead agency, CDFW prepared a Mitigated Negative Declaration (MND) for the project pursuant to the provisions of the California Environmental Quality Act (CEQA). CDFW adopted the MND in May 2011. In compliance with CEQA, WCB has prepared proposed written findings related to the current project description. Subject to approval by the WCB, the appropriate Notice of Determination (NOD) will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this augmentation as proposed; allocate \$850,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75050(f); authorize staff and the California Department of Fish and Wildlife to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

Mr. Donnelly received letter of support from Sharon Weaver, Executive Director, San Joaquin River Parkway and Conservation Trust, Inc. and Derek Robinson, Councilman, City of Madera.

Ms. West introduced, Dave Encinas, Senior Engineer, DWR; Melinda Marks, Executive Officer, San Joaquin River Conservancy; Terry Palmisano, Wildlife Program Manager, CDFW and Cheryl Moxley, Interpreter II, CDFW.

Chairman Bonham asked if this is the last augmentation expected. Ms. West said, to the best of her understanding, yes. Mr. Encinas added that they are on track to go to construction early next year.

Ms. Finn asked is DWR still working on Preliminary Plans or are Final Plans and Specifications completed. Mr. Encinas said they have completed construction drawings. The project was delayed back in 2012 – 2014 for environmental surveys. He added that the American with Disabilities Act (ADA) requirements have added extra costs. Several features had to be added to meet the requirements in order for the Division of State Architect to sign off on the plans.

Ms. Finn asked were cost increases due to more than design changes required by the State Architect. Mr. Encinas said they needed to add several features that were not planned and upgrade some existing features.

Ms. Finn then asked why wait until 2016 to go to construction. Mr. Encinas said they will have to wait until after winter to start construction.

Ms. Palmisano spoke in support of the project and said they get approximately 20,000 visitors each year. This project will allow kids to feed the fish, walk on

ADA compliant trails and return to their classrooms with salmon to raise and return to the river at the hatchery. Over 5000 people have attended the Trout Fest. The trail will connect the public park to the hatchery and to the public river access. Ms. Palmisano said they are very excited about the project and asked for the Board's support.

Mr. Baylis said he does not question the intrinsic value of the project, but does question the huge cost difference between the original cost and the proposed funding requested for Augmentation II. He asked for further clarification in regards to the cost increases. Mr. Encinas said the cost increases are due to the delay in construction. The original cost estimates are from 2012 and now construction will not begin until 2016. He added that two-thirds of the additional funding will go towards construction costs. Mr. Baylis did not agree with their rationale and asked if DWR's original estimates were inaccurate. Mr. Encinas said not only did construction costs go up, but there were also costs associated with redesigning the project to meet code changes.

Chairman Bonham asked if they could discuss the breakdown in costs by line item starting with the Trails and Amenities since it doubled in costs. Mr. Encinas said that item includes the concrete seating area and concrete costs have increased. Chairman Bonham asked why the State Operations line item increased by \$309,000. Mr. Baylis asked for further clarification as those two items have increased by over \$800,000.

Chairman Bonham asked if the funding were approved in November, would there be an additional increase. Mr. Encinas could not answer that question. He said they are planning on advertising the construction contract by the end of the calendar year and approval in November would delay the bid process. They cannot go out to bid without the augmentation being approved.

Ms. Marks spoke and said they realized they needed more money to go to bid when they went to the State Architect. They are trying to keep it on track to go to bid this year. She fears that if the funding is not approved until November, it will push back their timeline.

Chairman Bonham suggested holding a separate public meeting sometime in September to discuss the budget, by line item, and the need for additional funding. This will allow the Board time to thoroughly discuss the augmentation as well as keep the project on track.

Ms. Finn summarized the issue by saying this is the state giving money to the state to improve state property. It is important to be extra diligent on these types of projects.

Mr. Donnelly asked if this should be a telephonic meeting and Mr. Baylis said yes since he lives in Southern California.

Chuck Bonham moved to defer a decision on this project and reconvene at a later date in September for a focused discussion on the budget and further deliberations.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

32. Carmel River, San Clemente Dam Removal, Augmentation
Monterey County \$1,000,000.00

This proposal was to consider the allocation for an amendment to an existing grant to the State Coastal Conservancy (Conservancy) for a cooperative project with California American Water (CAW), the California Department of Fish and Wildlife (CDFW), the California Natural Resources Agency, the Open River Initiative, the Innovative Readiness Training Program, the Coastal Impact Assistance Program and private foundations to remove the San Clemente Dam and reroute a half-mile portion of the Carmel River, located approximately 18 miles from the Pacific Ocean on CAW property in Monterey County.

Mr. Peter Perrine presented the project to the Board.

LOCATION

San Clemente Dam is a 106-foot-high concrete arch dam located approximately 18 miles from the Pacific Ocean on the Carmel River, just downstream of the confluence of the Carmel River and San Clemente Creek. The dam is owned and operated by CAW, an investor-owned water utility that is regulated by the California Public Utilities Commission. CAW provides water service to the Monterey Peninsula. The land adjacent to the dam and reservoir is largely undeveloped, consisting of steep slopes covered with dense chaparral and oak woodland. The nearest residential development, the Sleepy Hollow subdivision, is located approximately one mile downstream from the dam.

PROJECT DESCRIPTION

When the dam was constructed in 1921, the reservoir had a storage capacity of approximately 1,425 acre-feet. By the 1960s, the reservoir was filled by more than 2.5 million cubic yards of sediment, leaving a reservoir storage capacity of approximately 125 acre-feet. By then, the sole function of the dam was to provide a diversion point for water withdrawals from the river. In addition, in 1992 the dam was determined by the California Department of Water Resources (DWR) Division of the Safety of Dams (DSOD) that San Clemente Dam could potentially fail in the event of either the maximum credible earthquake or probable maximum flood. As a result, DSOD instructed CAW to develop a project to address this safety issue. As a result of multiple studies over many years, removing the dam became the preferred alternative to address the safety issue.

San Clemente Dam is a substantial barrier to the migration of steelhead trout. The National Marine Fisheries Service (NMFS) has consistently ranked the Carmel River as the most viable watershed for recovery of the local federally-threatened subspecies of steelhead, known as the South-Central California Coast steelhead Distinct Population Segment. Between 1999 and 2009, steelhead counts at San Clemente Dam's fish ladder ranged from approximately 95 to 804 fish per year, whereas historic returns to the river have been estimated to be as high as 12,000 to 20,000 adult fish. NMFS has stated that restoration of the

Carmel River steelhead population is critical the overall recovery of the species. Removing San Clemente Dam would provide steelhead with unimpaired access to over 25 miles of spawning and rearing habitat and would reduce the stress on fish traveling further upstream beyond Los Padres Dam where there is over 18 miles of additional spawning and rearing habitat.

The dam removal project presents a unique opportunity to permanently solve the public safety threat of dam failure, enhance the biological connectivity of the river corridor, restore the natural sediment supply to the downstream watershed and beach, and restore an important steelhead run. In addition, the project would protect and provide recreation on approximately 900 acres of watershed lands.

In June of 2011, WCB approved \$7,000,000.00 in funding to the Conservancy to assist with the project. The description of the San Clemente Dam Removal Project remains the same: realign the Carmel River channel above the dam, remove a portion of the sediment trapped behind the dam, stabilize the remaining sediment, and remove the dam. The project is now beginning its third year of construction, and as of this writing, the channel is realigned, the sediment has been removed or stabilized, and the dam is expected to be removed by the time the WCB Board can act in September. It is expected that all major construction activities will be complete by the end of October 2015. The only remaining unfunded activity is habitat restoration, which is expected to continue on into 2016.

The overall project costs also remain essentially the same at approximately \$83 million. In the 2011 funding plan for the project, the Conservancy anticipated securing \$12 million in federal and private funds for the project; however, the Conservancy has only been able to secure \$5.6 million. The Conservancy is asking for an additional \$1 million from WCB to be used to pay for some of the habitat restoration costs at the end of the project. The restoration design involves preparing the soil, and then planting and seeding the entire site with native plants. Several plant communities will be restored to the site including oak woodland, sage scrub, mixed chaparral, riparian, and wetland. The appropriate habitat type for each area of the site has been determined based on factors such as soil quality, soil moisture, and sun aspect.

WCB PROGRAM

The project will be funded through the WCB's Habitat Enhancement and Restoration Program, which allows for the restoration of habitats for native fisheries, threatened and endangered species habitats, and in-stream restoration projects including removal of fish passage barriers and other obstructions.

The project is consistent with the following priorities outlined in the WCB Strategic Plan:

Goal B.1 – Invest in projects and landscape areas that help provide resilience in the face of climate change and enhance water resources for fish and wildlife:

- This project will remove a major barrier on the most critical stream on California's central coast for the recovery of steelhead trout, which is federally listed as threatened. In addition, the project will improve habitat for a wide range of species, including the red-legged frog and neotropical migrants that use the riparian habitats that will be restored.
- The proposed project will a) re-establish a dynamically-resilient naturally-functioning riverine system without increasing downstream flooding
- The project will restore appropriate native diverse habitats to the project site capable of providing resilience to changes brought about through climate change.
- The proposed project will restore the river's ecological connectivity, including sediment transport processes.

The project will advance the objectives of the Monterey Peninsula Integrated Regional Water Management Plan (November 2007), a plan that coordinates more than 40 stakeholder entities involved in water resources, to "preserve the environmental health and well-being of the Region's watersheds by taking advantage of opportunities to assess, restore, and enhance natural resources of streams and watershed areas," and to protect and enhance "sensitive species and their habitat in the Carmel River watershed."

The Water Quality Control Plan for the Central Coast Basin adopted by the Regional Water Quality Control Board in 1994 also designates several beneficial use objectives for the Carmel River. The removal of San Clemente Dam will further the following beneficial use goals of the plan: cold fresh water habitat and wildlife habitat, rare, threatened or endangered species, migration of aquatic organisms, and spawning habitat.

The Carmel River Watershed Conservancy developed an action plan in 2006 and identified fish passage barriers, the San Clemente Dam being one of them, as the highest priority for improving habitat for steelhead on the Carmel River.

MANAGEMENT OBJECTIVES AND NEEDS

The project should be self-sustaining once the riparian habitat has become established and the dam removed. CAW has agreed to allow access to regulatory and funding agencies to assure that project features are maintained. Following completion of the project, CAW's long-term plan is to donate 928 acres of the project area to the U.S. Bureau of Land Management (BLM) for watershed conservation and compatible public access. BLM has indicated its interest in accepting the property. The property connects with Garland Regional Park to the west and the San Clemente Open Space to the east, both of which are owned and managed by the Monterey Peninsula Regional Park District. When combined, the three properties would result in over 5,400 acres of contiguous open space.

PROJECT FUNDING

Total project cost will be \$82,833,800.00 and will be funded as outlined below.

Funding Source	2011 Estimate	2015 Estimate
State		
State Coastal Conservancy	\$7,000,000	\$7,000,000 + \$2,200,000
California Department of Fish and Game	\$4,000,000	\$7,000,000
Wildlife Conservation Board	\$7,000,000	\$7,000,000 + \$1,000,000
California Resources Agency	\$4,000,000	\$4,000,000
SUBTOTAL STATE:	\$22,000,000	\$28,200,000
Federal and Private Funding		
Open Rivers Initiative	\$3,000,000	\$1,596,044
Innovative Readiness Training Program (in-kind services)	\$3,000,000	\$ 0
Coastal Impact Assistance Program	\$753,000	\$ 904,000
Private Foundations/Other federal sources	\$5,247,000	\$3,133,756
SUBTOTAL FEDERAL AND PRIVATE:	\$12,000,000	\$5,633,800
California American Water total	\$49,000,000	\$49,000,000
TOTAL:	\$83,000,000	\$82,833,800

Project costs are for the excavation of a new channel through the narrow peninsula between San Clemente Creek and the Carmel River, construction of a new dike to direct water into the new channel, construction of step pools in the new channel, removal of sediment, installation of structures to stabilize sediment that remains, riparian and upland plantings, signage, the removal of the San Clemente Dam, and project design, construction supervision and administration. The additional \$1 million requested from WCB would be used to pay for the habitat restoration at the end of the project.

FUNDING SOURCE

The proposed funding source for this project is the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Section 5096.650(a), which provides funding for the acquisition, development, rehabilitation, restoration and protection of habitat to promote the recovery of rare and endangered species, and to provide wildlife corridors and significant natural landscapes, ecosystems and habitat areas, and is consistent with the objectives of this project.

CEQA AND CDFW REVIEW/ RECOMMENDATION (IF NEEDED)

The CDFW has reviewed this proposal and recommends it for funding by the WCB. DWR, as lead agency, prepared a Final Environmental Impact Report (FEIR) for the project pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff considered the FEIR and has prepared proposed, written findings documenting WCB's compliance with CEQA. Subject to approval

by the WCB, the appropriate Notice of Determination will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$1,000,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Section 5096.650(a); authorize staff and the California Department of Fish and Wildlife to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

Mr. Perrine introduced Trish Chapman from the State Coastal Conservancy.

Chairman Bonham noted that this augmentation was not due to a budget increase, but rather to cover federal and private matching funds that did not materialize. Ms. Finn asked what happened to the funding. Ms. Chapman said the Open Rivers program through NOAA funded an initial amount of \$1.5 million and then the program ceased to exist. The Innovative Readiness Training Program was through the National Guard and the Department of Defense would not allow the National Guard to work on the property since it is privately owned.

Chairman Bonham asked if there were any further comments or questions and there were none.

It was moved by Board Member Jack Baylis that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$1,000,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Section 5096.650(a); authorize staff and the California Department of Fish and Wildlife to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

33. Elkhorn Slough Tidal Marsh Restoration \$980,000.00
Monterey County

This proposal was to consider the allocation for a grant to the Elkhorn Slough Foundation for a cooperative project with California Department of Fish and Wildlife (CDFW), California State Coastal Conservancy, California Department of Water Resources, US Fish and Wildlife Service, and the Santa Cruz County Public Works Department, to restore 46± acres of tidal marsh and five acres of perennial grasses on the CDFW's Elkhorn Slough National Marine Estuarine Research Reserve, located two miles east of Moss Landing in Monterey County.

Mr. Scott McFarlin described the project and its location to the Board.

LOCATION

This project is located within the tidal wetlands and uplands of the Elkhorn Slough National Estuarine Research Reserve (Reserve), an estuary that empties into Monterey Bay in the town of Moss Landing in Monterey County. The Reserve, which extends inland for seven miles from Monterey Bay, is owned by the CDFW and managed in partnership with the National Oceanic and Atmospheric Administration (NOAA). Elkhorn Slough contains approximately 2,690 acres of distinctive habitat types including subtidal channels, tidal creeks, mudflats, salt marshes, and tidal brackish marshes, and provides some of the most important freshwater and brackish marsh habitat for wildlife in California. These habitats provide a rich ecosystem essential for over 340 bird, 550 marine invertebrate, and 102 fish species. The estuary also provides many beneficial uses for humans such as recreational boating, hiking, and bird watching.

The proposed project will take place in the Minhoto and Hester's Marsh areas of the Reserve, a portion of a property acquired by the Elkhorn Slough Foundation in 2009 with assistance from the Wildlife Conservation Board (WCB). The property was subsequently donated to CDFW and made part of the Reserve. The Minhoto site had cropland running from the hilltop to the edge of the estuary until 2009. After acquisition, the footprint of the existing agricultural fields was reduced from 140 to 105 acres to decrease direct agricultural runoff into Elkhorn Slough's wetlands. That 35-acre buffer was planted with annual grasses for erosion control.

PROJECT DESCRIPTION

The project site was historically a rich coastal ecosystem, with grasslands and oak woodlands transitioning to extensive salt marshes drained by narrow, meandering tidal creeks. By the 1930s and 40s all of the salt marsh in the project area had been diked and drained for agricultural use. The act of draining the wetlands led to sediment compaction and land subsidence, from 12 to 30 inches. Decades later, the dikes began to fail, reintroducing tidal waters to the reclaimed wetlands. Rather than converting back to salt marsh, the area converted to intertidal mudflat, as the lowered landscape was inundated too frequently to support tidal marsh vegetation.

The mudflats that occupy these sites do not serve the valuable ecologic function of other mudflats in the estuary because they lack the abundance and diversity of invertebrates of nearby undisturbed mudflats. In addition, the mudflats at the proposed project site host expansive mats of green algae which, together with shallow water depths typical of these degraded wetland mud pans, have been associated with nighttime hypoxia (low dissolved oxygen concentrations), which can cause fish kills.

Another problem that this project seeks to address is water quality impairment in the Elkhorn Slough. The Central Coast Regional Water Quality Control Board lists 14 distinct impairments in the Elkhorn Slough watershed warranting TMDLs (Total Maximum Daily Limits). One of these, runoff containing fertilizers, can lead to seasonal dead zones in estuaries like Elkhorn Slough.

This project will restore up to 46 acres of tidal wetlands and establish perennial grasses on five acres of buffer between the wetlands and the uplands. The proposed project is part of a larger plan to restore at least 104 acres of tidal marshes and to restore 35 acres of existing buffer to perennial grassland in Elkhorn Slough. The initial phase of this project, which is mostly complete, has consisted of land acquisition, planning, permitting, and obtaining sediment for the overall restoration work.

Restoration of the impaired marsh will begin by adding sediment to the subsided mudflat areas in order to raise the elevation of the land surface in order for the tidal marsh plant community to become reestablished in the area. Once the former marshes are raised to the correct elevation, marsh plants should naturally recolonize the wetland, producing biomass and trapping sediments, thus allowing the assemblage to build elevation and keep pace with future sea level rise. Adding sediment to the subsided former marshes will not only restore tidal marsh directly but will increase the resilience of other tidal marshes in the estuary. Raising the marsh elevation with sediment will reduce the “tidal prism,” the volume of water moving in and out of the estuary each day, and help reduce the erosion of the slough’s benthic habitats and tidal creeks.

The CDFW has partnered with the Santa Cruz County Public Works Department to obtain sediment from a levee capacity maintenance project along the Pajaro River in Santa Cruz. The Pajaro River Bench Excavation Project, provided over 50,000 cubic yards of material for beneficial reuse, which has already been delivered and is stored on site.

The proposed project will increase the extent of tidal marsh in Elkhorn Slough for the first time in 60 years and demonstrate innovative approaches that will result in an 8-10 percent increase in tidal marsh in the estuary. If extended to other parts of the estuary, this approach could increase the extent of marsh by 50 percent over existing acreage, approaching the historic footprint.

In addition, the proposed project will address nonpoint source stormwater runoff and improve water quality in the Elkhorn Slough. Wetlands provide numerous water quality improvement functions related to sedimentation, filtration, and the transformation of nutrients and pesticides. Wetlands can process the nutrient inputs of farmland at a ratio of one acre of wetland to more than 25 acres of farmland. By that ratio, this project is predicted to offset the nutrient inputs from about 1,525 acres of cropland. The proposed project will also provide a perennial grass buffer between existing cropland and the wetlands in the project area. This buffer will intercept agricultural runoff from adjacent lands, resulting directly in improved water quality in the marshlands below.

WCB PROGRAM

The proposed project will be funded through the Habitat Enhancement and Restoration Program and meets the program's goal of providing for restoration of wetlands that fall outside the jurisdiction of the Inland Wetland Conservation Program such as coastal, tidal, or fresh water habitats, coastal scrub, grasslands, threatened and endangered species habitats, in-stream restoration projects including removal of fish passage barriers and other obstructions.

The project is consistent with the following goals outlined in the WCB Strategic Plan:

Goal B.1. Invest in projects and landscape areas that help provide resilience in the face of climate change, enhance water resources for fish and wildlife and enhance habitats on working lands:

The proposed project will establish tidal marsh at an elevation relatively high in the tidal frame that will optimize the growth rate of the marsh plants. This is expected to produce robust stands of tidal marsh vegetation, which will maximize sediment accretion, giving these landscapes the greatest potential to rise with the projected sea level rise. In addition, as the marsh rises, it is projected that carbon will be sequestered in the soil as new vegetation grows on previous generations of salt marsh vegetation.

In addition, the proposed project addresses the following priorities outlined in the WCB Strategic Plan:

Improve habitat for threatened or endangered species:

At least 14 threatened, endangered or state species of special concern utilize the slough or its surrounding uplands including; Santa Cruz long-toed salamanders, California red-legged frogs, Ridgeway's rail (locally extinct but a potential re-colonizer from nearby populations in the San Francisco Bay), peregrine falcons, California least terns, burrowing owl, American brown pelican, northern harrier, Lawrence's goldfinch, large-billed savannah sparrow, yellow-headed blackbird, tricolored blackbird, tidewater goby, and southern sea otters. Additionally, the slough is on the

Pacific Flyway, providing an important feeding and resting ground for many types of migrating waterfowl and shorebirds. Once restored, the project site and surrounding marsh areas will once again support historical rich tidal marsh plants and animals, including habitat for the threatened/endangered and special status species listed above.

MANAGEMENT OBJECTIVES AND NEEDS

Long-term project maintenance will be conducted by the Reserve and CDFW staff, which presently maintain the property as part of the larger 1,700-acre Reserve. Operation and maintenance is anticipated to be minimal and will include weed management in the perennial grass buffer. Maintenance costs are conservatively estimated at \$5,000 per year, which are unchanged from the existing maintenance requirements of the project site. There are no anticipated long term maintenance costs for the tidal marsh restoration area. Past marsh restoration projects in Elkhorn Slough have shown that if the sediment height is within the marshplain, wetland plants will recruit to the area usually within nine months and pickleweed within 12 months. Primary and secondary tidal creeks will be left intact or will be excavated. The monitoring plan consists of two types of monitoring: implementation monitoring and ecological effectiveness. Once construction is complete the primary focus will be on monitoring the ecological effectiveness of the new marsh.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

	Planning/ Design	Construction	BMP's	Monitoring	Contingency	Project Admin	TOTALS
CDFW (in-kind)	\$0	\$10,500	\$0	\$0	\$0	\$0	\$10,500
Elkhorn Slough Foundation (in-kind)	\$0	\$0	\$0	\$0	\$0	\$50,000	\$50,000
Santa Cruz County Public Works (in-kind)	\$0	\$130,000	\$0	\$0	\$0	\$0	\$130,000
SSC	\$565,517	\$0	\$0	\$0	\$0	\$34,483	\$600,000
DWR	\$425,970	\$443,877	\$0	\$0	\$0	\$43,492	\$913,339
NCWC	\$60,000	\$706,511	\$46,822	\$20,000	\$0	\$166,667	\$1,000,000
DFW - GHG	\$0	\$1,931,404	\$55,000	\$792,488	\$0	\$162,876	\$2,941,768
WCB	\$0	\$772,995	\$65,000	\$40,000	\$12,915	\$89,090	\$980,000
TOTAL	\$1,051,487	\$3,995,287	\$166,822	\$852,488	\$12,915	\$546,608	\$6,625,607

Project costs will be for earthmoving, water control structures, implementation of best management practices, hydrological and biological monitoring, and project administrative costs.

FUNDING SOURCE

The proposed funding source for this project is the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d), Wetlands Outside the Central Valley, which provides funding for the acquisition, enhancement or restoration of wetlands outside the Central Valley and are consistent with the objectives of this project.

CEQA AND CDFW REVIEW/ RECOMMENDATION

As Lead Agency, the California Department of Fish and Wildlife has prepared a Mitigated Negative Declaration (MND) pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff has considered the MND and prepared proposed, written findings documenting WCB's compliance with CEQA. Following the Board's approval of the project, staff will file a Notice of Determination with the State Clearinghouse. The California Department of Fish and Wildlife has reviewed this proposal and recommends it for funding by the WCB.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$980,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d), Wetlands Outside the Central Valley; authorize staff and the California Department of Fish and Wildlife to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

Mr. Donnelly said he received letters of support from Congressman Sam Farr, 20th District, U.S. House of Representatives; Senator William Monning, 17th District, California State Senate; John Presleigh, Director of Public Works, County of Santa Cruz; Jeffrey L. Payne, Acting Director, NOAA Coastal Services Center; Dave Feliz, Elkhorn Slough Reserve Manager, CDFW; Tracie Billington, Chief, DWR; Rachel Couch, Program Manager, State Coastal Conservancy; Mark Silberstein, Executive Director, Elkhorn Slough Foundation and Dan Silver, Executive Director, Endangered Habitats League.

Mr. McFarlin introduced Monique Fountain from the Elkhorn Slough Foundation and Terry Palmisano from CDFW.

There were no further questions or comments.

It was moved by Board Member Jack Baylis that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$980,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d), Wetlands Outside the Central Valley; authorize staff and the California Department of Fish and Wildlife to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to

proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

34. Cienega Springs \$7,545,000.00
Ventura County

This proposal was to consider the acquisition in fee of 282± acres of land on behalf of the California Department of Fish and Wildlife (CDFW) for the protection of threatened and endangered species, riparian and floodplain habitat along the Santa Clara River and to provide potential future wildlife oriented public use opportunities associated with CDFW's Fillmore Fish Hatchery. Additionally, this proposal is to consider the acceptance of funds from the U.S. Department of the Interior Natural Resource Damage Assessment and Restoration Fund (NRDAR), a.k.a. "ExxonMobile Mitigation Fund", to assist in the funding of the project.

Mr. John Walsh presented the project to the Board.

LOCATION AND SURROUNDING USES

The property (Property) is located along the Santa Clara River in the Santa Clara River Valley in Ventura County. The Property can be accessed from State Route 126 one-half mile east of the City of Fillmore. CDFW's Fillmore Fish Hatchery is immediately adjacent to the Property and shares a 0.62 mile boundary with a portion of the Property.

The Santa Clara River is regionally significant as one of the least altered river systems in all of California with relatively natural flows, and one of the few remaining river systems in the southern California region that remains in its natural state without significant channelization and/or concrete. The river flows over 100 miles from the San Gabriel Mountains in Los Angeles County westward across Ventura County and meets the Pacific Ocean near the City of Ventura. It is a "flashy" river that experiences the majority of its water flows during high intensity, short duration storm events and transports a high sediment load. Due to its relatively natural condition, the Santa Clara River watershed not only provides habitat for numerous threatened and endangered species, but creates a fertile valley for agriculture, and is an important source of water for the surrounding communities.

Despite its local and regional ecological importance, the Santa Clara River is threatened by invasive non-native vegetation, poor water quality, conversion from agriculture to urban land uses, and increasing development in the floodplain. In 2005, the non-profit American Rivers designated the Santa Clara River as one of the most threatened rivers in the nation.

The Santa Clara River has been identified by CDFW and other conservation groups as one of the most important areas in the South Coast Region. A high level of threat to special status species and their habitats exists in the immediate and surrounding area. Riparian and wetland habitats and associated species are at a high risk from potential development, water diversions, stream alterations, agricultural activities, introduction of exotic species, and the use of off road vehicles. Development of this area would pose significant risk for riparian and wetland loss. It would involve draining wetlands and installing water diversions

and flood control structures. Threats to wildlife would also include introduction of domestic predatory animals, introduction of exotic plants, pest species and increased human activity.

PROJECT DESCRIPTION

The Property is irregular in shape and is currently used for agriculture in a designated flood plain. There are numerous dilapidated improvements and miscellaneous personal property that must be removed by the Grantor prior to close of escrow.

The Property contains several surface flowing springs and provides key habitat for a number of federal and state listed bird species. Native riparian scrub and riparian forest along the river support the southwestern willow flycatcher and the least Bell's vireo. The river channel part of the Property provides migration habitat for southern California steelhead trout and habitat for the unarmored three spine stickleback and the Santa Ana sucker.

Once acquired, the land will be allowed to revert to predominantly willow riparian and riparian scrub habitat. There is a strong possibility that wetland restoration will occur in areas that are currently now either water cress or fallow crop land. Wetland restoration could expand the current least Bell's vireo and southwestern willow flycatcher's nesting and foraging opportunities. Restoration efforts could also improve the functions and values of the Santa Clara Riverine habitats.

The acquisition will also help facilitate future hatchery operations. Records indicate 70,000 visitors enjoy the hatchery annually. The acquisition would buffer the hatchery from encroaching development, and may also provide opportunities for long-term use of the Property for discharge of the hatchery waste water in an ecologically supportive and cost effective manner, as well as a viable water source for the hatchery that may be more cost effective and environmentally sound than the use of wells.

WCB PROGRAM

The proposed grant for this project is being considered under the WCB's Land Acquisition Program (Program). The Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Code Section 1300, et seq.), which authorizes WCB to acquire real property or rights in real property on behalf of CDFW, grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property, and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with the acquisition of properties. Under the Program WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife oriented recreation opportunities. These activities are carried out in conjunction with CDFW, which evaluates the biological values of property through development of a Land Acquisition Evaluation (LAE)/Conceptual Area Protection Plan (CAPP). The LAE/CAPP is then submitted to CDFW's Regional Operations Committee for

review and, if approved, later transmitted to the WCB with a recommendation to fund.

Consistent with Goal A-1 of WCB's Strategic Plan, the acquisition would continue to allow migration and movement of species and provide for habitat connectivity between identified habitat areas.

Goal A.4 - The Property was written up as an LAE. This is consistent with Goal A.4, Invest in priority conservation projects recommended under CDFW's land acquisition or within other conservation plans supported by CDFW.

The Property has been identified and evaluated in an approved LAE as a priority for protection.

MANAGEMENT OBJECTIVES AND NEEDS

CDFW will have jurisdiction and control of the Property and may seek to have it designated as an Ecological Reserve, with specific integration of the existing adjacent Fillmore Hatchery. CDFW regional staff anticipates that initial start-up costs are in the range of \$10,000. Those funds would be needed for perimeter, wildlife-friendly fencing and signage of the Property. Given that the Property's location is adjacent to state owned hatchery land, economies of scale will be achieved for management and operation of the new property. Public access to portions of the hatchery is currently allowed and the acquisition would allow potential future opportunities for the same at the Property. Educational programs are currently offered at the hatchery. CDFW anticipates that upon completion of site-specific evaluations, biological surveys and land management planning, there may be opportunities to provide low-impact recreational activities such as bird watching, nature photography, research, education, and sponsored or special hunt events for waterfowl or upland game at the Property.

TERMS

The Property has been appraised as having a fair market value of \$8,465,000.00. The appraisal has been reviewed by WCB staff, reviewed and approved by an independent appraiser hired by WCB staff, consistent with the WCB appraisal policy, and reviewed and approved by the Department of General Services (DGS).

Staff of the WCB must review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. Once approved by the Board, the transaction will also be subject to review and approval by DGS.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$7,465,000.00
ExxonMobile Mitigation Fund	<u>\$1,000,000.00</u>
Total Purchase Price	\$8,465,000.00

Other project related administrative costs	\$80,000.00
Total WCB Allocation	\$7,545,000.00

It is estimated that an additional \$80,000.00 will be needed to cover project-related expenses, including DGS review costs, escrow fees, and closing costs.

FUNDING SOURCES

The purposes of this project are consistent with the authorized uses of the proposed funding source, the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) (Proposition 1E), which allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species to protect or enhance a flood protection corridor or bypass.

In addition to WCB's allocation, it is proposed that WCB accept \$1,000,000.00 from the ExxonMobile Mitigation Fund, established based on natural resource damages resulting from the 1991 Exxon oil pipeline rupture. These settlement funds have been deposited in the Department of the Interior Natural Resource Damage and Restoration Fund (NRDAR Fund). The ExxonMobile Mitigation Fund is administered by the Santa Clara River Trustee Council (SCR TC), comprised of representatives of the U.S. Fish and Wildlife Service and CDFW, the federal and state trustee agencies in this case, respectively. The SCR TC is tasked with utilizing ExxonMobile Mitigation Funds maintained in the NRDAR Fund for restoration of natural resources in the Santa Clara River watershed area that were injured as a result of the 1991 Exxon oil pipeline rupture. On October 5, 2007, the Governor designated the Secretary of Resources as California's Natural Resource Trustee and representative authorized to act on behalf of the public as trustee for natural resources within the purview of the Natural Resources Agency. On November 29, 2012, the California Secretary for Natural Resources delegated to the WCB the authority to act as trustee for natural resources for purposes of implementing restoration alternatives identified in restoration plans developed pursuant to the Comprehensive Environmental Response, Contamination, and Liability Act (CERCLA) and/or the federal Oil Pollution Act of 1990 (OPA). Accordingly, the SCR TC can authorize this disbursement from the SCR ExxonMobile Account directly to the WCB. In March 2013, the SCR TC completed a Restoration Plan/Environmental Assessment to direct the use of the ExxonMobile funds and identified land protection and management and habitat restoration projects in the Santa Clara River watershed area as the preferred alternatives.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and habitat. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State

Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the WCB approve this project as proposed; allocate \$7,545,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) (Proposition 1E) for the acquisition and to cover internal project-related expenses; approve acceptance of \$1,000,000.00 from the ExxonMobile Mitigation Fund in the Natural Resource Damage and Restoration Fund including administrative costs and apply those funds to the project; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Mr. Donnelly said he received letters of support from Dan Silver, Executive Director of the Endangered Habitats League and E.J. Remson, Senior Program Manager from The Nature Conservancy.

Mr. Walsh introduced Terri Stewart, William Cox, Mark Clifford, Gary Williams, and Kenneth Robledo all from CDFW. Also attending were Rick and Al Beserra, property owners and James Allen, who is the attorney for the property owners.

Mr. Donnelly clarified that this project was subjected to the Board appraisal policy. WCB contracted for the appraisal and contracted for an independent review of the appraisal and posted the review 30 days prior to the Board meeting.

Ms. Brown asked if the acquisition of this land would be used for public access as well. Mr. Walsh said yes, the hatchery has plans for expansion and the ecological reserve will be open for public access at a future point, once it is restored.

Chairman Bonham asked if there were any further questions or comments and there were none.

It was moved by Board Member Karen Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$7,545,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) (Proposition 1E) for the acquisition and to cover internal project-related expenses; approve acceptance of \$1,000,000.00 from the ExxonMobile Mitigation Fund in the Natural Resource Damage and Restoration Fund including administrative costs and apply those funds to the project; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the CDFW to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

35. Malibu Creek Rindge Dam Removal, Planning \$610,000.00
Los Angeles County

This proposal was to consider the allocation for a grant to the California Department of Parks and Recreation (DPR) for a cooperative project with the United States Army Corp of Engineers (USACE), Santa Monica Mountains Conservancy (SMMC), State Coastal Conservancy (SCC), Santa Monica Bay Restoration Commission (SMBRC), Los Angeles County, California Department of Fish and Wildlife (CDFW), Regional Water Quality Control Board, and Mountains Restoration Trust (MRT) to complete the combined Feasibility Study and Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the removal of the Rindge Dam, located two miles north of City of Malibu in Los Angeles County.

Mr. Brian Cary presented the project to the Board.

LOCATION

The Malibu Creek watershed is located approximately 30 miles west of downtown Los Angeles, California. Approximately two-thirds of the watershed is located in northwestern Los Angeles County and the remaining one-third is in southeastern Ventura County. The watershed drainage area is approximately 110 square miles and includes areas of the Santa Monica Mountains and Simi Hills. It is the largest coastal watershed in the Santa Monica Mountains, and is encompassed by one of the largest areas of protected open space left in southern California.

Nearly a third of the Malibu Creek watershed, more than 30 square miles, is protected as open space by state, federal, and local agencies and non-profit organizations. The remaining two-thirds of the watershed is mostly undeveloped and projected to remain that way for the 50-year period of analysis. The Rindge Dam is located within the 13-square-mile Malibu State Park, which is managed by DPR. The park boundary extends from Malibu Lagoon, up Malibu Creek and several tributaries within and outside of the project area, and connects to protected federal lands in the Santa Monica Mountains.

The Malibu Creek riparian corridor remains largely undeveloped and within protected areas. However, some development has occurred along the lower portion of Malibu Creek and adjacent to Malibu Lagoon in the City of Malibu. Rindge Dam is located approximately three miles from the mouth of Malibu Creek. The Rindge family built the dam between 1924 and 1926 as a private water storage and supply facility for the family ranch.

The dam is a concrete arch structure, 102 feet in height with an arc length of 140 feet at its crest and 80 feet at its base. The spillway is a concrete apron located adjacent to the arch in a bedrock outcrop along the left abutment. The dam is located in a steep narrow canyon gorge that is difficult to access. The reservoir, though essentially filled with sediment by the mid-1940s, continued to serve as water supply for the Malibu community into the early 1960s. The dam was

decommissioned in 1967, and the property was purchased by DPR to become part of what is now Malibu Creek State Park.

PROJECT DESCRIPTION

The project area includes Malibu Creek, Liberty Creek, Stokes Creek and Las Virgenes Creek. Removal of Rindge Dam and an additional eight barriers are the ultimate project objectives. No reservoir currently exists behind the dam and the sediment impounded behind the dam has filled to the crest of the dam, about 100 feet above the elevation of the original streambed. Of the many instream barriers within the Malibu Creek watershed, Rindge Dam, built in 1926, is the largest disruption to natural stream flow, sediment transport and aquatic and terrestrial habitat connectivity along Malibu Creek in the project area. Rindge Dam blocks miles of good to excellent inaccessible aquatic habitat as a result of the impassible barrier created by the dam. Addressing Rindge Dam is the key to aquatic ecosystem restoration and natural sediment transport regimes within this watershed, particularly to restore access to quality spawning and rearing habitat for the steelhead trout and other sensitive species.

To address this issue, the Malibu Creek Ecosystem Restoration Project has been ongoing since 2000. The USACE and DPR are co-leads on the project and are developing a combined Feasibility Study and EIR/EIS. The studies will include: a side-scan sonar survey providing marine habitat information for a biological analysis which will ultimately inform project managers with locations suitable for dam sediment distribution, updating sections of the draft EIR/EIS based on USACE Headquarters comments, release of the draft EIR/EIS for public review, completion of an independent external peer review (IEPR) by technical experts not associated with DPR or USACE, response to public and IEPR comments, finalization of the EIR/EIS and document review and approval processes.

The unusual geomorphology of Malibu Creek results in a wide variety of habitat types supporting hundreds of native plants and animals, including numerous state and federally listed or sensitive aquatic species such as tidewater goby, arroyo chub, Pacific lamprey, California red-legged frog, southwestern pond turtles, two-striped garter snakes, and California newts. Important wildlife movement corridors support the continued survival of many sensitive aquatic and terrestrial animals, including mountain lions, bobcats, badgers, and mule deer, among others. All of these species would benefit from improved passage and habitat enhancements along Malibu Creek that would occur if the Rindge Dam is removed.

The importance of ecosystem restoration within the Malibu Creek watershed has long been a priority for resource agencies, non-profits, researchers, and stakeholders within the greater Los Angeles County area. Restoration and research efforts within the watershed have ranged from large scale removal of invasive aquatic species such as red-swap crayfish and giant reed, water quality assessments, tracking invasive mud-snails, movement of mountain lions and other mega fauna, surveys for the presence of steelhead trout, removal of fish passage barriers, and an extensive range of species specific survey work. This past work has resulted in a wealth of current information regarding steelhead and other species for this watershed and region that assisted the Project Delivery

Team (PDT) and other members of the Technical Advisory Committee (TAC) in their analyses. The PDT consists of primarily USACE staff, but does have DPR representation. The TAC includes representatives from DPR, stakeholders, and resource agencies including the National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service, and CDFW. Other TAC stakeholder participants include the National Park Service (NPS), SCC, Cal Trout, Heal the Bay, the Mountains Recreation and Conservation Authority, Malibu Surfing Association, Las Virgenes Municipal Water District, L.A. County Department of Beaches and Harbors, the Resource Conservation District of the Santa Monica Mountains, SMBRC, Santa Monica Baykeeper, the Southern California Coastal Water Research Project, City of Malibu, City of Calabasas, Serra Retreat Community, MRT, and the Surfrider Foundation. The TAC actively participated in the planning process throughout the study and collaborated on the formulation, comparison, and evaluation of the final array of alternatives and new analyses prepared by the PDT.

Removal of Rindge Dam and other instream barriers have been identified by NMFS as a priority recovery action within the Southern California Recovery Plan and the General Plans for the Santa Monica Mountains National Recreation Area (SMMNRA), DPR, and SMBRC, among other documents.

WCB PROGRAM

The proposed project will be funded through the Habitat Enhancement and Restoration Program and meets the program's goal of providing for in-stream restoration projects including removal of fish passage barriers and other obstructions.

The project is consistent with the following goals outlined in the WCB Strategic Plan: Goal B.1 – Invest in projects and landscape areas that help provide resilience in the face of climate change, enhance water resources for fish and wildlife, and enhance habitats on working lands:

- the California Wildlife Action Plan states that “*the most significant stressor on the South Coast’s wildlife is urban, suburban, and rural development and resulting habitat loss and fragmentation*” (CDFG 2007:171). The project will specifically address this issue within this area by restoring wildlife connectivity within the Malibu Creek Watershed.
- The removal of Rindge Dam will provide unrestricted access to steelhead and other aquatic organisms to relatively pristine stream ecosystems.

PROJECT FUNDING

Task	USACE	State Coastal Conservancy	DPR	L.A. County	CDFW	RWQCB	Mountains Restoration Trust	WCB	Total
EIS/EIR and Feasibility Study (Planning, Design)	\$3,047,000	\$1,021,500	\$1,403,682	\$270,000	\$160,000	\$10,000	\$1,000	\$610,000	\$6,523,182
Project Admin				\$30,000	\$24,000				\$54,000

Contingency	\$25,000								\$25,000
	\$3,072,000	\$1,021,500	\$1,403,682	\$300,000	\$184,000	\$10,000	\$1,000	\$610,000	\$6,602,182

Project costs will be used to finalize the Draft Feasibility Study and EIR/EIS.

FUNDING SOURCE

The proposed funding source for this project is the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Water Code Section 79572(a) and Water Code Section 79572(b), which provides funding for the acquisition, protection and restoration of coastal watersheds and adjacent lands in Los Angeles and Ventura Counties and is consistent with the objectives of this project.

CEQA AND CDFW REVIEW/ RECOMMENDATION

The California Department of Fish and Wildlife has reviewed this proposal and recommends it for funding by the WCB. The project is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15262), as it involves only feasibility and planning studies for possible future actions which this Board has not approved, adopted, or funded.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$610,000.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50) Water Code Section 79572(a) and Water Code Section 79572(b); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

Mr. Donnelly informed the Board that he received a letter of support from Executive Director Dan Silver, from the Endangered Habitats League.

Mr. Cary introduced Jamie King, Environmental Scientist with California State Parks.

Mr. Baylis asked if the funding is through the completion of final design. Mr. Cary said no, the funding is only to complete the feasibility study and EIS/EIR and not the design. Ms. King said all the federal funds are in place and the state funds are the only thing missing in order to send it on to Congress for final review and approval.

Ms. Finn asked if there were a rough estimate on how much it will cost to complete the project. Ms. King said it is estimated to be between \$100 and \$150 million.

There were no further questions or comments.

It was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; allocate \$610,000.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50) Water Code Section 79572(a) and Water Code Section 79572(b); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

Passed Unanimously.

Bonham - Yes

Baylis – Yes

Finn - Yes

36. Buena Vista Lagoon (MacHutchin) \$1,360,000.00
San Diego County

This proposal was to consider the allocation for a grant to the Buena Vista Audubon Society (BVAS) to acquire four acres of coastal wetlands for the protection of coastal wetlands and watershed areas and to enhance wildlife linkages, watershed protection, and provide the potential for future wildlife oriented public use opportunities.

Mr. Kurt Weber presented the project to the Board.

LOCATION AND SURROUNDING USES

The property (Property) is located along the northern boundary of the City of Carlsbad. The Pacific Ocean is due west and on the north and east side is the City of Oceanside. The Property is adjacent to the Atchison, Topeka and Santa Fe Railway, old Highway 101 (Hill Street) and Interstate 5, all running north and south, and is directly adjacent to the 223-acre Buena Vista Lagoon (Lagoon), rising slightly above sea-level in elevation. The Lagoon is California's only freshwater lagoon, protected from tidal influence by a beach berm and man-made weir.

The Project lies within the City of Oceanside's proposed Multiple Habitat Conservation Program (MHCP) hard line preserve area and in the Coastal Zone. The project site is within Offsite Mitigation Zone II of the MHCP subarea plan. The City of Oceanside MHCP Volume II (2003) identifies major and critical animal populations within the MHCP study area including those that utilize the Lagoon.

The Wildlife Conservation Board (WCB) has made significant investments to date in the Buena Vista Lagoon Ecological Reserve, including funding of the original acquisition in 1969, with subsequent WCB funded expansions again in 1972 and 2001. The development of pristine wetland and other significant habitats like the Lagoon and the Carpentaria Marsh were the impetus to create the State Ecological Reserve legislation by Assemblyman Stull in the late 1960s.

PROJECT DESCRIPTION

The Property features gently sloping terrain rising from sea level to around 50 feet. The entire lagoon has approximately 190 surface acres of fresh water and ranges in depths up to 6 feet. The existing lagoon is a remnant of a much larger one which has gradually been filled for commercial development. The purpose of this proposed purchase is to preserve in perpetuity the remaining lagoon as a wildlife and ecological area.

The City of Oceanside MHCP Volume II (2003) identifies major and critical animal populations within the MHCP study area including those that utilize the Lagoon such as the southwest pond turtle, white-faced-ibis, and the state and federally listed endangered light-footed clapper rail. The Lagoon is included in the Carlsbad Habitat Management Plan. The uplands habitat is degraded, and

currently provides low quality habitat for wildlife, although it still functions as a valuable buffer to the salt marsh below. The property has the potential for future restoration of the uplands which could enhance this buffer and eliminate non-native and invasive species, thus improving nesting habitat for shore birds.

The Property is zoned medium density residential and general commercial. The upland portion of the site is disturbed with various compacted trails used by local residents. Dog and other animal waste are frequently not cleaned up and the site is not managed for trash, causing negative impacts to lagoon water quality. The portion of the property adjacent to the lagoon is a functioning wetland habitat.

The Property is the last significant undeveloped private property adjacent to the Lagoon. This acquisition will eliminate the impacts to the lagoon that would occur if the site were to be developed for commercial or residential uses as has been previously proposed. Preserving the property will provide an opportunity for future restoration and enhancement of both the uplands and wetlands which could provide additional habitat for threatened and endangered species. Acquiring and preserving the property will also help minimize pollutants entering the lagoon by providing a buffer from existing adjacent residential development. The preservation of the parcels would allow for more active management, including limiting users to known trails, conducting waste and trash cleanup, and providing educational opportunities to the public.

WCB PROGRAM

The proposed grant is being considered under the WCB's Land Acquisition Program. The Land Acquisition Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, *et seq.*) authorizing the WCB to acquire real property or rights in real property on behalf of the Department of Fish and Wildlife (CDFW), grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. Under the program, the WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife-oriented recreation opportunities. These activities are carried out in conjunction with the CDFW, which evaluates the biological values of property through development of a Land Acquisition Evaluation/Conceptual Area Protection Plan (LAE/CAPP). The LAE/CAPP is then submitted to CDFW's Regional Operations Committee for review and, if approved, later transmitted to the WCB with a recommendation to fund.

This Project is guided by the WCB Strategic Plan and supports the following Strategic Plan goals:

- Goal A-1 - Fund projects that provide resilience for native wildlife and plant species in the face of climate change.

- Goal A-3 - Fund projects that promote the recovery of listed species of the WCB's Strategic Plan.

Acquisition of the Property will reduce habitat fragmentation and help implement the recovery of the listed species found on or near the Property.

MANAGEMENT OBJECTIVES AND NEEDS

BVAS currently manages the Buena Vista Lagoon Ecological Reserve and will be the sole entity responsible for management once the Property is acquired. Funding of future management activities for this Property will be provided by the BVAS and other funding partners. The BVAS currently has its headquarters and visitor center on an adjacent property. BVAS may explore the potential for future public use activities on the Property in conjunction with its management of adjacent properties.

TERMS

The Property has been appraised as having a fair market value of \$1,550,000.00. The BVAS will contribute \$200,000.00 toward the purchase price, and another potential funder may contribute up to \$500,000.00 toward the purchase price. This funding is currently under review by the contributor and a final determination will be made before close of escrow. If this funding is made available, the WCB's contribution amount will be reduced by up to \$500,000.00.

The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services. The BVAS has acquired an exclusive option to purchase the Property.

The terms and conditions of the proposed WCB grant to BVAS provides that staff of the WCB will review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms, the WCB can encumber the Property with a conservation easement and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$1,350,000.00
Buena Vista Audubon Society	<u>\$200,000.00</u>
TOTAL Purchase Price	\$1,550,000.00
Other project related administrative costs	\$10,000.00
Total WCB Allocation	\$1,360,000.00

It is estimated that an additional \$10,000.00 will be needed to cover project

related administrative costs, including appraisal and DGS appraisal review.

WCB FUNDING SOURCE

The purposes of this project are consistent with the proposed funding source that allows for the acquisition, protection and restoration of coastal wetlands and watersheds located in Southern California. [Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Water Code Section 79572(a)].

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and existing natural conditions, including plant or animal habitats. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$1,360,000.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Water Code Section 79572(a) for the grant and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and CDFW to proceed substantially as planned.

Mr. Donnelly informed the Board that he received a letter of support from Executive Director Dan Silver, from the Endangered Habitats League.

There were no further questions or comments.

It was moved by Board Member Jack Baylis that the Wildlife Conservation Board approve this project as proposed; allocate \$1,360,000.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Water Code Section 79572(a) for the grant and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and CDFW to proceed substantially as planned.

Passed Unanimously.

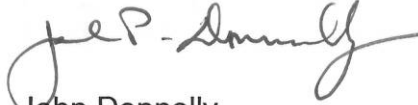
Bonham - Yes

Baylis – Yes

Finn – Yes

With no further business to discuss, the meeting was adjourned.

Respectfully submitted

A handwritten signature in black ink, appearing to read "John P. Donnelly". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John Donnelly
Executive Director

PROGRAM STATEMENT

At the close of the meeting on September 3, 2015, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$2,641,141,367.75. 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 Fund, 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, Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Fund, California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund, Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002, Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, 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. The tax credits are not reflected in the total amount allocated to projects.

A. Fish Hatchery and Stocking Projects	\$18,414,394.06
B. Fish Habitat Preservation, Development & Improvement	51,281,782.87
Reservoir Construction or Improvement	5,737,699.00
Stream Clearance and Improvement.....	34,394,009.73
Stream Flow Maintenance Dams.....	542,719.86
Marine Habitat	4,171,581.57
Fish Screens, Ladders and Weir Projects	6,435,772.71
C. Fishing Access Projects.....	65,953,676.83
Coastal and Bay	6,274,134.53
River and Aqueduct Access	27,863,065.83
Lake and Reservoir Access	10,813,623.43
Piers	21,002,853.04
D. Game Farm Projects.....	146,894.49
E. Wildlife Habitat Acquisition, Development and Improvement.....	2,414,493,396.46
Wildlife Areas (General)	456,225,716.23
Miscellaneous Wildlife Habitat Development.....	41,425,338.81
Wildlife Areas/Ecological Reserves, (Threatened, Endangered or Unique Habitat)	802,327,480.89

Land Conservation Area	15,130,464.18
Inland Wetlands Conser. Grants & Easements	31,349,560.50
Riparian Habitat Conser. Grants & Easements	97,304,231.16
Other Wildlife Habitat Grants	970,740,604.69
F. Hunting Access Projects	1,365,195.57
G. Miscellaneous Projects (including leases)	46,413,492.49
H. Special Project Allocations.....	1,892,496.37
I. Miscellaneous Public Access Projects	40,643,618.54
State Owned	2,247,004.81
Grants	38,396,613.73
J. Sales and/or exchanges	526,420.07
K. Natural Heritage Preservation Tax Credit Act (tax credits awarded)...	(51,353,734.00)
Statutory plans	(0.00)
Corridors, wetlands, wildlife habitat, streams and riparian habitat	(6,289,658.00)
Agricultural lands	(13,775,640.07)
Water and water rights	(0.00)
State and local parks, open space and archaeological resources	(31,288,435.93)
Total Allocated to Projects.....	\$2,641,141,367.75